

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

TWENTY-SIXTH 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

Tuesday, May 6, 1997

The House of Representatives was called to order at 1:30 P.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Alexander, R.—13th	Guillory	Powell
Ansardi	Hammett	Pratt
Barton	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Rousselle
Bruce	Hopkins	Salter
Brun	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	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	Toomy
Diez	Marionneaux	Travis
Dimos	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston

Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Total—105		

ABSENT

Total—0

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Rev. Terrell Hebert.

Pledge of Allegiance

Rep. Holden 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. Alario, the reading of the Journal was dispensed with.

On motion of Rep. Alario, the Journal of May 5, 1997, was adopted.

Petitions, Memorials and Communications

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

Privileged Report of the Legislative Bureau

May 5, 1997

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 258
Reported with amendments.

Senate Bill No. 428
Reported without amendments.

Senate Bill No. 746
Reported without amendments.

Senate Bill No. 1019
Reported without amendments.

Senate Bill No. 1037
Reported without amendments.

Senate Bill No. 1129
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 5, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 76 and 77

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

May 5, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 674 by Sen. Bagneris, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement; and to inform your honorable body that the President of the Senate has appointed the following members as conferees on the part of the Senate: Senators Bagneris, Dardenne, and Ellington.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

May 5, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 736 by Sen. Robichaux, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement; and to inform your honorable body that the President of the Senate has appointed the following members as conferees on the part of the Senate: Senators Robichaux, Dardenne, and Landry.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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. 40—

BY REPRESENTATIVE JETSON
A RESOLUTION

To urge and request the House Committee on Commerce to study the process of employment, levels of income, rates of pay, benefits, granting of tax exemptions, licensing, and related matters concerning the Louisiana maritime industry and make recommendations with respect thereto.

Read by title.

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

HOUSE RESOLUTION NO. 41—

BY REPRESENTATIVE BOWLER
A RESOLUTION

To direct the Louisiana Department of Insurance to provide the House Insurance Committee with the minutes of meetings of the National Association of Insurance Commissioners (NAIC) prior to the introduction of any NAIC model act.

Read by title.

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

HOUSE RESOLUTION NO. 42—

BY REPRESENTATIVE WINSTON
A RESOLUTION

To urge and request the House Committee on Ways and Means to study the state and local tax systems to determine the appropriate structure to encourage retirees to live in Louisiana; to evaluate the economic impact of any proposed changes; and to establish an advisory committee to assist the Ways and Means Committee in the study.

Read by title.

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

HOUSE RESOLUTION NO. 43—

BY REPRESENTATIVE WINSTON
A RESOLUTION

To create and provide with respect to a special committee to study the state and local tax systems to determine the appropriate structure to encourage retirees to live in Louisiana and to evaluate the economic impact of any proposed changes.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 154—

BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress, Gulf of Mexico Fishery Management Council, and the National Marine Fisheries Service to increase the creel and possession limits of red snapper and amberjack in federal waters off the coast of Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVES RIDDLE AND WINDHORST
A CONCURRENT RESOLUTION

To direct the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to promulgate guidelines similar to the National Asset Forfeiture Ethical Standards; to establish Council on Peace Officer Standards and Training certification status and training for law enforcement officers engaged in interstate highway traffic enforcement and seizures pursuant to state and federal asset forfeiture laws; to gather and report statistics on drug and asset highway enforcement activities; and to provide for related matters.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Appropriations, and the Senate Committee on Finance to investigate problems facing rural hospitals and to propose recommendations for solutions to such problems; to provide that such committees receive testimony and recommendations from representatives of the Louisiana Rural Hospital Coalition; and to provide for related matters.

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. 50—

BY SENATOR HAINKEL
A CONCURRENT RESOLUTION

To urge and request that the Department of State Civil Service implement a return-to-work policy for classified employees.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 73—

BY SENATORS IRONS, BAJOE, CASANOVA, DYESS, HINES AND SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to conduct a public campaign to educate women about the need to have a Pap test in accordance with current guidelines and on the values and limitations of such test.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR HINES
A CONCURRENT RESOLUTION

To request the governor of the state of Louisiana, the commissioner of administration, and the secretary of the Department of Health and Hospitals to work diligently, creatively, and resourcefully to fully fund the Medically Needy Program within the Medical Vendor Program budget for Fiscal Year 1997-98.

Read by title.

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

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. 8—

BY SENATOR BARHAM
AN ACT

To amend and reenact R.S. 22:1118(F)(1) and(2), relative to insurance agents of record; to provide that an insured shall have the right to remove an agent of record; to require written notice to the agent of record thirty days prior to removal; to provide relative to the payment of commissions and servicing of policies; to require certain contract clauses; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 33—

BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 48:945 and to enact R.S. 47:820.5(D), relative to tolls on bridges; to provide relative to assessing tolls on bridges; to classify certain motorcycles as two axle vehicles; 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. 220—

BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 42:1113(B), relative to the code of governmental ethics; to provide for the donation of office space to newly created boards or commissions; to provide for three year transition period; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 354—

BY SENATOR GREENE
AN ACT

To amend and reenact R.S. 16:409 and to enact R.S. 38:305.1, relative to levee districts; to provide relative to the Atchafalaya Basin Levee District; to authorize the board of such district to

employ an attorney; to remove limitations on such employment; 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. 405—
BY SENATORS DARDENNE, BARHAM, BEAN, GUIDRY, LENTINI, SHORT, BAJOEIE, CASANOVA, HINES, ROBICHAUX AND SCHEDLER
AN ACT

To enact R.S. 22:215.18, relative to health insurance coverage; to provide for coverage for diabetes outpatient self-management training and education, including medical nutrition therapy, and diabetes equipment and supplies; to provide for exceptions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 580—
BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER
AN ACT

To enact R.S. 40:46.2, relative to vital records; to provide for paternity establishment services; to provide duties for the state registrar of vital records; to provide relative to ex officio notaries public; to provide an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 596—
BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER
AN ACT

To enact R.S. 46:236.10, relative to the child support enforcement program within the Department of Social Services; to create an automated state case registry of child support orders; to provide relative to linking of local registries; to define elements of the registry; to authorize exchange of information; to provide with respect to the federal case registry of child support orders; to provide with respect to the federal parent locator service; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 687—
BY SENATORS LANDRY, CAIN AND SMITH
AN ACT

To amend and reenact R.S. 32:387(C)(3)(f)(ii), relative to motor vehicles; to provide relative to vehicles transporting recyclable waste paper products; to require width limits; to provide for effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Wiggins moved that Senate Bill No. 687 be designated as a duplicate of House Bill No. 1195.

