

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

NINTH DAY'S PROCEEDINGS

Twenty-third Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, April 11, 1997

The House of Representatives was called to order at 10:00 A.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. Speaker	Frith	Pinac
Alario	Fruge	Powell
Alexander, A.—93rd	Gautreaux	Pratt
Alexander, R.—13th	Glover	Quezaire
Ansardi	Green	Riddle
Barton	Guillory	Romero
Baudoin	Heaton	Rousselle
Baylor	Hebert	Scalise
Bowler	Hill	Schneider
Brun	Hopkins	Shaw
Bruneau	Hudson	Smith, J.D.—50th
Carter	Hunter	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Lancaster	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Montgomery	Willard-Lewis
Faucheux	Murray	Windhorst
Flavin	Odinet	Winston
Fontenot	Perkins	Wright

Forster
Total—92

Pierre

ABSENT

Bruce
Chaisson
Hammett
Holden
Iles
Total—13

Jenkins
Landrieu
Mitchell
Morrell
Morrish

Salter
Vitter
Wilkerson

The Speaker announced that there were 92 members present and a quorum.

Prayer

Prayer was offered by Rep. Perkins.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Dimos, the Journal of April 10, 1997, was adopted.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

HOUSE BILL NO. 1007—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1802(2) and 1804(1)(b) and to repeal R.S. 11:1802(3), relative to the Municipal Employees' Retirement System of Louisiana; to provide relative to the limitation on the maximum amount of normal and disability retirement benefits payable from Plan B; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1008—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1785(C), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to Plan A survivor benefits and the eligibility therefor; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1009—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:103(B)(1) and (3)(a) and (C)(1), relative to all statewide public retirement systems; to provide with respect to deletion of certain criteria from the elements of cost contained in the gross required employer contribution; to further provide regarding the inclusion of certain members on the active member payroll; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1010—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 11:105, relative to the Assessors' Retirement Fund, the Clerks' of Court Retirement and Relief Fund, the Municipal Employees' Retirement System of Louisiana, and the Parochial Employees' Retirement System of Louisiana; to provide with respect to employer contribution rates and the procedures use in determination thereof; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1400—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 11:2228, relative to the Municipal Police Employees' Retirement System; to provide relative to exemption from execution; to provide with respect to certain exemptions from levy and sale, garnishment, or attachment applicable to a return of contributions; to provide with respect to the assignment of benefits; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1401—
BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 33:1704.3(A), relative to fees of office of Slidell city marshal; to provide for an increase in fees in civil matters; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

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

HOUSE RESOLUTION NO. 20—
BY REPRESENTATIVE WILKERSON
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Minister Willie Randle, community leader and respected man of God.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 100—
BY REPRESENTATIVE HOLDEN
A CONCURRENT RESOLUTION

To commend Dr. Delores Richard Spikes for her eight years of significant achievement as president of the Southern University System; to recognize and record her myriad accomplishments and her remarkable contributions to the university, to her community, and to the state, and to extend to her the best wishes of the legislature as she embarks upon new challenges and endeavors.

Read by title.

On motion of Rep. Welch, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact Teaming with Wildlife legislation to provide a funding source for the conservation and management of nongame wildlife species.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 102—
BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION

To direct the state registrar of vital records to establish a uniform marriage license and marriage certificate for use on and after January 1, 1998.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATORS HINES AND EWING
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to enter into a cooperative endeavor with other public and private organizations and institutions in establishing the Louisiana Public Health Institute.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR DARDENNE
A CONCURRENT RESOLUTION

To urge and request the Committee on Senate and Governmental Affairs and the Committee on House and Governmental Affairs to function as a joint committee to study the possible implementation of various recommendations propounded by the Select Council on Revenues and Expenditures in Louisiana's Future (SECURE) relative to state civil service.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM
A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend federal statutes 46 USCS §11108 and 11109, otherwise known as Seaman Protection and Relief Act, to remove the prohibition against states from withholding income tax from wages due or accruing to a master or seaman and the attachment of wages for tax payments.

Read by title.

Under the rules, the above resolution was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION NO. 69—
BY SENATOR SMITH AND REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the Atlanta High School boys basketball team upon its excellence during the 1996-1997 season that culminated in its winning a third consecutive and fifth overall Class C state high school basketball title and in compiling a record of 39-5 and a district record of 6-0.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR HAINKEL
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of former Loyola and Delgado baseball coach Louis "Rags" Scheuermann.

Read by title.

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

**House Bills and Joint Resolutions on
Second Reading to be Referred**

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

HOUSE BILL NO. 1399—
BY REPRESENTATIVES DOWNER AND DUPRE
AN ACT

To amend and reenact R.S. 13:621.32, relative to district judges; to provide for an additional judgeship for the Thirty-second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1652—
BY REPRESENTATIVES DOWNER, DUPRE, AND GAUTREAUX
AN ACT

To enact R.S. 47:322.1 and 332.25, relative to the state sales tax on hotel occupancy in Terrebonne Parish; to create the Terrebonne Parish Visitor Enterprise Fund; to dedicate certain monies to the fund; to provide for uses of monies in the fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 2290—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact the heading of Chapter 8 of Title 37 of the Louisiana Revised Statutes of 1950 and R.S. 37:683(A)(2) and (C), 686, 687, 690(A), (B), and (D), 691(A), 692, 693, 694(B), 695(A), 696(A), 698(B), 699(E), 700(A), and 701(B), (D), (E), and (I)(1), to enact R.S. 37:702(6), and to repeal R.S. 37:703, relative to engineers; to provide for various revisions to the provisions regulating engineers; to provide for the board and its membership; to provide for removal of members; to provide for organization and meetings; to provide for receipts and disbursements; to provide for records and reports; to provide for a roster; to provide for requirements for registration; to provide for application fees; to provide for examinations; to provide for certificate and seals; to provide for disciplinary actions; to provide for violations and penalties; to provide relative to public and private work and application of provisions; to provide for exceptions; to provide for transitional provisions; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2291—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To designate Interstate 220 in Bossier City and Shreveport as the "Joseph D. Waggoner, Jr. Memorial Highway"; and to provide for related matters.

Read by title.

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

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

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

SENATE BILL NO. 29—
BY SENATORS HINES, DARDENNE, BAGNERIS, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, DEAN, DYESS, ELLINGTON, GUIDRY, HEITMEIER, IRONS, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 40:969(B) and (C), and to enact R.S. 40:969(D) relative to controlled dangerous substances; to increase penalties with respect to flunitrazepam; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 30—
BY SENATORS HINES, DARDENNE AND SCHEDLER
AN ACT

To amend and reenact R.S. 14:42.1(A) and 43(A)(1), relative to the crime of rape; to provide that a rape where the victim's condition is induced by administration of narcotic or anesthetic agent or controlled dangerous substance constitutes forcible rape; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 144—
BY SENATOR ROMERO

AN ACT

To enact R.S. 9:315.16, relative to child support; to require an accounting of the expenditure of child support payments under certain circumstances; to provide for the form, procedure, and term; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 385—
BY SENATORS JORDAN, DARDENNE AND SCHEDLER

AN ACT

To enact R.S. 9:2797.2, relative to limitation of liability; to provide civil immunity to health care providers who render gratuitous services in community health care clinics; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 388—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 14:133(A)(2), relative to the filing of false public records; to provide for the crime of filing invalid or false liens or encumbrances with a clerk of court or recorder of mortgages; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 695—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 15:570, relative to execution of sentence; to provide with respect to capital cases; to provide for officials and witnesses present at execution; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 721—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.58.2, 1299.58.3(D)(1) and (3), 1299.58.8(A), 1299.58.9(A), and 1299.58.10(B)(5), and to enact R.S. 40:1299.58.3(D)(1)(b), 1299.58.7(E), 1299.58.8(D)(1) and (2), relative to declarations concerning life-sustaining procedures; to provide for definitions; to provide for issuance of do-not-resuscitate identification bracelets by the secretary of state; to provide for procedures and limitation of liability for certified emergency medical technicians and certified first responders; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 756—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:315(6)(c), relative to child support; to provide that proceeds of personal injury judgments and settlements may be considered as income for support purposes; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 893—
BY SENATORS JORDAN AND LANDRY

AN ACT

To amend and reenact R.S. 32:853(A)(1)(a) and (c)(ii) and (iii), the introductory paragraph of (3)(a), and (5), relative to operating records of drivers; to provide for the inclusion of certain offenses on operating records; to provide for the exclusion of certain arrests on operating records; to provide limitations on insurance companies based on the contents of an insured's operating record; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 951—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2011(C)(1)(c), the introductory paragraph of R.S. 30:2154(A), 2158(A)(1), 2160, 2180(B), 2195(B) and (E), the introductory paragraph of R. S. 30:2195.2(A) and 2195.2(B)(1)(c), 2195.4(C)(2), 2205(C) and (D), 2226(A), 2305(G), 2521, and 2522(5), and R.S. 36:231(C)(1), the introductory paragraph of R. S. 36:238(D), and 238(D)(b), relative to the office of solid and hazardous waste; to reorganize and rename the office of solid and hazardous waste as the office of waste services; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1067—
BY SENATORS IRONS, BAJOEI, CAMPBELL, COX, CRAVINS, DARDENNE, DEAN, FIELDS, GUIDRY, HAINKEL, HEITMEIER, HOLLIS, JOHNSON, JORDAN, ROMERO, SCHEDLER, SMITH, TARVER, AND ULLO

AN ACT

To enact R.S. 14:95.8, relative to offenses affecting the public safety; to provide with respect to possession of handguns by juveniles; to provide for the crime of illegal possession of a handgun by a juvenile; to provide for definition; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 1304—
BY SENATORS COX, SCHEDLER AND SMITH
AN ACT

To amend and reenact R.S. 15:542(B), relative to registration of sex offenders; to provide time period for registration; to require notification of school principals; to provide time period for notification; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

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

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

HOUSE BILL NO. 15—
BY REPRESENTATIVE BRUN
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(B) of the Constitution of Louisiana, relative to legislative sessions; to remove certain authority of the governor to call the legislature into extraordinary session; to provide relative to the objects of extraordinary sessions called upon legislative petition; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 32—
BY REPRESENTATIVES GUILLORY, BRUCE, DUPRE, HEATON,
PERKINS, AND ROMERO
AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of property titles for gaming activities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 60—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, or other elections; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 76—
BY REPRESENTATIVES FONTENOT, BARTON, CHAISSON, CLARKSON,
DANIEL, DOERGE, DOWNER, FAUCHEUX, FLAVIN, FRITH, GUILLORY,
HILL, HOLDEN, ILES, LANCASTER, MCCAIN, MCMAINS, MICHOT,
MITCHELL, MONTGOMERY, MORRISH, PIERRE, POWELL, RIDDLE,
JACK SMITH, STELLY, STRAIN, TRICHE, VITTER, WALSWORTH,
WESTON, AND WIGGINS
AN ACT

To amend and reenact R.S. 14:91.8 and R.S. 26:793(C)(1), relative to crimes involving tobacco products; to prohibit the possession of tobacco products by minors; to provide exceptions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 76 by Representative Fontenot, et al.

AMENDMENT NO. 1

On page 1, line 4, after "minors;" and before "and to" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 2, line 22, after "F." and before "It is" insert "(1)"

AMENDMENT NO. 3

On page 2, line 23, after "product." delete the remainder of the line and between lines 23 and 24 insert "(2) However, it shall not be unlawful for a"

AMENDMENT NO. 4

On page 2, line 24, after "product" delete the remainder of the line and insert "under any of the following circumstances:"

"(a) When a person under eighteen years of age is accompanied by a parent, spouse, or legal guardian twenty-one years of age or older.

(b) In private residences."

AMENDMENT NO. 5

On page 2, at the beginning of line 25, insert "(c) When the tobacco product was received"

AMENDMENT NO. 6

On page 3, line 21, after "H." and before "A person" insert "(1)"

AMENDMENT NO. 7

On page 3, at the beginning of line 22, delete "selling, buying, or possessing" and insert "selling or buying"

AMENDMENT NO. 8

On page 3, below line 27, insert the following:

"(2) A person who violates the provisions of this Section by possessing tobacco products shall be fined not more than fifty dollars for each violation."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 89—

BY REPRESENTATIVES DIMOS, BRUNEAU, ANSARDI, AND LANCASTER

AN ACT

To amend and reenact R.S. 18:541 and 542, relative to the time election polls open and close on election days; to change the time the polls open and close; to provide that voting will terminate when all persons in line to vote at 7:00 p.m. have been allowed to vote; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 162—

BY REPRESENTATIVES MCDONALD, DANIEL, BARTON, BAUDOIN, CRANE, DOERGE, KENNEY, POWELL, SHAW, WILKERSON, AND WRIGHT

AN ACT

To repeal R.S. 17:3042.34(A)(4), relative to certain requirements for redeeming a Louisiana honors scholarship award; to repeal the requirement that a Louisiana honors scholarship award recipient shall not be eligible for any other gratuitous financial assistance or support from the college or university attended or from any alumni organization or foundation.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 195—

BY REPRESENTATIVES PERKINS, BRUNEAU, AND WINDHORST

AN ACT

To enact R.S. 32:414(N) and R.S. 47:463.46, relative to motor vehicles and traffic regulation; to provide for a special license plate to be placed upon all vehicles registered to a person convicted of the offense of operating a motor vehicle while intoxicated, vehicular homicide, or vehicular negligent injuring; to provide for adoption of rules and regulations for implementation; and to provide for related matters.

Read by title.

Reported without action by the Committee on Administration of Criminal Justice.

Motion

On motion of Rep. Windhorst, the bill was withdrawn from the files of the House.

HOUSE BILL NO. 221—

BY REPRESENTATIVES JOHNS AND FAUCHEUX
AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of cash assistance checks for gaming activities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 369—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:2074(A) and to repeal R.S. 22:2074.1, relative to risk retention groups; to delete certain requirements of charters for risk retention groups that operate in the state; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 369 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, delete "2074(B) through (L) and"

AMENDMENT NO. 2

On page 1, at the end of line 15, add "However, if a risk retention group chartered in another state fails to qualify under the provisions of the federal Risk Retention Amendments of 1986, the commissioner may apply any state law that may be preempted by the federal Risk Retention Amendments of 1986, as amended."

AMENDMENT NO. 3

On page 2, delete lines 3 and 4 and insert in lieu thereof "Section 2. R.S. 22:2074.1 is hereby repealed in its entirety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 453—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:582(A) and 586(A)(4), relative to local option elections for a referendum on the business of selling alcoholic beverages; to change the verification date of the signatures on a petition to determine the number of qualified electors; to provide for submission of the petition to the registrar for the purpose of determining the number of qualified electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 453 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 2 after "26:" and before "586(A)(4)" insert "582(A) and"

AMENDMENT NO. 2

On page 1, line 5 after "electors;" and before "and" insert "to provide for submission of the petition to the registrar for the purpose of determining the number of qualified electors;"

AMENDMENT NO. 3

On page 1, line 7 after "Section 1." and before "hereby" delete "R.S. 26:586(A)(4) is" and insert "R.S. 26:582(A) and 586(A)(4) are"

AMENDMENT NO. 4

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

"§582. Petition for election; separate elections; frequency limited

A.(1) Upon petition of not less than twenty-five percent of the qualified electors residing in any ward or any incorporated municipality the governing authority shall order a referendum election to be held to determine whether or not the business of selling alcoholic beverages shall be conducted and licensed therein.

(2) A copy of the petition shall be submitted to the registrar on the date the first signature is affixed on the petition for the purpose of determining the total number of qualified voters residing in each ward or each incorporated municipality in which such petition will be circulated.

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 501—

BY REPRESENTATIVE ROUSSELLE
AN ACT

To enact R.S. 22:1405.2, relative to homeowner's insurance; to provide for disclosure of premium savings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 504—

BY REPRESENTATIVE WIGGINS AND SENATORS DYESS AND ELLINGTON
AN ACT

To amend and reenact R.S. 27:43(B)(1), relative to gaming activities allowed on designated rivers and waterways; to provide that the portion of the Red River within the borders of Rapides Parish is not a designated river or designated waterway upon which gaming activities may be conducted; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 520—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact Code of Criminal Procedure Art. 887(C) and (D), R.S. 14:98(A)(1)(b) and (c), (F)(1), and (G), R.S. 32:411(G), 411.1(D), 414(A)(1)(a), 661(C)(1)(c), 661.1(C)(1)(c), 662(A), 666(A)(introductory paragraph), 667(A)(introductory paragraph) and (A)(3) and (B)(1) and (2), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i), R.S. 40:1379.7, R.S. 44:9(A)(2), and R.S. 46:1805(B)(1) and 1809(B)(4)(e) and to enact R.S. 14:98(K) and 98.1 and R.S. 32:408.3 and 853(A)(1)(d), relative to levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, and certain driving records; to provide that lower blood alcohol levels apply to persons under the age of twenty-one years for purposes of committing the offenses and for purposes of related driver's license sanctions, implied consent law provisions, and certain driving records; to create the offense of underage driving under the influence of alcohol; to provide for definitions and penalties; to allow for participation in certain substance abuse programs; to provide for requirements of driver improvement programs; to include the offense of underage DUI in provisions relating to defendant's liability for costs and forwarding of costs for maintenance of equipment, notification of vehicle owner, and provisions related to crime victims reparations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

Page 8 HOUSE

9th Day's Proceedings - April 11, 1997

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 520 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 3, change "(F)," to "(F)(1),"

AMENDMENT NO. 2

On page 1, at the end of line 8 and the beginning of line 9, delete "14:98(a)(1)(d) and (e)" and insert "14:98(K)" and after "R.S." and before "relative" change "32:853(A)(1)(d)," to "32:408.3 and 853(A)(1)(d),"

AMENDMENT NO. 3

On page 1, line 12, delete "both over"

AMENDMENT NO. 4

On page 1, at the beginning of line 13, delete "and"

AMENDMENT NO. 5

On page 1, at the end of line 15, delete "to prohibit" and delete line 16

AMENDMENT NO. 6

On page 1, line 17, delete "the operator's physical or mental faculties;"

AMENDMENT NO. 7

On page 2, line 3, after "programs;" and before "to include" insert "to provide for requirements of driver improvement programs;"

AMENDMENT NO. 8

On page 3, line 23, change "(F)," to "(F)(1),"

AMENDMENT NO. 9

On page 3, line 24, after "R.S." and before "and 98.1" delete "14:98(A)(1)(d) and (e)" and insert "14:98(K)"

AMENDMENT NO. 10

On page 4, at the end of line 6, change "0.08" to "0.10"

AMENDMENT NO. 11

On page 4, line 14, change "40:964; or" to "40:964."

AMENDMENT NO. 12

On page 4, delete lines 15 through 19

AMENDMENT NO. 13

On page 4, line 24, after "R.S." and before "or a" delete "14:98.1, underage driving under the influence," and insert "14:39.2, first degree vehicular negligent injuring,"

AMENDMENT NO. 14

On page 5, delete lines 5 through 23

AMENDMENT NO. 15

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

"K. In order to qualify as a court-approved driver improvement program, as provided for in this Section, the program must be approved by the Department of Public Safety and Corrections, office of motor vehicles, as provided in R.S. 32:408.3."

AMENDMENT NO. 16

On page 6, delete lines 6 through 21, and insert the following:

"A. The crime of underage operating a vehicle while intoxicated is the operating of any motor vehicle, aircraft, watercraft, vessel, or other means of conveyance when the operator's blood alcohol concentration is 0.02 percent or more by weight if the operator is under the age of twenty-one based either on grams of alcohol per one hundred cubic centimeters of blood or, if measured through breath, on grams of alcohol per two hundred ten liters of breath."

AMENDMENT NO. 17

On page 6, at the beginning of line 22, change "C." to "B."

AMENDMENT NO. 18

On page 6, at the beginning of line 25, change "D." to "C."

AMENDMENT NO. 19

On page 7, at the beginning of line 25, change "E." to "D."

AMENDMENT NO. 20

On page 8, at the beginning of line 26, change "F." to "E."

AMENDMENT NO. 21

On page 9, at the beginning of line 3, change "G." to "F."

AMENDMENT NO. 22

On page 9, at the beginning of line 8, change "H." to "G."