Which motion was agreed to.

On motion of Rep. Wiggins, the above bill was referred to the Legislative Bureau.

SENATE BILL NO. 688—
BY SENATOR LANDRY
AN ACT

To enact R.S. 44:7(F), relative to hospital records; to provide for confidentiality of persons participating in medical research; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 870—
BY SENATOR HEITMEIER
AN ACT

To enact R.S. 11:441(F), relative to Louisiana State Employees' Retirement System; to provide for retirement eligibility at any age after twenty-five years of service for employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 871—
BY SENATORS HEITMEIER AND SHORT
AN ACT

To enact R.S. 11:430, relative to the Louisiana State Employees' Retirement System; to provide for the purchase of military service credit; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 918—
BY SENATOR LANDRY
AN ACT

To enact R.S. 32:1254(N)(3)(f), relative to motor vehicles; to provide relative to sale and delivery of vehicles sold on condition of financing; to require certain terms for such delivery; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 962—
BY SENATOR CAIN
AN ACT

To enact R.S. 51:911.24.1, relative to manufactured homes; to provide for relationships; to provide for repurchase of manufactured homes under certain circumstances; to provide relative to warranty work; to provide for penalty and indemnification under certain circumstances; to require certain notice; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1104—
BY SENATORS ROBICHAUX AND CAMPBELL
AN ACT

To amend and reenact R.S. 37:1731(A), relative to the Good Samaritan Law; to provide immunity from liability for certain professional medical or limited liability corporations; to provide for qualified immunity from liability for emergency care rendered at a licensed public or private hospital or other health care facility; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Donelon moved that Senate Bill No. 1104 be designated as a duplicate of House Bill No. 1885.

Which motion was agreed to.

On motion of Rep. Donelon, the above bill was referred to the Legislative Bureau.

SENATE BILL NO. 1152—
BY SENATOR ROMERO
AN ACT

To amend and reenact R.S. 56:700.12 (Introductory Paragraph) and (A)(3), 700.13 and 700.14(A), (B), (D) and (E), relative to oyster leases; to provide for settlement of certain claims; to provide for arbitration; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1196—
BY SENATOR BAGNERIS
AN ACT

To amend and reenact R.S. 13:2576(H)(2)(g), relative to the sale of property by a municipality pursuant to an order of seizure and possession; to require a municipality with a population in excess of four hundred fifty thousand that sells property pursuant to an order of seizure and possession to follow the procedures governing judicial sales of immovable property; 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. 1284—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 36:254(F) and 258(G) and R.S. 46:2664(A)(4) and 2665(A), relative to the Capital Area Human Services District; to provide for the functions, powers, and duties of the district; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1344—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 40:600.3 and 600.4(A)(2) and (C), 600.5(G), and 600.14, to enact R.S. 36:109(J), and to repeal R.S. 36:769(J), relative to the Louisiana Housing Finance Agency; to provide for transfers between departments; to provide for membership of the board of commissioners; to provide for powers, duties, and regulation of such agency; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1419—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 46:231 and 443, to enact R.S. 46:231.1 through 231.12 and 233.1 and to repeal R.S. 46:237 through 240, R.S. 46:290, R.S. 46:447.3, R.S. 46:451 through 459, and 460 through 460.3, relative to public assistance; to provide for definitions; to provide for a program of cash assistance; to provide for a program of education, employment, training, and related services; to provide for eligibility conditions; to provide for school attendance requirements; to provide for immunization requirements; to provide for a twenty-four month limit; to provide for a program of parenting skills education; to provide for a program of support services; to provide for a program of transitional services; to provide for the provision of worker's compensation and liability insurance for recipients placed in community work experience or community service activities; to provide for the establishment of a Louisiana Welfare Reform Coordinating Committee; to provide for the correction of overpayments or underpayments in certain programs of the department; to provide for the establishment of income and resource guides; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1464—
BY SENATOR LAMBERT
AN ACT

To enact Part IV of Chapter 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1949 and 1950, relative to historic roads; to designate Old Perkins Road as a historic road; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**House and House Concurrent Resolutions
Reported by Committees**

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

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Public Service Commission to petition the Federal Communications Commission for authority to regulate the rates charged by commercial mobile service, commercial

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mobile radio service as defined by the Federal Communications Commission, or private mobile service providers.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Concurrent Resolution No. 5 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 4, after "commercial mobile service" and before "or" insert ", commercial mobile radio service as defined by the Federal Communications Commission,"

AMENDMENT NO. 2

On page 1, line 8, after "service" and before "or" insert "or commercial mobile radio service,"

AMENDMENT NO. 3

On page 1, line 15, after "users" and before "are" insert "and commercial mobile radio service"

AMENDMENT NO. 4

On page 2, line 1, after "user" and before "is" insert ", or commercial mobile radio service user,"

AMENDMENT NO. 5

On page 2, line 4, after "owners" and before "feel" insert "and commercial mobile radio service users"

AMENDMENT NO. 6

On page 2, at the end of line 8, after "service" insert "and commercial mobile radio service"

AMENDMENT NO. 7

On page 2, line 14, after "commercial mobile service" and before "or" insert ", commercial mobile radio service users,"

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

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

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take appropriate action to direct the Federal Communications Commission to regulate the rates charged by commercial mobile service, commercial mobile radio service, personal communication device, or private mobile service providers for calls both originated by cellular users or made to them.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Concurrent Resolution No. 6 by Representative Faucheux

AMENDMENT NO. 1

On page 1, delete line 4, and insert in lieu thereof "by commercial mobile service, commercial mobile radio service, personal communication device, or private mobile service providers for"

AMENDMENT NO. 2

On page 1, line 9, after "service" and before "or" insert ", commercial mobile radio service, personal communication device,"

AMENDMENT NO. 3

On page 1, line 11, after "currently" and before "users" delete "cellular or wireless transmission"

AMENDMENT NO. 4

On page 1, line 13, after "a" and before "user" delete "cellular or wireless transmission"

AMENDMENT NO. 5

On page 1, line 14, after "the" and before "regardless" delete "cellular or wireless transmission owner" and insert in lieu thereof "user"

AMENDMENT NO. 6

On page 1, line 16, after "many" and before "feel" delete "cellular or wireless transmission owners" and insert in lieu thereof "users"

AMENDMENT NO. 7

On page 2, at the end of line 3, delete the period and insert ", commercial mobile radio service providers, and personal communication device providers."

AMENDMENT NO. 8

On page 2, at the beginning of line 7, after "mobile service" and before "or" insert ", commercial mobile radio service, personal communication device,"

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

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

HOUSE CONCURRENT RESOLUTION NO. 150—

BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To establish a special committee to study and review federal, state, and local laws, rules, regulations, and policies to assess and report as to the impact of electric retail competition and the economic impact of electric deregulation on the revenues of the state.

Read by title.

Reported favorably by the Committee on Commerce.

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

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. 79—

BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 13:1880(A), relative to the qualifications of marshals of city courts; to provide for durational residence and educational requirements; to provide exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 98—

BY REPRESENTATIVE DOERGE
A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1) of the Constitution of Louisiana, relative to rulemaking by the State Civil Service Commission; to provide that the legislature may provide by law for legislative and gubernatorial oversight of all rules and fees, and emergency rules and fees, proposed or adopted by the State Civil Service Commission; to provide for such oversight and by whom it may be exercised; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 160—

BY REPRESENTATIVE LONG
AN ACT

To enact R.S. 13:2614, relative to justice of the peace courts; to provide for territorial jurisdiction of justice of the peace courts and constables in Natchitoches Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 183—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 45:1162, relative to the Public Service Commission; to provide for an increase in the salaries of members; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 183 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 12, after "commissioner." delete the remainder of the line and delete lines 13 and 14 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 274—

BY REPRESENTATIVES HOLDEN AND JETSON
A JOINT RESOLUTION

Proposing to amend Article XI, Section 5 of the Constitution of Louisiana, to provide that the office of registrar of voters of East Baton Rouge Parish shall be an elective office; to provide for terms of office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 285—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact Children's Code Art. 312(B), relative to original criminal court jurisdiction in certain juvenile matters; to provide for jurisdiction of certain criminal matters to the Municipal Court of New Orleans; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 285 by Representative Murray

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AMENDMENT NO. 1

On page 1, line 3, after "to" and before "jurisdiction" insert "provide for"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 470—

BY REPRESENTATIVE GREEN

A JOINT RESOLUTION

Proposing to amend Article XIII, Section 1(C) of the Constitution of Louisiana, to provide for the number of electors approving a constitutional amendment required for adoption of the constitutional amendment; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 566—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(f), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service 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 Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 596—

BY REPRESENTATIVE ALARIO

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20(A)(1) of the Constitution of Louisiana, to increase the homestead exemption; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 596 by Representative Alario

AMENDMENT NO. 1

On page 2, at the end of line 13, change "1999" to "2000"

AMENDMENT NO. 2

On page 2, line 20, change "1999" to "2000"

On motion of Rep. Alario, 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. 681—

BY REPRESENTATIVE MCCAIN

A JOINT RESOLUTION

Proposing to amend Article X, Section 6(C) of the Constitution of Louisiana, to provide that the legislature may provide for additional qualifications of the director of state civil service; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 720—

BY REPRESENTATIVE DUPRE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 833—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 13:1383, relative to the Criminal District Court for the parish of Orleans; to require the city of New Orleans to provide space for judges and the magistrate section; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 840—
BY REPRESENTATIVES MARTINY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 47:532.1(A)(4) and (7) and to repeal R.S. 47:532.1(C), relative to public license tag agents; to delete the prohibition on advertising by such agents; to expand the authority of such agents to collect taxes on motor vehicle sales; to provide for special effective dates; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 840 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "(7)" and before the comma "," insert "and to repeal R.S. 47:532.1(C),"

AMENDMENT NO. 2

On page 1, line 5, after "sales;" and before "and" insert "to provide for special effective dates;"

AMENDMENT NO. 3

On page 2, line 3, after "contracts" and before "terminate" delete "shall" and insert "may"

AMENDMENT NO. 4

On page 2, line 8, after "issue" delete the remainder of the line and insert "registration certificates and license plates to"

AMENDMENT NO. 5

On page 2, delete line 9 and insert the following:

~~"new vehicles and motor vehicles. sold under manufacturers' statements of origin;"~~

AMENDMENT NO. 6

On page 2, delete lines 10 through 12 in their entirety and insert the following:

"Public license tag agents shall also be authorized to receive and process applications filed for certificates of title, duplicate certificates of title, corrected certificates of title, recordation of liens, mortgages or security interests against motor vehicles, conversion of plate, transfer of plate, replacement of lost or stolen plates, replacement of lost or stolen stickers, renewals of registration and duplicate registration. The commissioner may authorize public license tag agents to process additional applications or transactions."