AMENDMENT NO. 23

On page 9, at the end of line 16 and the beginning of line 17, change "32:853(A)(1)(d) is" to "32:408.3 and 853(A)(1)(d) are"

AMENDMENT NO. 24

On page 9, between lines 17 and 18, insert the following:

"§408.3. Driver improvement programs

A. All persons, corporations, partnerships, limited liability companies, and other legal entities, providing driver improvement programs for defendants referred by the court in connection with a sentence or order of probation issued by the court pursuant to R.S. 14:98 or 98.1, shall be approved by the Department of Public Safety and Corrections, office of motor vehicles, hereinafter referred to as the "department" as provided in this Section prior to offering such driver improvement program.

B. The approval required by this Section shall be granted only after application for the approval of such program and after the department has determined that the program complies with the

requirements of this Section and of any rule promulgated by the department pursuant to this Section.

C. All persons administering the driver improvement programs or instructing students in the driver improvement programs shall be Louisiana residents and possess a current and valid Louisiana driver's license. All such persons shall obtain prior approval from the department before commencing any work for the program. All persons instructing students convicted of operating a commercial vehicle while under the influence of alcohol or controlled dangerous substances shall possess a current and valid Louisiana commercial driver's license. The department may review the actual classroom instruction by any person approved pursuant to this Section and may take such action as is necessary as provided in Subsection F of this Section. Any person whose driver's license is suspended or revoked by a final order of the department pursuant to any law of this state shall not act in any capacity in a driver improvement program.

D. The program shall consist of at least six hours of classroom instruction, including instruction on the laws regulating the operation of motor vehicles while under the influence of alcoholic beverages or controlled dangerous substances. The department may promulgate additional requirements for the curricula of these programs.

E. All persons referred to a driver improvement program by a court shall take a test at the conclusion of the program. The test shall evaluate the person's knowledge of the material presented in the driver improvement program. The test shall be submitted for prior written approval by the department as part of the application for approval required by this Section. All persons directed to participate in the program by a court must obtain a passing grade established by the department in order to successfully complete the driver improvement program. Upon passing the examination, the person shall be issued evidence that he has successfully completed the driver improvement program.

F. The applicant for approval of a court-approved driver improvement program shall agree in writing to all of the following requirements prior to receiving approval from the department:

(1) Allow a representative of the department to conduct random examinations, inspections, and audits of the program's premises, records, and instruction programs without notice. Any representative of the department shall be given unrestricted access to the program's premises during normal business hours.

(2) The department may conduct annual reviews of the program by having a representative attend the program and by retesting a sample of the persons who have been certified as successfully completing the program.

(3) The department may take prompt remedial action if it is determined that the program is not in compliance with state law or the requirements of the department as contained in rules promulgated pursuant to this Section. The department may impose fines or may suspend or revoke any approval granted pursuant to this Section for violation of this Section or of a rule promulgated pursuant to this Section.

G. Any person, corporation, partnership, limited liability company, or other legal entity, whose status as an approved driver's improvement program or instructor has been revoked by the department, shall be disqualified from receiving such subsequent approval under a new application for a minimum period of five years.

* * *

AMENDMENT NO. 25

On page 12, at the beginning of line 10, change "0.08" to "0.10"

AMENDMENT NO. 26

On page 13, at the beginning of line 1, change "0.08" to "0.10"

AMENDMENT NO. 27

On page 13, line 21, after "than" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 28

On page 14, line 2, after "time" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 29

On page 15, line 10, after "level of" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 30

On page 15, line 24, after "less than" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 31

On page 16, line 8, after "level of" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 32

On page 16, line 18, delete "until he reaches the age of eighteen or"

AMENDMENT NO. 33

On page 17, at the beginning of line 18, change "0.08" to "0.10"

AMENDMENT NO. 34

On page 17, line 27, after "level of" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 35

On page 18, line 17, after "less than" and before "percent" change "0.08" to "0.10"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 521—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 32:661(A) and (C)(1), 661.1(A) and (C)(1), 662, 666(A)(3), 667(B)(1), and 668(A)(1) and (4) and (B)(1)(a)(introductory paragraph) and (b), and to enact R.S. 32:667(B)(5) and 668(B)(1)(d), relative to the Implied Consent Law; to provide for substances for which tests may be administered; to provide for the consequences, including driver's license suspensions, of submitting to or refusing to submit to such tests; to provide for the method of measuring blood alcohol concentration or level; to provide for the levels of blood alcohol concentration; to provide for administrative hearing procedures; and to provide for related matters.

Read by title.

Page 10 HOUSE

9th Day's Proceedings - April 11, 1997

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 521 by Representative Dupre

AMENDMENT NO. 1

On page 1, at the end of line 4 and the beginning of line 5, delete "and (6) and 668(B)(1)(d) and (e)," and insert "668(B)(1)(d),"

AMENDMENT NO. 2

On page 1, at the beginning of line 16, delete "and (6)" and after "668(B)(1)(d)" delete "and (e)"

AMENDMENT NO. 3

On page 2, at the end of line 1, delete the comma, at the beginning of line 2, insert "or", and at the end of line 2, delete "or"

AMENDMENT NO. 4

On page 2, at the beginning of line 3, delete "substances impairing faculties"

AMENDMENT NO. 5

On page 2, line 11, after "blood" delete the comma "," and insert "and"

AMENDMENT NO. 6

On page 2, at the end of line 13, delete the comma "," and "and the"

AMENDMENT NO. 7

On page 2, delete line 14, and at the beginning of line 15, delete "faculties"

AMENDMENT NO. 8

On page 2, line 18, after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 9

On page 2, line 20, after "40:964" delete the remainder of the line and delete line 21 and insert a period "."

AMENDMENT NO. 10

On page 2, line 26, after "of" insert "either" and after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 11

On page 3, line 1, after "40:964" delete the remainder of the line and insert a period "."

AMENDMENT NO. 12

On page 3, at the beginning of line 2, delete "person's physical or mental faculties"

AMENDMENT NO. 13

On page 3, at the beginning of line 24, change "0.08" to "0.10"

AMENDMENT NO. 14

On page 4, line 2, change "49:964" to "40:964" and delete the remainder of the line and delete lines 3 and 4 and insert a period "."

AMENDMENT NO. 15

On page 4, line 7, after "beverages" delete the comma "," and insert "or" and at the end of line 7, delete the comma "," and "or substances"

AMENDMENT NO. 16

On page 4, at the beginning of line 8, delete "impairing physical or mental faculties"

AMENDMENT NO. 17

On page 4, line 15, after "blood" delete the comma "," and insert "and"

AMENDMENT NO. 18

On page 4, line 17 after "40:964" delete the remainder of the line

AMENDMENT NO. 19

On page 4, at the beginning of line 18, delete "person's physical or mental faculties"

AMENDMENT NO. 20

On page 4, line 22, after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 21

On page 4, line 23, after "40:964" delete the remainder of the line and delete line 24 and insert a period "."

AMENDMENT NO. 22

On page 5, line 2, after "of" insert "either"

AMENDMENT NO. 23

On page 5, line 3, after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 24

On page 5, at the end of line 4, delete "or any"

AMENDMENT NO. 25

On page 5, line 5, delete "substance that impairs the person's physical or mental faculties."

AMENDMENT NO. 26

On page 5, at the beginning of line 21, change "0.08" to "0.10"

AMENDMENT NO. 27

On page 5, line 26, change "49:964" to "40:964" and delete the remainder of the line and insert a period "."

AMENDMENT NO. 28

On page 6, delete lines 1 and 2

AMENDMENT NO. 29

On page 6, line 20, after "less than" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 30

On page 7, line 1, after "time" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 31

On page 7, line 19, after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 32

On page 7, line 21, change "49:964" to "40:964" and delete the remainder of the line and delete line 22 and insert a period "."

AMENDMENT NO. 33

On page 8, line 20, after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 34

On page 8, line 22, after "40:964" delete the remainder of the line and insert a period "."

AMENDMENT NO. 35

On page 8, at the beginning of line 23, delete "physical or mental faculties."

AMENDMENT NO. 36

On page 9, line 10, after "level of" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 37

On page 10, delete lines 7 through 16

AMENDMENT NO. 38

On page 11, line 6, after "of" insert "either" and after "beverages" delete the comma "," and insert "or"

AMENDMENT NO. 39

On page 11, line 8, after "40:964" delete the remainder of the line

AMENDMENT NO. 40

On page 11, line 9, delete "impairs the person's physical or mental faculties."

AMENDMENT NO. 41

On page 11, at the beginning of line 16, change "0.08" to "0.10"

AMENDMENT NO. 42

On page 11, line 19, after "dangerous substance" delete the remainder of the line

AMENDMENT NO. 43

On page 11, line 20, delete "that impairs the person's physical or mental faculties"

AMENDMENT NO. 44

On page 11, at the end of line 22, delete "or any other"

AMENDMENT NO. 45

On page 11, line 23, delete "substance that impairs the person's physical or mental faculties"

AMENDMENT NO. 46

On page 12, line 9, after "level of" and before "percent" change "0.08" to "0.10"

AMENDMENT NO. 47

On page 12, delete lines 20 through 24

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 522—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:32.1(A), to provide with respect to the essential elements of the crime of vehicular homicide; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 522 by Representative Dupre

AMENDMENT NO. 1

On page 2, at the end of line 7, insert a period "."