AMENDMENT NO. 7

On page 2, after line 13, insert the following:

"Section 2. R.S. 47:532.1(C) is hereby repealed in its entirety.

Section 3. The provisions of Section 1 of this Act shall be effective through June 30, 1999.

Section 4. Sections 1 and 3 of this Act shall become effective on July 1, 1997. Section 2 of this Act shall become effective on July 1, 1999."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 854—
BY REPRESENTATIVE WRIGHT
A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; 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 Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 854 by Representative Wright

AMENDMENT NO. 1

On page 1, delete lines 3 and 4 and insert in lieu thereof the following:

"Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; to provide"

AMENDMENT NO. 2

On page 2, line 3, after the period "." insert the following:

"Increases in the millage rate in excess of the rates established as provided by Paragraph (B) above but not in excess of the prior year's maximum authorized millage rate may be levied by two-thirds vote of the total membership of a taxing authority without further voter approval but only after a public hearing held in accordance with the open meetings law, provided, however, that in addition to any other requirements of the open meetings law, public notice of the time, place, and subject matter of such hearing has been published on two separate days no less than one week before the public hearing. Such public notice shall be in the official journal of the taxing authority."

AMENDMENT NO. 3

On page 2, delete line 17 and insert in lieu thereof the following:

"To provide for public notice of the public hearing at which a taxing authority will act upon an increase in ad valorem tax millage"

On motion of Rep. Alario, 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. 867—

BY REPRESENTATIVES LEBLANC AND DEVILLE
A JOINT RESOLUTION

Proposing to amend Article III, Section 16(A), Article IV, Section 5(G)(2), Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.3(B)(4), 10.4(A)(1), 10.5(C), 11(A) and (C), and 27(B), Article VIII, Section 13(B), and Article X, Sections 13(A) and 51 of the Constitution of Louisiana, to remove limitations that exist on multiyear budgets; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY, ALARIO, R. ALEXANDER, BRUCE, CURTIS, DIEZ, FAUCHEUX, FRITH, GAUTREUX, LEBLANC, MARTINY, MCCALLUM, MORRISH, MURRAY, ROMERO, JOHN SMITH, THOMAS, THORNHILL, WARNER, AND WELCH AND SENATOR LANDRY
AN ACT

To amend and reenact R.S. 13:782(A) and (K), 1212, 1371, and 1371.1, relative to clerks of court; to increase the salaries of the clerks of court; to establish the Louisiana Clerks of Court Certification program for the clerks of the Civil District Court and the Criminal District Court for the parish of Orleans; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1220—

BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact R.S. 40:1299.39(A)(4) and (7), (C), (D)(2), (E)(1), (F)(introductory paragraph) and (10), (G), and (L), and 1299.39.1(A)(1) and (2)(b), (B)(1)(a)(i) and (b), (2)(a), and (3), (D)(3) and (4), (G)(introductory paragraph), and (J), to enact R.S. 40:1299.39(O), and to repeal R.S. 40:1299.39.1(A)(3)(c), relative to medical malpractice liability for state services; to provide for definitions; to provide for the total amount recoverable for all malpractice claims, including but not limited to a survival or wrongful death action, or action for mental anguish; to provide for limitations on the recovery of future medical care and related benefits; to provide with respect to the payment of future medical care and related benefits through a reversionary trust; to provide for a court award of attorney fees from the state or the fund arising from disputes over future medical care and related benefits when warranted; to reduce the amount of future medical care and related benefits due a patient in a sum equal to the amount received by such patient from a collateral source; to provide relative to the state medical review panel; to provide for discovery; to provide for procedures for

issuance of subpoenas and subpoenas duces tecum; to provide for notification of the opinion of the medical review panel; to provide for commencement of prescription; to require service of citation to be requested within ninety days after the initial pleading is filed; to repeal the requirement that a claim filed with the state medical review panel be forwarded to the supreme court; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1220 by Representatives McMains and DeWitt

AMENDMENT NO. 1

On page 1, line 2, delete "(B)(1),"

AMENDMENT NO. 2

On page 1, line 8, after the semicolon ";" delete the remainder of the line and on line 9 delete "health care providers;"

AMENDMENT NO. 3

On page 2, line 9, delete "(B)(1),"

AMENDMENT NO. 4

On page 3, line 4, after "therefrom" and before the comma "," insert "by a patient or any other individual or person"

AMENDMENT NO. 5

On page 3, delete lines 20 through 27 and on page 4, delete lines 1 through 3

AMENDMENT NO. 6

On page 6, line 4, after "therefrom" and before the comma "," insert "by a patient or any other individual or person"

AMENDMENT NO. 7

On page 15, line 21, after the period "." delete the remainder of the line, and delete line 22, and on line 23, delete "amended claim."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1229—

BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), (3), (4), and (8), 1299.42(B)(1) and (2), (C), and (E), 1299.43(B), (C), and (E), 1299.44(A)(7)(e), (B)(1), (C), and (D)(2)(b)(i), (vii), (x), and (xi), 1299.45(A)(2), 1299.47(A)(2)(b), (B)(1)(b), (2)(a), and (3), (C)(3)(f)(v), (D)(3), (4), and (5), (G), (I)(2) and (3), and (J), to

enact R.S. 40:1299.41(A)(21), (E)(4), and (K), and to repeal R.S. 40:1299.47(A)(3)(c), (K), and (L), relative to medical malpractice; to provide for definitions; to provide that service of citation shall be requested within ninety days of filing of the initial pleading; to provide for dismissal of suits and the effects of failure to timely request service of citation; to provide for notice and participation by the Patient's Compensation Oversight Board in arbitration proceedings; to provide for limitations on recovery; to provide for recovery of future medical care and related benefits; to provide for payment of medical care and related benefits through a reversionary trust; to provide relative to the Patient's Compensation Fund; to provide for malpractice coverage; to provide relative to the medical review panel; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1229 by Representatives McMains and DeWitt

AMENDMENT NO. 1

On page 1, line 2, change "40:1299.41(A)(3)" to "40:1299.41(A)(1), (3), (4),"

AMENDMENT NO. 2

On page 1, line 4, after "(xi)," and before "1299.47(A)(2)(b)" insert "1299.45(A)(2),"

AMENDMENT NO. 3

On page 2, line 1, after "Fund;" and before "to provide" insert "to provide for malpractice coverage;"

AMENDMENT NO. 4

On page 2, line 4, change "40:1299.41(A)(3)" to "40:1299.41(A)(1), (3), (4),"

AMENDMENT NO. 5

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

"(1) "Health care provider" means a person, partnership, limited liability partnership, limited liability company, corporation, facility, or institution licensed by this state to provide health care or professional services as a physician, physician assistant, hospital, community blood center, tissue bank, dentist, registered or licensed practical nurse, ambulance service under circumstances in which the provisions of R.S. 40:1299.39 are not applicable, certified registered nurse anesthetist, nurse midwife, licensed midwife, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, psychologist, or any nonprofit facility considered tax-exempt under Section 501(c)(3), Internal Revenue Code, pursuant to 26 U.S.C.A. §501(c)(3), for the diagnosis and treatment of cancer or cancer-related diseases, whether or not such a facility is required to be licensed by this state, or any professional corporation a health care provider is authorized to form under the provisions of Title 12 of the Louisiana Revised Statutes of 1950, or any partnership, limited liability partnership, limited liability company, or corporation whose

business is conducted principally by health care providers, or an officer, employee, member, shareholder partner, or agent thereof acting in the course and scope of his employment."

AMENDMENT NO. 6

On page 2, between lines 12 and 13, insert the following:

"(4) "Hospital" means any hospital as defined in R.S. 40:2102; any ambulatory surgical center as defined in R.S. 40:2133; any "nursing home" or "home" as defined in R.S. 40:2009.2; any home health agency as defined in R.S. 40:2009.31; or any physician's or dentist's offices or clinics containing facilities for the examination, diagnosis, treatment or care of human illnesses."

AMENDMENT NO. 7

On page 3, line 5, after "therefrom" and before the comma "," insert "by a patient or any other individual or person"

AMENDMENT NO. 8

On page 4, line 23, change "cost" to "costs"

AMENDMENT NO. 9

On page 4, line 27, after "therefrom" and before "because" insert a comma "," and the following:

"including but not limited to a survival action, a wrongful death action, an action for loss of consortium, companionship and society, and an action for mental anguish or emotional distress pursuant to Civil Code Article 2315.6."

AMENDMENT NO. 10

On page 5, line 12, after "payment" and before "made" insert "or any waiver of a payment or fee"

AMENDMENT NO. 11

On page 11, line 15, after "(xi)" and before "are" insert "and 1299.45(A)(2)"

AMENDMENT NO. 12

On page 14, line 10, after "settlement" and before the period "." insert "and shall be separately set for trial and the fund shall be granted adequate time to conduct discovery and other trial preparation"

AMENDMENT NO. 13

On page 14, line 23, after "summary" delete "judgment"

AMENDMENT NO. 14

On page 16, line 23, after "fund" and before "for" delete "adequate time" and insert "not less than ninety days"

AMENDMENT NO. 15

On page 18, line 20, after "of" and before "one" delete "up to"

AMENDMENT NO. 16

On page 19, after line 27, add the following:

"§1299.45. Malpractice coverage

A.

* * *

(2) When, and during such period that, each of the voting shareholders of a professional corporation, or each of the partners of a partnership, and each of their employees the period that each shareholder, partner, member, agent, officer, or employee of a corporation, partnership, limited liability partnership, or limited liability company, who is eligible for qualification as a health care provider under this Part, and who is providing health care on behalf of such corporation, partnership, limited liability partnership, or limited liability company, is qualified as a health care provider under the provisions of R.S. 40:1299.42(A), such corporation, or partnership, limited liability partnership, or limited liability company shall, without the payment of an additional surcharge, be deemed concurrently qualified and enrolled as a health care provider under this Part.

* * **

AMENDMENT NO. 17

On page 21, line 4, after "both," and before "the" delete "~~thereof~~,"

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

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1406—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:1952(21)(b), relative to the establishment and territorial jurisdiction of particular city courts; to provide for the election of the judges of the Shreveport City Court; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1407—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:621.1, relative to district judges; to provide for an additional judgeship for the First 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.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1419—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 42:1404(A)(2) and (3) and (C), relative to the election of the employee member of the State Police Commission; to provide for procedures for such election; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1449—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 39:1410.60(B), relative to approval by State Bond Commission of certain local government indebtedness; to provide that financing of the purchase of movables shall be subject to an expedited review process by the State Bond Commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1449 by Representative Faucheux

AMENDMENT NO. 1

On page 1, delete lines 4 and 5 in their entirety and insert the following:

"financing of the purchase of movables shall be subject to an expedited review process by the State Bond Commission;"

AMENDMENT NO. 2

On page 2, delete lines 1 through 3 in their entirety and insert the following:

"(2) In order to facilitate the review process for approval of financings of the purchases of movables, the State Bond Commission shall adopt rules and regulations to provide for an expedited review procedure for certain categories of such financings and shall determine which financings are to be reviewed under the expedited procedure."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1465—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 16:17(A), (B), (C), and (D) and to enact R.S. 49:251.4, relative to victims; to create a victims assistance program within the office of the attorney general; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact R.S. 40:1299.41(A)(8) and 1299.42(B)(1) and (2), relative to medical malpractice; to provide for liability for injury to or death of a nonpatient resulting from a failure to warn or protect the nonpatient from a patient; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1468 by Representative Michot

AMENDMENT NO. 1

On page 2, after line 23, add the following:

"Section 2. The provisions of this Act shall be null, void, and without effect if and when the Act which originated as House Bill No. 1229 of this 1997 Regular Session of the Legislature becomes law."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1534—

BY REPRESENTATIVES DEWITT AND DIMOS

AN ACT

To amend and reenact R.S. 28:2(1), 56(A), (B), and (G), and 171(Q) and Children's Code Arts. 1409(Q), 1452(A), 1454(B) and (C), and 1458(A), (C), and (D), relative to mental health patients; to limit the time period for which a person can be judicially committed; to require a showing of clear and convincing evidence in order to judicially commit a person; to require periodic review; to provide with respect to the conditional discharge of persons; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1534 by Representatives DeWitt and Dimos

AMENDMENT NO. 1

On page 1, line 19, after "release." insert "The judicial commitment of"

AMENDMENT NO. 2

On page 2, line 1, insert "such persons shall remain in effect for a period of up to ~~one year~~ one hundred twenty days and during this time the person may be hospitalized involuntarily for appropriate medical reasons upon court order."

AMENDMENT NO. 3

On page 2, line 17, change "one hundred twenty" to "one hundred eighty"

AMENDMENT NO. 4

On page 2, line 18, change "one hundred twenty" to "one hundred eighty"

AMENDMENT NO. 5

On page 3, line 6, change "one hundred twenty" to "one hundred eighty"

AMENDMENT NO. 6

On page 3, line 7, change "one hundred twenty" to "one hundred eighty"

AMENDMENT NO. 7

On page 3, line 8, delete "except those for alcoholism"

AMENDMENT NO. 8

On page 3, line 9, change "sixty" to "ninety"

AMENDMENT NO. 9

On page 3, line 10, change the period "." to a comma "," and add "except those for alcoholism and except those individuals committed"

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pursuant to Code of Criminal Procedure Article 648(B) whose cases shall continue to be reviewed annually."

AMENDMENT NO. 10

On page 3, at the beginning of line 11, delete "(3)"

AMENDMENT NO. 11

On page 3, line 20, change "(4)" to "(3)"

AMENDMENT NO. 12

On page 6, line 21, change "sixty" to "ninety"

AMENDMENT NO. 13

On page 6, line 26, after "days" change the comma "," to a period "." and delete the remainder of the line and delete line 27 in its entirety

AMENDMENT NO. 14

On page 8, line 4, after "for" and before "a period" delete "a" and insert "an additional"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1550—

BY REPRESENTATIVE WRIGHT

AN ACT

To enact R.S. 47:1992(A)(3), relative to assessment of property for ad valorem tax purposes; to require assessors to notify property owners of increases in assessments on immovable property; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1550 by Representative Wright

AMENDMENT NO. 1

On page 1, line 4, after "assessments" and before the semicolon ";" insert "on immovable property"

AMENDMENT NO. 2

On page 1, line 12, after "of" and before "property" insert "immovable"

AMENDMENT NO. 3

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

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1664—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 13:717 and 718, to provide with respect to commissioners for the Twenty-fourth Judicial District Court; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 1664 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 2, change "commissioner" to "commissioners"

AMENDMENT NO. 2

On page 2, line 15, after "felony" and before "and" insert "charges through arraignment"

AMENDMENT NO. 3

On page 2, at the end of line 15, after "charges" delete the period "." and insert in lieu thereof a semi-colon ";" and "commissioners shall not accept pleas of guilty on felony charges."

AMENDMENT NO. 4

On page 3, after line 25, insert the following:

"F. The provisions of this Section shall terminate and be of no effect after August 15, 2002, so that the Supreme Court of Louisiana can reevaluate and make recommendations as to the necessity of continuing the offices of commissioner for the Twenty-fourth Judicial District Court."

AMENDMENT NO. 5

On page 4, line 5, after "judges." delete the remainder of the line in its entirety

AMENDMENT NO. 6

On page 4, delete lines 6 and 7 in their entirety

AMENDMENT NO. 7

On page 4, line 8, after "shall" delete the remainder of the line in its entirety and insert in lieu thereof "not exceed sixty-five thousand dollars"

AMENDMENT NO. 8

On page 4, delete lines 10, 11, and 12 in their entirety and insert in lieu thereof "as provided for by court rule."

AMENDMENT NO. 9

On page 4, line 13, after "shall" delete the remainder of the line in its entirety and insert in lieu thereof "be full-time employees of"

AMENDMENT NO. 10

On page 4, line 17, after "officer" change the period "." to a comma "," and insert "nor shall they engage in the practice of law in the Twenty-fourth Judicial District Court."

AMENDMENT NO. 11

On page 4, at the end of line 17, after "regarding the" delete "propriety" and insert in lieu thereof "conduct"

AMENDMENT NO. 12

On page 4, at the end of line 20, after "Court." insert "The provisions of this Subsection shall not abrogate or supersede any provisions of the Rules for Lawyer Disciplinary Enforcement or the Code of Judicial Conduct applicable to judges and attorneys."

AMENDMENT NO. 13

On page 5, line 2, after "be" and before "members" insert "in the unclassified service of the state and shall be"

AMENDMENT NO. 14

On page 5, line 2, after "of the" and before "Employees" delete "Parochial" and insert in lieu thereof "State"

AMENDMENT NO. 15

On page 5, after line 8, insert the following:

"G. The provisions of this Section shall terminate and be of no effect after August 15, 2002, so that the Supreme Court of Louisiana can reevaluate and make recommendations as to the necessity of continuing the offices of commissioner for the Twenty-fourth Judicial District Court."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1981—

BY REPRESENTATIVE THORNHILL
AN ACT

To enact R.S. 32:900(N) and R.S. 45:172(D), relative to transporters of household goods and furnishings; to provide for exemption from regulation by the Louisiana Public Service Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2236—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S.36:309(D)(3) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3651 through 3663, relative to the licensure of employee assistance professionals; to provide for definitions; to create the Board of Employee Assistance Professionals; to provide for authority of the board; to provide for professional licensure requirements; to provide for operation of the board; to provide for procedures for disciplinary action; to provide for confidentiality of records; to provide for protection for the practice of other professions; to provide for prohibited acts and penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 2236 by Representative Murray