AMENDMENT NO. 2

On page 2, delete lines 8 through 12

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 523—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:39.1(A), to provide with respect to the essential elements of the crime of vehicular negligent injuring; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 523 by Representative Dupre

AMENDMENT NO. 1

On page 1, at the beginning of line 18, change "0.08" to "0.10"

AMENDMENT NO. 2

On page 2, delete lines 6 through 10

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 524—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:39.2(A), to provide with respect to the essential elements of the crime of first degree vehicular negligent injuring; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 524 by Representative Dupre

AMENDMENT NO. 1

On page 2, delete lines 8 through 12 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 598—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 17:2007(A) and (D), 2050, and 3217 and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, relative to public higher education; to recognize Bossier Parish Community College as a two-year institution of higher education; to transfer Bossier Parish Community College from the Bossier Parish School Board to the Board of Trustees for State Colleges and Universities; to provide for the supervision and management of the community college by the Board of Trustees for State Colleges and Universities; to provide with regard to the students, faculty, employees, funds, obligations, programs, and functions of Bossier Parish Community College; to provide with regard to the lands, buildings and improvements, facilities, and other property of Bossier Parish Community College; to provide relative to the composition of the University of Louisiana system; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 658—
BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 17:2117, relative to public elementary and secondary schools; to provide that no public elementary or secondary school governing authority, superintendent, administrator, or principal shall prohibit any teacher from reading and posting certain writings, documents, and records; to prohibit certain content-based censorship; to provide for notice of such to local school systems and employees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 658 by Representative Perkins

AMENDMENT NO. 1

On page 2, delete line 17

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 687—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 22:1406(F), relative to automobile insurance; to provide for the designation of primary insurance for temporary substitute or rental motor vehicles; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 687 by Representative Stelly

AMENDMENT NO. 1

On page 2, at the end of line 2, delete "Such" and lines 3 through 4 in their entirety and insert in lieu thereof the following:

"Such insurance shall be secondary to any other automobile insurance coverage purchased by the insured for the temporary substitute or rental motor vehicle. The coverage purchased by the insured shall not be considered a collateral source."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 688—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 22:671(A), relative to automobile insurance; to provide for certain conditions for automobile insurance for loaner vehicles; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 710—

BY REPRESENTATIVES BARTON, BAUDOIN, CURTIS, DOERGE, FARVE, KENNEY, LONG, POWELL, SHAW, WILKERSON, AND WRIGHT

AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B), to enact Chapter 20-B-4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.41 through 3042.46, and to repeal R.S. 27:270(C), relative to student financial assistance; to establish and provide for the Louisiana's Investment For Today's Students Scholarship Program; to provide program guidelines, including definitions, eligibility requirements, and limitations; to provide for an award ceremony; to provide for program implementation and administration, including the authority of the administering agency to revise certain program eligibility requirements under specified circumstances and in accordance with specified guidelines; to establish the Louisiana's Investment For Today's Students Fund in the state treasury; to provide for the deposit of certain revenues into the fund; to

provide for the investment of fund monies and for deposit into the fund of earnings realized; to provide relative to unexpended and unencumbered fund monies at the close of a fiscal year; to provide relative to the appropriation of fund monies; to provide limitations on such appropriations; to provide that fund monies in excess of a specified amount at the end of any fiscal year shall be credited to the state general fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 710 by Representative Barton, et al.

AMENDMENT NO. 1

On page 3, line 16, after "Test" and before "or" delete "of at least twenty-two"

AMENDMENT NO. 2

On page 3, line 17, after "test" and before "or," insert the following:

"that is at least equal to the most recently reported average composite score on the American College Test for public and nonpublic school students in the state of Louisiana"

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Appropriations.

HOUSE BILL NO. 776—

BY REPRESENTATIVES WINDHORST, ALARIO, A. ALEXANDER, R. ALEXANDER, BARTON, BAUDOIN, BAYLOR, BRUCE, CARTER, CLARKSON, COPELIN, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HUDSON, HUNTER, ILES, JETSON, JOHNS, KENNARD, KENNEY, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, AND WRIGHT AND SENATORS CAIN, CRAVINS, ELLINGTON, GUIDRY, IRONS, JONES, JORDAN, LANDRY, LENTINI, SCHEDLER, AND THEUNISSEN

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) and Article XIII, Section 1(A) of the Constitution of Louisiana, relative to sessions of the legislature; to provide for annual general sessions of the legislature; to provide limitations; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

Page 14 HOUSE

9th Day's Proceedings - April 11, 1997

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 776 by Representative Windhorst, et al.

AMENDMENT NO. 1

On page 1, line 2, after "2(A)" insert "and Article XIII, Section 1(A)"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, after "for" and before "certain" insert "the prefiling and introduction of legislation and for"

AMENDMENT NO. 3

On page 1, line 18, after "at" and before "in" delete "noon on the last Monday" and insert "five o'clock in the evening on the last Thursday"

AMENDMENT NO. 4

On page 2, line 2, after "of the" and before "before" change "Friday" to "Thursday"

AMENDMENT NO. 5

On page 2, line 13, after "law" insert a comma "," and insert "including a measure proposing a suspension of law as provided in Article III, Section 20."

AMENDMENT NO. 6

On page 2, line 14, delete "midnight of the thirtieth" and insert "six o'clock in the evening of the twenty-eighth"

AMENDMENT NO. 7

On page 2, line 15, after "effect of law" delete the comma "," and delete "except a measure proposing a suspension of law,"

AMENDMENT NO. 8

On page 2, line 20, delete "The General" and delete lines 21 through 25 and insert the following:

"During the time period beginning on the day that the General Appropriation Bill is on consideration for final passage in a house of the legislature through the fifth legislative day following such day, such house of the legislature shall be limited to the consideration of the General Appropriation Bill, the Capital Outlay Bill, and the omnibus bond bill on final passage and the adoption of resolutions, under penalty of nullity for any other instrument. No measure levying or authorizing a new"

AMENDMENT NO. 9

On page 3, line 2, after "state" insert a comma "," and insert "or dedicating revenue, or legislating with regard to tax exemptions, exclusions, deductions, or credits in a manner which results in or has the effect of an increase in tax liability"

AMENDMENT NO. 10

On page 3, line 5, delete "odd-numbered" and insert "even-numbered"

AMENDMENT NO. 11

On page 3, after line 26, insert the following:

"Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article XIII, Section 1(A) of the Constitution of Louisiana, to read as follows:

§1. Amendments

Section 1.(A) Procedure. An amendment to this constitution may be proposed by joint resolution at any regular session of the legislature if it is not prohibited by the subject matter limitations in Article III, Section 2 for such session, but the resolution shall be prefiled, ~~at least ten days before the beginning of the session no later than five o'clock in the evening of the Thursday before the first day of a regular session~~, in accordance with the rules of the house in which introduced. An amendment to this constitution may be proposed at any extraordinary session of the legislature if it is within the objects of the call of the session and is introduced in the first five calendar days thereof. If two-thirds of the elected members of each house concur in the resolution, pursuant to all of the procedures and formalities required for passage of a bill except submission to the governor, the secretary of state shall have the proposed amendment published once in the official journal of each parish within not less than thirty nor more than sixty days preceding the election at which the proposed amendment is to be submitted to the electors. Each joint resolution shall specify the statewide election at which the proposed amendment shall be submitted. Special elections for submitting proposed amendments may be authorized by law.

* * *

AMENDMENT NO. 12

On page 4, line 1, change "Section 2." to "Section 3."

AMENDMENT NO. 13

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

AMENDMENT NO. 14

On page 4, delete lines 9 through 18, and insert the following:

"general in nature, except that no measure levying or authorizing a new tax or in any way increasing a tax may be considered in an even-numbered year; and to set aside six days in each house of the legislature during which only the General Appropriation Bill, the Capital Outlay Bill, the omnibus bond bill, and resolutions may be considered, and to provide certain procedural deadlines. (Amends Article III, Section 2(A) and Article XIII, Section 1(A))"

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 785— BY REPRESENTATIVES HUDSON AND MURRAY AN ACT

To amend and reenact R.S. 22:657(A), (D), and (F)(2) and to enact R.S. 22:2027(E), relative to health maintenance organizations; to provide for payment of claims within a certain time period;

to provide for prospective review; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 787—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 17:3351(A)(5) and to enact R.S. 17:3023(C), relative to tuition fees and loan programs for certain students; to provide relative to tuition fees charged to students attending certain law schools; to provide relative to a loan program for such students; to provide for the powers and duties of the Louisiana Student Financial Assistance Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 830—
BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 14:43.6, relative to sexual offenses; to define the crime of sexual misconduct by a physician or therapist; to provide definitions; to provide penalties; to provide exceptions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 830 by Representative Welch

AMENDMENT NO. 1

On page 1, line 4, after "penalties;" and before "and to" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 1, line 14, after "intercourse" delete the period "." and insert "or a period of less than six months has elapsed since the termination of the professional relationship."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 932—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 22:2021, relative to health maintenance organizations (HMOs); to require HMOs to approve or disapprove a request for certain medical testing or treatment within forty-eight hours of receipt of the request; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 935—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:229.2, relative to health insurance; to prohibit discrimination against recovered or rehabilitated alcoholics; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 962—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 17:3042.34(A)(4), relative to eligibility requirements of the Louisiana Honors Scholarship Program; to exempt scholarship recipients who were foster children but who have reached eighteen years of age and are no longer receiving financial assistance or support from foster parents, natural or adoptive parents, or tutors from certain eligibility requirements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 975—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to the finance of public higher education; to require that the commissioner of administration reduce under specified circumstances state general fund appropriations that are allocated for use by a public higher education institution; to provide guidelines for taking such action and for determining the amount of any such reduction; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 975 by Representative Crane

AMENDMENT NO. 1

On page 2, at the end of line 6, delete the comma "," and insert in lieu thereof "and effective beginning with the fall semester of the 1999-2000 academic year."

AMENDMENT NO. 2

On page 2, line 9, after "not" and before "the median" change "at least equal" to "meet or exceed"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 987—
BY REPRESENTATIVES HEBERT AND GREEN
AN ACT

To enact R.S. 46:1073(D) and (E), relative to marketing strategies and strategic plans of hospital service districts; to provide for the continued confidentiality of marketing strategies and strategic plans after such strategy or plan is complete and when it is presented to a state agency or subdivision of the state; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 987 by Representatives Hebert and Green

AMENDMENT NO. 1

On page 1, delete line 4 and insert "confidentiality of marketing strategies and strategic plans after such"

AMENDMENT NO. 2

On page 1, line 6 after "subdivision" and before the semi-colon ";," insert "of the state"

AMENDMENT NO. 3

On page 1, line 13 after "district" and before "shall" insert "commission and the facility owned or operated by the district"

AMENDMENT NO. 4

On page 1, delete lines 16 and 17 in their entirety and insert the following:

"E. Marketing strategies and strategic plans produced by a hospital service district commission and the facility owned or operated by the district in"

AMENDMENT NO. 5

On page 2, line 5 after "district" and before the period "." insert "commission"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1044—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:200 and 206(A) and (B), relative to community mental health services; to provide for the establishment and administration of a community-based system of care; to provide for a continuum of care for emotionally and behaviorally disturbed children and adults; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1046—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:426 and to enact R.S. 40:2009.6(B)(5), relative to licenses issued by the Department of Health and Hospitals; to authorize the department to revoke the license of a provider of mental retardation and developmental disabilities services, residential living options, or both, who fails to timely report or pay any fee or who becomes delinquent in the payment of any fee owed to the department; to authorize revocation or denial of renewal of a nursing home license for the failure to timely report or pay any fee or delinquency in payment of any fee owed to the department; to specify that such fees include provider fees imposed by law; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1048—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, DURAND, GAUTREAU, JOHNS, RIDDLE, THOMPSON, THORNHILL, AND VITTER AND SENATOR ROBICHAUX
AN ACT

To enact R.S. 36:254(D)(2) and (3), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to provide for powers and duties of the secretary relative to the Medical Assistance Program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1048 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 2, line 11, after "procedures" and before "include" change "shall" to "may"

AMENDMENT NO. 2

On page 2, at the end of line 21, delete "dollars." and insert the following:

"dollars; however, this provision shall not apply to any provider who pays provider fees unless such provider is suspected of Medicaid fraud or other impropriety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1059— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 22:674, relative to health and accident insurance; to require notice of health insurance payments; to provide that the notice be forwarded to the insureds, insurers, or dependents; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 1059 by Representative Fauchoux

AMENDMENT NO. 1

On page 1, line 12, after "policyholder," insert "or" and after "insured" delete the comma "," and delete "or dependent"

AMENDMENT NO. 2

On page 1, line 13, after "receipt of" delete the remainder of the line and insert in lieu thereof "a written request for such notice by certified mail."