AMENDMENT NO. 1

On page 2, line 15, after "assistance" delete the remainder of the line

AMENDMENT NO. 2

On page 4, line 16, after "assistance" delete the remainder of the line and insert in lieu thereof "program" means a"

AMENDMENT NO. 3

On page 4, line 23, after "program" delete the remainder of the line and insert in lieu thereof "services" means"

AMENDMENT NO. 4

On page 5, line 25, after "profession" and before "means" delete "or "EAP"

AMENDMENT NO. 5

On page 5, at the end of line 26 and at the beginning of line 27, delete ", as set forth in Paragraph (6) of this Section,"

AMENDMENT NO. 6

On page 6, at the end of line 14, delete "or "LEAP"

AMENDMENT NO. 7

On page 7, at the end of line 24, delete "programs"

AMENDMENT NO. 8

On page 8, delete line 8 and insert in lieu thereof "professionals shall be filled by licensed employee assistance professionals"

AMENDMENT NO. 9

On page 8, line 19, after "assistance" and before "shall" delete "professional programs" and insert "professionals"

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AMENDMENT NO. 10

On page 11, line 22, after "employment" and before "provide" delete ". Can" and insert in lieu thereof ", who can"

AMENDMENT NO. 11

On page 11, line 23, after "of" and before "employee" insert "an"

AMENDMENT NO. 12

On page 12, line 3, after "assistance" and before the period "." change "program" to "professional"

AMENDMENT NO. 13

On page 13, line 26, after "by a" and before "utilizing" change "LEAP" to "licensed employee assistance professional"

AMENDMENT NO. 14

On page 14, line 1, after "the" and before "adviser's" change "LEAP" to "licensed employee assistance professional"

AMENDMENT NO. 15

On page 14, line 8, after "the" and before "adviser" change "LEAP" to "licensed employee assistance professional"

AMENDMENT NO. 16

On page 14, line 15, after "the" and before "adviser" change "LEAP" to "licensed employee assistance professional"

AMENDMENT NO. 17

On page 14, line 25, after "licensed" and before "assistance" insert "employee"

AMENDMENT NO. 18

On page 14, at the end of line 26, change "Employee" to "employee"

AMENDMENT NO. 19

On page 21, at the beginning of line 14, change "profession" to "professional"

AMENDMENT NO. 20

On page 22, line 5, after "assistance" and before "is" change "profession" to "professional"

AMENDMENT NO. 21

On page 23, at the end of line 21, and at the beginning of line 22, delete "Paragraphs (1), (2), or (3) of"

AMENDMENT NO. 22

On page 24, at the end of line 23, insert the following:

"Nothing in this Chapter shall apply to any board certified social worker licensed under R.S. 37:2701 et seq. prior to the effective date of this Chapter."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2300—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 9:3861(A)(introductory paragraph) and (1), relative to a military power of attorney; to provide with respect to those who may execute a military power of attorney; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2322—

BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1996-1997 Fiscal Year; to nullify a certain provision of Act 45 of the 1996 Regular Session; and to amend and reenact a certain provision of Act 17 of the 1996 Regular Session; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 2322 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 5, after "Year;" and before "and" insert the following:

"to nullify a certain provision of Act 45 of the 1996 Regular Session; and to amend and reenact a certain provision of Act 17 of the 1996 Regular Session;"

AMENDMENT NO. 2

On page 1, line 8, after "Million" delete the remainder of the line and delete line 9 in its entirety and insert "One Hundred Eleven Thousand Three Hundred Sixty-eight and No/100 (\$17,111,368.00) Dollars is hereby"

AMENDMENT NO. 3

On page 2, at the end of line 4, delete "CENTER" and insert "HOME"

AMENDMENT NO. 4

On page 2, at the beginning of line 6, insert "for the Northeast Home"

AMENDMENT NO. 5

On page 2, delete lines 8 through 16 in their entirety

AMENDMENT NO. 6

On page 2, at the end of line 39, change "\$208,176" to "\$105,680"

AMENDMENT NO. 7

On page 3, between lines 6 and 7, insert the following:

"Payable out of the State General Fund (Direct) to provide additional funding for payment on 1996-1997 contracts between the State of Louisiana and the Southern Regional Education Board (SREB) \$ 125,025"

AMENDMENT NO. 8

On page 4, between lines 6 and 7, insert the following:

"Section 2. There is hereby appropriated the sum of Nineteen Million Three Hundred Fifty-six Thousand Thirty-nine and No/100 (\$19,356,039.00) out of the State General Fund by Statutory Dedications for Fiscal Year 1996-1997 to be allocated as follows:

20-XXX MISCELLANEOUS

Payable out of the State General Fund by Statutory Dedications from the Mineral Revenue Audit and Settlement Fund for state aid to accelerate payoff of the unfunded accrued liability of state retirement systems \$ 19,356,039

Provided, however, the payments to individual systems shall be made pursuant to a plan developed by the commissioner of administration and the Legislative Auditor to achieve the maximum reduction in total unfunded accrued liability.