AMENDMENT NO. 3

On page 1, delete line 14 through 17 in their entirety

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, at the beginning of line 5, change "C." to "B."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1077— BY REPRESENTATIVES RIDDLE, DEWITT, DURAND, AND JOHNS AN ACT

To amend and reenact R.S. 40:2013, relative to the Department of Health and Hospitals; to designate the Department of Health and Hospitals as the agency responsible for carrying out the purposes of the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1108— BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND GAUTREAUX AN ACT

To enact Part XIII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2199, relative to the Department of Health and Hospitals; to establish as a misdemeanor the opening or operation of certain health care facilities without a license; to provide for fines upon conviction; to provide for civil liability when the violation poses a threat to the health, safety, rights, or welfare of a resident or client of a health care facility; to provide for the adoption of rules and regulations which define specific classifications of violations, articulate factors in assessing fines, and which explain the treatment of continuing and repeat deficiencies; to provide for a schedule of violations and related fines; to limit the amount of aggregate fines which may be assessed for violations determined in a month; to provide for the adoption of rules and regulations which provide for notice to health care facilities of any violation, for an informal reconsideration process, and for an appeal procedure including judicial review; to limit appeals to suspensive appeals; to require the health care facility to furnish a bond with an appeal; to provide with respect to the bond including the minimum amount of such bond and the provisions of such bond; to authorize the department to institute civil actions to collect fines; to require civil fines collected to be deposited into the state treasury in the Health Care Facility Fund and to provide for the fund; to provide for purposes for which the fund may be used; to authorize the secretary to promulgate rules and regulations to provide for administration of the fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1108 by Representative Rodney Alexander, et al.

Page 18 HOUSE

9th Day's Proceedings - April 11, 1997

AMENDMENT NO. 1

On page 2, at the beginning of line 14, after "PART" change "VIII," to "XIII."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1428—

BY REPRESENTATIVE SHAW, CURTIS, DOERGE, KENNEY, AND MCDONALD

AN ACT

To enact Chapter 20-A-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.10 through 3041.15, relative to a tuition payment program for certain medical school students; to provide program guidelines and for program administration, eligibility, applications, and definitions; to provide relative to contracts and cancellation of contracts; to provide for implementation; to provide for the adoption of program rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1428 by Representative Shaw, et al.

AMENDMENT NO. 1

On page 2, line 10, after "least" and before "consecutive" change "five" to "two"

AMENDMENT NO. 2

On page 2, at the beginning of line 16, change "five" to "four"

AMENDMENT NO. 3

On page 2, line 18, after "of" and before "years," change "five" to "two"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1490—

BY REPRESENTATIVES DEVILLE, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 40:1232(A)(3) and to enact R.S. 36:259(M), relative to emergency medical services; to provide that the Department of Health and Hospitals shall promulgate rules and regulations to establish a list of medical and safety equipment required to be carried by all ambulances; to establish and provide relative to an advisory committee to be known as

the Ambulance Standards Committee; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1490 by Representative Deville, et al.

AMENDMENT NO. 1

On page 2, line 8, after "Committee" and before "is hereby" insert "of the Emergency Medical Services Task Force as established by the assistant secretary of the office of public health"

AMENDMENT NO. 2

On page 2, line 14, after "by" and before "each" insert "but not limited to"

AMENDMENT NO. 3

On page 2, after line 27, insert the following:

"(xii) A fire service-based ambulance provider.

"(xiii) A hospital-based emergency medical services provider."

AMENDMENT NO. 4

On page 3, line 9, after "Standards" and before "(R.S. 40:1232(A)(3))" insert "Committee of the Emergency Medical Services Task Force as established by the assistant secretary of the office of public health"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1493—

BY REPRESENTATIVES SHAW, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 28:21, relative to state mental health institutions; to authorize the assistant secretary of the office of mental health of the Department of Health and Hospitals to reorganize and consolidate the administration of state mental health institutions to comply with the State Mental Health Plan; to provide for the authority of the assistant secretary to establish community cottages; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1564—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, COPELIN, DEVILLE, DIMOS, DUPRE, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, WELCH, WIGGINS, WINDHORST, AND WINSTON
AN ACT

To enact R.S. 24:15, relative to the legislature; to create the Broadcast Education Network; to provide for the responsibilities and functions of the legislature and the Louisiana Educational Television Authority in relation thereto; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1564 by Representative Downer, et al.

AMENDMENT NO. 1

On page 2, line 6, after "Network" delete the period "." and insert "via a Louisiana Educational Television Authority second channel."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1573—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 22:1451(A), relative to annual reports by insurers; to require the Department of Insurance to promulgate rules and regulations to require insurers to disclose certain information; to require the disclosure on an annual and rate-making basis; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1584—

BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3092(1) and (2), 3093(D)(1)(f) and (h), 3095(A)(2), (B), (C)(6) and (7), (D), (F), and (G), 3096(B)(2)(a), (D), and (E)(2), 3098(C) and (D), and 3099(A) and (C) and to enact R.S. 17:3091(C) and 3092(10) and R.S. 47:1508(B)(17), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide legislative intent; to provide program definitions; to provide relative to program administration by the Louisiana Tuition Trust Authority and for powers and duties of the authority; to provide for adoption by the authority of certain rules pursuant to the Administrative Procedure Act; to provide relative to education

savings accounts and education assistance accounts; to provide relative to the termination of depositor's agreements; to provide relative to the Louisiana Education and Tuition Savings Fund; to provide for release to the office of student financial assistance of a taxpayer's reported federal adjusted gross income under specified circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1586—

BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3026(A)(3)(c)(iii), relative to the Tuition Assistance Plan; to provide relative to ineligibility under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1586 by Representatives McDonald and Downer

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "relative" change "17:3026(A)(3)(c)," to "17:3026(A)(3)(c)(iii),"

AMENDMENT NO. 2

On page 1, line 3, after "Plan;" delete the remainder of the line and delete line 4 and at the beginning of line 5 delete "Tuition Assistance Plan;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S." and before "is" change "17:3026(A)(3)(c)" to "17:3026(A)(3)(c)(iii)"

AMENDMENT NO. 4

On page 2, delete lines 1 through 10 and at the beginning of line 11, delete "academic year." and insert the following:

"(c) Have a cumulative grade point average of the following as evaluated at the end of each academic year:

* * *

(iii) At least 2.50 calculated on a 4.00 scale after completion of seventy-two hours of credit."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1588—
BY REPRESENTATIVES MICHOT AND BRUNEAU
AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to provide for distribution of reports required to be submitted to the legislature; to provide that copies of such reports be sent to individual legislators only upon request of such legislator; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1672—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 22:1379(3)(e) and 1382(D), relative to the Louisiana Insurance Guaranty Association; to prohibit claims by or against insureds whose net worth exceeds twenty-five million dollars; to provide for effect to pending insurer liquidation proceedings; to permit the association to recoup claims paid by the association from the insured; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 1672 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:1379(3)(e)" insert "and 1382(D)"

AMENDMENT NO. 2

On page 1, line 5, after "proceedings;" insert "to permit the association to recoup claims paid by the association from the insured;"

AMENDMENT NO. 3

On page 1, line 7, after "1379(3)(e)" delete "is" and insert in lieu thereof "and 1382(D) are"

AMENDMENT NO. 4

On page 1, at the end of line 13, delete "or against"

AMENDMENT NO. 5

On page 1, line 15, after "preceding" delete the remainder of the line and insert in lieu thereof "the date of the determination of the insolvency of the insurer"

AMENDMENT NO. 6

On page 1, line 16, delete "an insolvent insurer"

AMENDMENT NO. 7

On page 2, line 1, delete "under common control"

AMENDMENT NO. 8

On page 2, line 2, after "basis." add "An insured for the purposes of this Paragraph shall not include any state or local governmental agency or its subdivision."

AMENDMENT NO. 9

On page 2, delete lines 3 through 16 in their entirety and insert in lieu thereof:

** * *

§1382. Powers and duties of the association

* * *

D. The association shall have the right to recover from an insured any covered claim paid on behalf of that insured whose net worth exceeds twenty-five million dollars on December thirty-first of the year immediately preceding the date the insurer becomes an insolvent insurer, provided that an insured's net worth on the date shall be deemed to include the aggregate net worth of the insured and all of its subsidiaries and affiliates as calculated on a consolidated basis. An insured for the purposes of this Subsection shall not include any state or local governmental agency or its subdivisions.

Section 2. This Act shall become effective on January 1, 1998."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1792—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 30:11.1, relative to filing and recording of orders creating drilling or production units by the commissioner of conservation; to provide for the filing of copies of such orders; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1792 by Representative DeWitt

AMENDMENT NO. 1

Change lead author of bill from DeWitt to John R. Smith

AMENDMENT NO. 2

On page 1, line 14, after "situated" and before "copies" insert "certified"

AMENDMENT NO. 3

On page 1, after line 15, insert the following:

"Section 2. The provisions of this Act shall be given retroactive application.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1799—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To repeal Part V-A of Chapter 7 of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:650 through 657, inclusive, and to repeal R.S. 36:359(G), relative to the Department of Natural Resources; to abolish the Louisiana Natural Gas Marketing Commission.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1799 by Representative Dewitt

AMENDMENT NO. 1

Change the author of the bill from "DeWitt" to "John Smith"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1851—
BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3129.6, relative to a statewide assessment program for students enrolled in state public colleges and universities; to require the Board of Regents to develop and implement a statewide assessment program for students enrolled in state public colleges and universities; to provide for the purpose of such program; to provide relative to the testing instrument to be used for such assessment; to provide for rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1851 by Representative Crane

AMENDMENT NO. 1

On page 1, at the end of line 18, change "1998-1999" to "1999-2000"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1858—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 22:2018(E) and R.S. 40:2202(5)(f), relative to health maintenance organizations, managed care entities, and preferred provider organizations; to preclude contract clauses prohibiting a provider from informing a subscriber, enrollee, or prospective enrollee regarding health care services offered by a health maintenance organization, managed care entity, or preferred provider organization; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 1858 by Representative Murray

AMENDMENT NO. 1

On page 1, line 3, after "maintenance organizations" insert a comma "," and "managed care entities,"

AMENDMENT NO. 2

On page 1, line 6, after "organization" insert a comma "," and "managed care entity,"

AMENDMENT NO. 3

On page 1, line 12, after "organization" insert "or a managed care entity"

AMENDMENT NO. 4

On page 2, line 5, after "organization's" insert "or a managed care entity's"

AMENDMENT NO. 5

On page 2, line 8, after "organization" insert "or a managed care entity"

AMENDMENT NO. 6

On page 2, between lines 9 and 10, insert the following:

"(3) For the purposes of this Subsection, "managed care entity" means a licensed insurance company, hospital, or medical benefit plan or program, health maintenance organization, integrated health care delivery system, an employer or employee organization, or a managed care contractor which operates a managed care plan. A managed care entity may include but is not limited to a preferred provider organization, health maintenance organization, exclusive provider organization, independent practice association, clinic without walls, management services organization, managed care services organization, physician hospital organization, and hospital physician organization."

AMENDMENT NO. 7

On page 2, line 16, after "organization" insert "or a managed care entity"

AMENDMENT NO. 8

On page 2, line 24, after "organization's" insert "or a managed care entity's"

AMENDMENT NO. 9

On page 3, line 1, after "organization" insert "or a managed care entity"

AMENDMENT NO. 10

On page 3, between lines 3 and 4, insert the following:

"(iii) For the purposes of this Item, "managed care entity" means a licensed insurance company, hospital, or medical benefit plan or program, health maintenance organization, integrated health care delivery system, an employer or employee organization, or a managed care contractor which operates a managed care plan. A managed care entity may include but is not limited to a preferred provider organization, health maintenance organization, exclusive provider organization, independent practice association, clinic without walls, management services organization, managed care services organization, physician hospital organization, and hospital physician organization."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1932—

BY REPRESENTATIVES MCDONALD, DOWNER, BARTON, BAUDOIN, CRANE, DOERGE, HILL, KENNEY, LONG, POWELL, PRATT, AND SHAW AND SENATOR EWING

AN ACT

To amend and reenact R.S. 17:3042.1(A)(3) and (4), (B), (C), and (D) and 3042.2(A) and (B) and to enact R.S. 17:3042.1(A)(5), relative to loans for students enrolled in collegiate teacher preparation programs; to provide relative to eligibility requirements including certain test scores and grade point averages; to provide relative to the authority of the commission to make such loans; to remove a provision relative to grade point average requirement exceptions; to provide relative to loan amounts for certain applicants; to remove provisions relative to loans for graduate school students; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1950—

BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 40:2255, relative to managed care health care benefit plans; to prohibit such plans from restricting a participating provider from communicating information under certain circumstances; to prohibit the transfer of liability to providers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1957—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 22:1113(A)(3), relative to insurance agents; to provide for placement of policies of workers' compensation insurance; to provide the Louisiana Workers' Compensation Corporation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1987—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 56:326(A)(introductory paragraph), relative to fishing; to provide relative to size and possession limits for commercial fish; to delete references to certain repealed sections of law; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1987 by Representative Dewitt

AMENDMENT NO. 1

Change the author of the bill from "DeWitt" to "John Smith"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2009—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 56:1854(C), relative to commercial cutting of trees on natural and scenic or historic and scenic rivers; to provide relative to the penalty for illegal cutting; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2038—

BY REPRESENTATIVES DEWITT, DURAND, GAUTREAUX, JOHNS,
RIDDLE, THORNHILL, AND VITTER AND SENATOR ROBICHAUX
AN ACT

To enact R.S. 40:2116(E), relative to facility need review; to require the Department of Health and Hospitals to revoke approvals for nursing facility beds and community group home beds previously approved to participate in the Medicaid program unless such beds are actually certified and enrolled in the program by a certain date; to require the department to revoke or suspend approvals for unbuilt facilities or beds previously approved to participate in the Medicaid program unless construction of such facilities or beds is begun and completed by a certain date and such facilities or beds are certified and enrolled in the program by a certain date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 2038 by Representative DeWitt, et al.

AMENDMENT NO. 1

On page 1, line 7, after "revoke" and before "approvals" insert "or suspend"

AMENDMENT NO. 2

On page 2, between line 4 and 5, insert the following:

"In the case of unbuilt nursing facilities or beds, the department shall suspend approvals for the length of the moratorium provided in R.S. 40:2116(D) unless construction of such facilities or beds has actually begun by December 31, 1997, and construction has been completed and such facilities or beds are actually certified and enrolled in the Title XIX program by June 30, 1999."

AMENDMENT NO. 3

On page 2, line 5, after "unbuilt" and before "facilities" insert "community and group home"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2113—

BY REPRESENTATIVE DIMOS
AN ACT

To amend and reenact R.S. 22:215.1, 215.2, 215.3, 215.4, 215.8(introductory paragraph), 215.10(A), 215.14(A) and (C), 227, 230.1(A) and (C), 2002(2), and 2016(A) and to enact R.S. 22:2016(F) and (G), relative to health maintenance organizations; to require health maintenance organizations to offer mandated health benefits options; to require health maintenance organizations to provide coverage for mandated health benefits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 2113 by Representative Dimos

AMENDMENT NO. 1

On page 9, line 23, after "22:" insert "215,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2149—

BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To enact R.S. 17:3042.32(D), relative to the Louisiana Honors Scholarship Program; to provide for the application of scholarships awarded pursuant to such program and to the combination of such scholarships with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a scholarship award; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2151—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(k), relative to the Department of Health and Hospitals, including provisions to provide for the re-creation of the Department of Health and Hospitals and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2154—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To enact R.S. 17:3026(J), relative to the Tuition Assistance Plan; to provide relative to the application of grants awarded pursuant to such plan and the combination of such grants with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a grant award; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2184—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND GAUTREAU
AN ACT

To amend and reenact R.S. 40:2009.13, 2009.14, 2009.15(A)(1) and (B), 2009.17, and 2009.20(A) and (B)(1), to enact R.S. 40:2009.15(C), and to repeal R.S. 40:2009.15(A)(2), (3), and (4) and 2009.16, relative to abuse, neglect, and violations of laws, standards, rules, regulations, and orders relating to health care providers; to provide for reports to the Department of Health and Hospitals; to expand provisions related to nursing homes to include health care providers licensed by the state or providing Medicaid or Medicare services in the state; to provide for types of complaints of allegations of abuse, neglect, or violations of laws and regulations; to change time requirements for actions by the department; to change provisions related to correction orders; to provide for sanctions for violations; to provide for persons who are required to report abuse or neglect; to delete the hearing process for persons dissatisfied with a determination or investigation by the department; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2212—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:1114(K)(2)(b), relative to licensing of insurance agents; to provide for licensing of nonresident insurance agents; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2224—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to tuition at public institutions of higher education; to provide for the powers, duties, and responsibilities of public higher education management boards; to provide relative to determining tuition amounts and increasing such amounts; to provide guidelines and limitations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 2224 by Representative Crane

AMENDMENT NO. 1

On page 2, at the end of line 4, delete "Tuition" and delete lines 5 through 9 and insert in lieu thereof the following:

"Tuition increases for Louisiana residents and limitations on such increases are authorized provided that such increases or limitations are based on a matrix using peer institutions that has been developed and adopted by the Board of Regents that recognizes the shared funding responsibility of the state and students. However, tuition amounts for Louisiana residents shall not increase by more than five percent per year."

AMENDMENT NO. 2

On page 2, delete lines 18 through 20 in their entirety and at the beginning of line 21 change "(d)" to "(c)"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2238—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to tuition at public institutions of higher education; to provide for the powers, duties, and responsibilities of public higher education management boards; to provide relative to determining certain

tuition amounts and increasing such amounts; to provide guidelines and limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

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

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

SENATE BILL NO. 330—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, BRANCH, COX, CRAVINS, DYESS, ELLINGTON, GUIDRY, HEITMEIER, HINES, HOLLIS, LAMBERT, LANDRY SHORT, SMITH AND THEUNISSEN

A JOINT RESOLUTION

Proposing to add Article I, Section 25 of the Constitution of Louisiana, to provide for rights of victims of crimes; to provide for submission of the proposed amendment to the electors; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Under the rules, the bill was recommitted to the Committee on Civil Law and Procedure.

**House and House Concurrent Resolutions on
Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 19—

BY REPRESENTATIVES DOWNER AND BRUNEAU
A RESOLUTION

To amend and readopt House Rules 2.10(C)(6), 6.3(C)(4), 6.13, 6.29(A)(4) and (5), 6.36, 7.2, 12.7, and 14.21(B) and to adopt House Rule 2.10(B)(10) of the Rules of Order of the House of Representatives to allow a committee to determine the report it will make on a prefiled instrument prior to session and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Resolution No. 19 by Representatives Downer and Bruneau

AMENDMENT NO. 1

On page 1, line 2, before "6.29(A)(4)" insert "6.28,"

AMENDMENT NO. 2

On page 1, line 6, after "session" insert a comma "," and insert "to provide for the discussion of the General Appropriation Bill,"

AMENDMENT NO. 3

On page 1, line 8, before "6.29(A)(4)" insert "6.28,"

AMENDMENT NO. 4

On page 6, between lines 9 and 10, insert the following:

"Rule 6.28. General Appropriation Bill to be considered in Committee of the Whole

The General Appropriation Bill shall be discussed in the Committee of the Whole and such discussion shall proceed seriatim."

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

Rep. Bruneau moved the adoption of the resolution, as amended.

Rep. Farve objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pratt
Alario	Green	Quezaire
Alexander, A.—93rd	Guillory	Riddle
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Bowler	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Copelin	Lancaster	Strain
Crane	Landriou	Theriot
Curtis	LeBlanc	Thomas
Damico	Long	Thompson
Daniel	Marionneau	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Dimos	McCallum	Triche
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Faucheux	Morrish	Wiggins
Flavin	Murray	Willard-Lewis
Fontenot	Odinet	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Fruge	Pinac	
Gautreaux	Powell	
Total—91		

NAYS

Farve
Total—1

ABSENT

Alexander, R.—13th	Iles	Morrell
Bruce	Jenkins	Vitter
Chaisson	Jetson	Wilkerson
Deville	Kennard	
Holden	McDonald	
Total—13		

The resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON
A CONCURRENT RESOLUTION

To create and provide with respect to a task force to submit recommendations for the governance structure of postsecondary technical training and adult education including but not limited to proprietary schools, technical colleges, community colleges, junior colleges, and literacy or adult education programs.

Read by title.

On motion of Rep. Forster, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 41—
BY REPRESENTATIVES DOWNER, DEWITT, DUPRE, GAUTREAU, JOHNS, RIDDLE, JACK SMITH, THORNHILL, AND VITTER AND SENATORS DYESS AND ROBICHAUX
A CONCURRENT RESOLUTION

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

Read by title.

Motion

On motion of Rep. Bruneau, the resolution was returned to the calendar subject to call.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVES PRATT, ALARIO, BAUDOIN, BRUCE, BRUN, CLARKSON, CRANE, CURTIS, DAMICO, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FRUGE, GAUTREAU, GULLORY, HAMMETT, HEATON, HEBERT, HILL, HUDSON, ILES, JENKINS, JOHNS, LANDRIEU, LONG, MCCAIN, MCCALLUM, MCDONALD, MARIONNEAUX, MARTINY, MORRELL, MURRAY, ODINET, PIERRE, POWELL, RIDDLE, ROUSSELLE, SALTER, THOMAS, THOMPSON, THORNHILL, TOOMY, TRICHE, VITTER, WESTON, WIGGINS, WILKERSON, WINDHORST, WINSTON, WRIGHT, AND WILLARD-LEWIS AND SENATORS BARHAM, BEAN, COX, CRAVINS, DARZENNE, DYESS, ELLINGTON, EWING, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JORDAN, LAMBERT, LANDRY, ROMERO, SCHEDLER, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express legislative recognition and support of "The Bill of Rights and Responsibilities for Learning: Standards of Conduct, Standards of Achievement".

Read by title.

On motion of Rep. Pratt, the resolution was adopted.

Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Consent Calendar

HOUSE BILL NO. 272—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 40:1631(D), relative to fire protection sprinkler system contractors' licenses; to provide relative to the renewal of unexpired licenses; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 272 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 3, after "contractors'" change "licenses" to "permits"

AMENDMENT NO. 2

On page 1, line 4, after "unexpired" change "licenses" to "permits"

AMENDMENT NO. 3

On page 1, line 16, after "unexpired" change "license or registration" to "permit"

AMENDMENT NO. 4

On page 1, line 18, after "the" change "license or registration" to "permit"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Glover	Powell
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Brun	Hunter	Schneider
Bruneau	Jetson	Shaw
Carter	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Daniel	Long	Thompson

Deville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Dimos	McCallum	Triche
Doerge	McDonald	Vitter
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrish	Wiggins
Flavin	Murray	Willard-Lewis
Forster	Odinet	Windhorst
Frith	Perkins	Winston
Fruge	Pierre	Wright

Total—96

NAYS

Total—0

ABSENT

Bruce	Hill	Jenkins
Chaisson	Hudson	Morrell
Fontenot	Iles	Wilkerson

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1690—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 36:401(C)(1), 405(A)(1)(b), and 408(D)(introductory paragraph), relative to the office of state fire marshal; to change the name to the office of code enforcement and building safety; and to provide for related matters.

Read by title.

Rep. Crane moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Powell
Alario	Fruge	Quezaire
Alexander, A.—93rd	Gautreaux	Riddle
Alexander, R.—13th	Glover	Romero
Ansardi	Green	Rousselle
Barton	Guillory	Salter
Baylor	Hammett	Scalise
Bowler	Heaton	Schneider
Brun	Hebert	Shaw
Bruneau	Hopkins	Smith, J.D.—50th
Carter	Hunter	Smith, J.R.—30th
Chaisson	Johns	Stelly
Clarkson	Kennard	Strain
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill

Daniel	Martiny	Toomy
Deville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Vitter
Dimos	McMains	Walsworth
Doerge	Michot	Warner
Donelon	Mitchell	Welch
Dupre	Montgomery	Weston
Durand	Morrish	Wiggins
Flavin	Odinet	Willard-Lewis
Fontenot	Perkins	Windhorst
Forster	Pinac	Winston

Total—87

NAYS

Baudoin	Jetson	Pierre
Farve	Kenney	Pratt
Faucheux	Murray	Wright

Total—9

ABSENT

Bruce	Hudson	Marionneaux
Hill	Iles	Morrell
Holden	Jenkins	Wilkerson

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 684—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:303.2 and 305.2(A) and (B) and to enact R.S. 56:305.2(D), relative to fishing; to provide relative to licensing requirements of commercial fishing for menhaden and other herring-like fish; to provide that the commercial gear license and vessel license for such fishing may be issued to any person, association, partnership, corporation, or other entity recognized by law; to provide definitions; and to provide for related matters.

Read by title.

Rep. Odinet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander, A.—93rd	Gautreaux	Powell
Alexander, R.—13th	Glover	Pratt
Ansardi	Green	Quezaire
Barton	Guillory	Riddle
Baudoin	Hammett	Romero
Baylor	Heaton	Rousselle
Bowler	Hebert	Salter
Brun	Hill	Scalise
Bruneau	Holden	Schneider
Carter	Hopkins	Shaw
Chaisson	Hunter	Smith, J.D.—50th

Page 28 HOUSE

9th Day's Proceedings - April 11, 1997

Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Toomy
DeWitt	Marionneau	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Mitchell	Wiggins
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Forster	Odinet	Wright

NAYS

Total—0

ABSENT

Bruce	Jenkins	Perkins
Hudson	Landrieu	Thornhill
Iles	Morrell	Wilkerson

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Regular Calendar

HOUSE BILL NO. 1495—
BY REPRESENTATIVES THERIOT, DEWITT, AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 32:385(A)(1) and (2), relative to oversize farm vehicles and equipment; to provide for a permit scheme to allow travel on public highways; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Theriot, the bill was returned to the calendar subject to call.

HOUSE BILL NO. 1496—
BY REPRESENTATIVES THERIOT AND DEWITT
AN ACT

To amend and reenact R.S. 48:381(E)(2), relative to the use and occupancy of rights-of-way of state highways; to delete mandatory reimbursement by the Department of Transportation and Development for expenses incurred by rural water districts during inspections; and to provide for related matters.

Read by title.

Rep. Theriot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Frith	Powell
Alario	Fruge	Pratt
Alexander, A.—93rd	Green	Quezaire
Alexander, R.—13th	Guillory	Riddle
Ansardi	Hammett	Rousselle
Barton	Hill	Salter
Baudoin	Holden	Scalise
Baylor	Hopkins	Schneider
Bowler	Hunter	Shaw
Brun	Jetson	Smith, J.D.—50th
Bruneau	Johns	Smith, J.R.—30th
Carter	Kennard	Strain
Clarkson	Kenney	Theriot
Copelin	Lancaster	Thomas
Crane	Landrieu	Thompson
Curtis	LeBlanc	Thornhill
Damico	Long	Toomy
Daniel	Marionneau	Travis
Deville	Martiny	Triche
DeWitt	McCain	Vitter
Diez	McCallum	Walsworth
Doerge	McMains	Warner
Donelon	Michot	Welch
Dupre	Mitchell	Weston
Durand	Montgomery	Wiggins
Farve	Murray	Willard-Lewis
Faucheux	Odinet	Windhorst
Flavin	Pierre	Winston
Forster	Pinac	Wright

Total—87

NAYS

Total—0

ABSENT

Bruce	Heaton	Morrell
Chaisson	Hebert	Morrish
Dimos	Hudson	Perkins
Fontenot	Iles	Romero
Gautreaux	Jenkins	Stelly
Glover	McDonald	Wilkerson

Total—18

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1531—
BY REPRESENTATIVES WINSTON, POWELL, KENNARD, AND TRAVIS
AN ACT

To rename a portion of Wardline Road and a portion of Columbus Drive as University Avenue in the city of Hammond; and to provide for related matters.

Read by title.

Rep. Winston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander, A.—93rd	Glover	Powell
Alexander, R.—13th	Green	Pratt
Ansardi	Guillory	Quezaire
Barton	Hammett	Riddle
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Brun	Holden	Scalise
Bruneau	Hopkins	Schneider
Carter	Hunter	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Willard-Lewis
Flavin	Montgomery	Windhorst
Fontenot	Murray	Winston
Forster	Odinet	Wright
Total—93		

NAYS

Total—0

ABSENT

Bruce	Iles	Perkins
Dimos	Jenkins	Stelly
Gautreaux	Morrell	Wiggins
Hudson	Morrish	Wilkerson
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1682—
BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 9:3409, 3410 and 3428, relative to annual reports; to require partnerships to file annual reports; and to provide for related matters.

Read by title.

Point of Order

Rep. Jack Smith asked for a ruling from the Chair as to whether House Bill No. 1682 imposes a fee, and therefore would require a two-thirds vote of the elected members of the House for final passage.

Ruling of the Chair

The Chair ruled the bill imposes a fee but is exempt from the requirement of a two-thirds vote inasmuch as the fee is imposed by a statewide elected official.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1682 by Representative Travis

AMENDMENT NO. 1

On page 2, line 18, change "twenty-five dollars" to "twelve dollars fifty cents"

Rep. Schneider moved the adoption of the amendments.

Rep. Travis objected.

By a vote of 53 yeas and 39 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Powell
Alexander, A.—93rd	Green	Pratt
Barton	Guillory	Quezaire
Baudoin	Hudson	Riddle
Bruneau	Hunter	Salter
Clarkson	Johns	Shaw
Copelin	Kenney	Stelly
Curtis	Landrieu	Strain
Damico	LeBlanc	Thomas
Diez	Long	Thompson
Dimos	McCain	Thornhill
Doerge	McMains	Travis
Donelon	Michot	Triche
Dupre	Mitchell	Vitter
Farve	Montgomery	Warner
Flavin	Morrish	Welch
Frith	Murray	Weston
Fruge	Odinet	Willard-Lewis
Gautreaux	Pierre	
Total—56		

NAYS

Alario	Hammett	Scalise
Ansardi	Heaton	Schneider
Baylor	Hebert	Smith, J.D.—50th
Bowler	Hill	Smith, J.R.—30th
Carter	Jetson	Theriot
Crane	Lancaster	Toomy
Daniel	Marionneaux	Walsworth
Deville	Martiny	Wiggins
DeWitt	McCallum	Windhorst
Durand	Perkins	Winston
Faucheux	Pinac	Wright
Fontenot	Romero	
Forster	Rousselle	
Total—37		

Page 30 HOUSE

9th Day's Proceedings - April 11, 1997

ABSENT

Alexander, R.—13th	Holden	Kennard
Bruce	Hopkins	McDonald
Brun	Iles	Morrell
Chaisson	Jenkins	Wilkerson
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1683—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 12:203(B)(5), (6), and (8), relative to nonprofit corporations; to provide for the articles of incorporation of nonprofit corporations; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pratt
Alario	Glover	Quezaire
Alexander, A.—93rd	Green	Riddle
Ansardi	Guillory	Romero
Barton	Hammett	Rousselle
Baudoin	Heaton	Salter
Baylor	Hebert	Scalise
Bowler	Hill	Schneider
Bruneau	Hopkins	Shaw
Carter	Hunter	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Daniel	Long	Thompson
Deville	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Dimos	McCallum	Triche
Doerge	McDonald	Vitter
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrish	Wiggins
Flavin	Murray	Willard-Lewis
Fontenot	Odinet	Windhorst
Forster	Pierre	Winston
Frith	Pinac	Wright
Fruge	Powell	
Total—92		

NAYS

Perkins
Total—1

ABSENT

Alexander, R.—13th	Holden	Jetson
Bruce	Hudson	Kennard
Brun	Iles	Morrell
Chaisson	Jenkins	Wilkerson
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1731—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:381.1(C), relative to joint use agreements; to provide for the maximum fee which shall be charged for joint use agreements relative to rights-of-way; and to provide for related matters.

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander, A.—93rd	Gautreaux	Powell
Alexander, R.—13th	Glover	Quezaire
Ansardi	Green	Riddle
Barton	Hammett	Romero
Baudoin	Hebert	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Shaw
Brun	Hunter	Smith, J.D.—50th
Bruneau	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	Michot	Welch
Farve	Montgomery	Weston
Faucheux	Morrish	Wiggins
Flavin	Murray	Windhorst
Fontenot	Odinet	Winston
Forster	Perkins	Wright
Total—84		

NAYS

Clarkson	Marionneaux	Toomy
Doerge	Pratt	Willard-Lewis
Guillory	Scalise	
Heaton	Schneider	
Total—10		

ABSENT

Bruce	Hudson	Mitchell
Carter	Iles	Morrell
Chaisson	Jenkins	Wilkerson
Hill	McMains	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1759 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 12:148(B), relative to the liquidation of corporations; to provide for certificates; to provide for the Department of Environmental Quality; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Fruge	Perkins
Alexander, A.—93rd	Gautreaux	Pierre
Alexander, R.—13th	Glover	Pinac
Ansardi	Green	Powell
Barton	Guillory	Pratt
Baudoin	Hammett	Quezaire
Baylor	Heaton	Riddle
Bowler	Hebert	Romero
Brun	Holden	Rousselle
Bruneau	Hopkins	Salter
Carter	Hunter	Scalise
Clarkson	Jetson	Schneider
Copelin	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Stelly
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Mitchell	Willard-Lewis
Flavin	Montgomery	Windhorst
Fontenot	Morrish	Winston
Forster	Murray	Wright
Total—93		

NAYS

Total—0

ABSENT

Bruce	Iles	Strain
Chaisson	Jenkins	Theriot
Hill	Morrell	Thomas
Hudson	Shaw	Wilkerson
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1838 —
BY REPRESENTATIVE WINDHORST
AN ACT

To repeal R.S. 51:911.45, relative to manufactured housing; to repeal provisions relative to the board of review.

Read by title.

Rep. Windhorst moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pinac
Alario	Gautreaux	Powell
Alexander, A.—93rd	Glover	Pratt
Alexander, R.—13th	Green	Quezaire
Ansardi	Guillory	Riddle
Barton	Hammett	Romero
Baudoin	Heaton	Rousselle
Baylor	Hebert	Salter
Bowler	Holden	Scalise
Brun	Hopkins	Schneider
Bruneau	Hunter	Smith, J.D.—50th
Carter	Jetson	Smith, J.R.—30th
Chaisson	Johns	Stelly
Clarkson	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrish	Windhorst
Flavin	Murray	Winston
Fontenot	Odinet	Wright
Forster	Perkins	
Frith	Pierre	
Total—94		

NAYS

Total—0

ABSENT

Bruce	Iles	Shaw
Damico	Jenkins	Wilkerson
Hill	Mitchell	Willard-Lewis
Hudson	Morrell	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1846—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 12:23(B)(introductory paragraph) and 204(A) and (B)(introductory paragraph) and to repeal R.S. 12:23(B)(5), relative to corporations; to provide relative to corporate names; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Engrossed House Bill No. 1846 by Representative Travis

AMENDMENT NO. 1

On page 1, at the end of line 2, after "204" delete "(A) and"

AMENDMENT NO. 2

On page 1, at the end of line 7, after "204" delete "(A) and"

AMENDMENT NO. 3

On page 2, delete lines 6 through 14 in their entirety and insert in lieu thereof the following:

"* * *

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Gautreaux	Powell
Alexander, A.—93rd	Glover	Pratt
Alexander, R.—13th	Green	Quezaire
Ansardi	Guillory	Riddle
Barton	Hammitt	Romero
Baudoin	Heaton	Rousselle
Baylor	Hebert	Salter
Bowler	Holden	Scalise
Brun	Hopkins	Schneider

Bruneau	Hunter	Shaw
Carter	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Farve	Morrish	Windhorst
Faucheux	Murray	Winston
Flavin	Odinot	Wright
Fontenot	Perkins	
Forster	Pierre	
Total—91		

NAYS

Total—0

ABSENT

Bruce	Iles	Strain
Chaisson	Jenkins	Walsworth
Frugé	Marionneaux	Wilkerson
Hill	Mitchell	Willard-Lewis
Hudson	Morrell	
Total—14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Motion

On motion of Rep. Rodney Alexander, House Bill No. 1049 was made Special Order of the Day No. 1 for Wednesday, April 16, 1997.

Suspension of the Rules

On motion of Rep. Powell, the rules were suspended in order to take up Introduction of House Bills and Joint Resolutions at this time.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

HOUSE BILL NO. 2292—

BY REPRESENTATIVE POWELL

AN ACT

To enact Chapter 21 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2101, relative to procurement of certain certified products; to provide for requirements for the utilization of Louisiana-certified meat, poultry, and seafood products; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Judiciary

April 11, 1997

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 49, by Ansardi
Reported favorably. (7-0-1)

House Concurrent Resolution No. 89, by Windhorst
Reported favorably. (7-0-1)

House Bill No. 24, by Flavin
Reported by substitute. (8-0-1)

House Bill No. 48, by Murray
Reported favorably. (7-0-1) (Consent)

House Bill No. 66, by Long
Reported favorably. (6-0-1) (Regular)

House Bill No. 301, by Barton
Reported favorably. (7-0-1) (Regular)

House Bill No. 302, by Barton
Reported favorably. (8-0-1) (Regular)

House Bill No. 371, by Long
Reported favorably. (6-0-1) (Regular)

House Bill No. 478, by Thomas
Reported favorably. (9-0-1) (Regular)

House Bill No. 551, by Toomy
Reported favorably. (8-1-1) (Regular)

JOSEPH F. TOOMY
Chairman

Report of the Committee on Labor and Industrial Relations

April 11, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 1822, by Martiny
Reported with amendments. (8-5-1) (Regular)

House Bill No. 2099, by DeWitt
Reported with amendments. (14-0) (Regular)

House Bill No. 2211, by J. D. Smith
Reported with amendments. (7-4-1) (Regular)

GAREY FORSTER
Chairman

Report of the Committee on Retirement

April 11, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 475, by Pierre
Reported with amendments. (7-0) (Consent)

House Bill No. 628, by Stelly
Reported with amendments. (10-0) (Consent)

House Bill No. 1075, by Pierre
Reported favorably. (8-0) (Regular)

House Bill No. 1625, by Daniel
Reported favorably. (9-0) (Regular)

House Bill No. 1975, by Montgomery
Reported favorably. (9-0) (Regular)

VIC STELLY
Chairman

Report of the Committee on Agriculture

April 11, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1591, by Representative Strain
Reported with amendments. (12-0) (Regular)

R. H. STRAIN
Chairman

House and House Concurrent Resolutions

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

HOUSE RESOLUTION NO. 16—

BY REPRESENTATIVE TRAVIS
A RESOLUTION

To adopt House Rule 4.10 of the Rules of Order of the House of Representatives to require a majority vote of the elected members of the House of Representatives to approve certain actions.

Motion

On motion of Rep. Lancaster, the Committee on House and Governmental Affairs was discharged from further consideration of House Resolution No. 16.

Motion

On motion of Rep. Lancaster, the resolution was withdrawn from the files of the House.

Leave of Absence

Rep. Jenkins - 1 day
Rep. Wilkerson - 1 day
Rep. Iles - 1 day

Adjournment

On motion of Rep. Dimos, at 1:30 P.M., the House agreed to adjourn until Monday, April 14, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Monday, April 14, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*