Section 3. The Sum of Nine Hundred Sixty-eight Thousand Two Hundred One and No/100 (\$968,201.00) Dollars is hereby appropriated out of the state general fund by self-generated revenues to be allocated as follows:

Payable out of the Julius C. Hatcher Reversionary Medical Trust Fund to restore the account balance to the level stipulated in the final judgment \$ 468,201

Payable out of the Irvin J. Carmouche, Jr. Reversionary Medical Trust Fund to restore the account balance to the level stipulated in the final judgment \$ 500,000

Section 4.A. There is hereby appropriated the sum of Thirty Thousand and No/100 (\$30,000.00) Dollars out of the State General Fund (Direct) for Fiscal Year 1996-1997 to be allocated as follows:

01-133 OFFICE OF ELDERLY AFFAIRS

Payable out of the State General Fund (Direct) to the East Baton Rouge Council on Aging for acquisition of a handicapped-accessible van for use by Serenity 67 \$ 30,000

B. The appropriation contained in Act 45 (House Bill No. 2) of the 1996 Regular Session of the Legislature which is identified as "50/N103 SERENITY 67 payable out of the State General Fund (Direct) \$70,000" is null, void and of no effect and the state treasurer shall not honor any warrant drawn upon such appropriation.

Section 5. The appropriation contained in Act 17 (House Bill No. 1) of the 1996 Regular Session of the Legislature which is identified as: "09-351 OFFICE OF SUBSTANCE ABUSE, Payable out of the State General Fund (Direct) for half-way home services at the Bailey Hotel Halfway House in Bunkie \$145,000", shall be amended and reenacted to include authorization for expenditure for the purposes of half-way home services at the Bailey Hotel Halfway House, and outpatient treatment, counseling, and lay care in the Bunkie area."

AMENDMENT NO. 9

On page 4, at the beginning of line 7, change "Section 2." to "Section 6."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2337—
BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, limited liability partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 2337 by Representative Thomas

AMENDMENT NO. 1

On page 1, line 4, after "partnerships," and before "and" insert "limited liability partnerships,"

AMENDMENT NO. 2

On page 1, line 12, after "partnership," and before "limited" insert "limited liability partnership,"

AMENDMENT NO. 3

On page 2, line 10, after "partnership," and before "limited" insert "limited liability partnership,"

AMENDMENT NO. 4

On page 2, line 12, after "employee," and before "member" insert "partner,"

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AMENDMENT NO. 5

On page 2, line 21, after "member," and before "or" insert "agent, officer."

AMENDMENT NO. 6

On page 2, line 22, after "partnership," and before "or" insert "limited liability partnership."

AMENDMENT NO. 7

On page 2, at the end of line 26, add "limited liability partnership."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2370—

BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for certain initiatives for the funding of said agencies and purposes during the 1996-1997 Fiscal Year and for retiring or defeasing debt of the state; to void a certain provision of Act 45 of the 1996 Regular Session of the Legislature; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 2370 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 6, after "state;" and before "and" insert the following:

"to void a certain provision of Act 45 of the 1996 Regular Session of the Legislature;"

AMENDMENT NO. 2

On page 1, line 9, after "One Hundred" delete the remainder of the line and insert: "Twenty Million Two Hundred"

AMENDMENT NO. 3

On page 1, at the beginning of line 11, delete "\$189,543,673.00" and insert "\$120,243,673"

AMENDMENT NO. 4

On page 1, after line 21, insert the following:

"05-251 OFFICE OF THE SECRETARY

Payable out of the State General Fund (Direct)
for a cooperative endeavor between the

Department of Economic Development, Office of the Secretary and Louisiana Housing and Community Development Corporation, a nonprofit corporation domiciled in Baton Rouge, Louisiana for the public purpose of providing funding for housing and community development initiatives

\$4,000,000

This appropriation shall be administered by the Department of Economic Development, Office of the Secretary, hereinafter referred to as the department, solely as provided herein. None of the funds appropriated herein to the department shall be transferred to a recipient agency or entity which is not a budget unit of the state, unless and until the intended recipient of those funds presents to the Division of Administration and the department, a request therefor which includes a detailed project description and justification which shall include an analysis of need with corroborative data, a reasonable estimate of the date by which the project will be commenced and such other items or information required by the department. No funds shall be transferred to a recipient agency or entity until a cooperative endeavor agreement is executed. Any such cooperative agreement shall require each recipient agency or entity to provide written reports to the department at least every six (6) months concerning the use of funds received. In the event the department determines that the recipient failed to use the funds received by it as provided in the cooperative endeavor agreement the department may demand that any unexpended or unencumbered funds be returned to the state treasury unless approval to retain the funds is obtained from the Division of Administration and the Joint Legislative Committee on the Budget. Each recipient agency or entity shall be audited in accordance with R.S. 24:513. The department shall monitor and evaluate the use of funds to ensure compliance with the cooperative endeavor agreement. Transfers to recipient agencies or entities that have submitted a budget request to the Division of Administration in accordance with Part II of Title 39 of the Louisiana Revised Statutes and the Constitution of the state of Louisiana to local governing authorities shall be exempt from these provisions."

AMENDMENT NO. 5

On page 3, at the end of line 9, change "\$75,000,000" to "\$36,000,000"

AMENDMENT NO. 6

On page 3, between lines 9 and 10, insert:

"Payable out of the State General Fund (Direct) to the Classroom-based Technology Fund in the event that House Bill No. 1911 or Senate Bill No. 1426 of the 1997 Regular Session of the Legislature is enacted into law, such funds to be comprised of any State General Fund amount authorized for expenditure by the Interim Emergency Board which remains unspent on June 30, 1996

\$9,000,000"

AMENDMENT NO. 7

On page 3, at the end of line 15, change "\$12,000,00" to "\$3,000,000"

AMENDMENT NO. 8

On page 3, at the end of line 25, change "\$5,000,000" to "\$1,000,000"

AMENDMENT NO. 9

On page 3, delete lines 31 through 35 in their entirety

AMENDMENT NO. 10

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

AMENDMENT NO. 11

On page 4, between lines 6 and 7, insert:

"Section 2. In the event that the official forecast for Fiscal Year 1996-1997 is revised to incorporate revenues over and above the official forecast of revenues available for appropriation adopted January 29, 1997, the following sums are hereby appropriated out of monies in the state treasury from the sources specified for the year commencing July 1, 1996, and ending June 30, 1997. To the extent that such additional State General Fund revenues recognized are less than \$40,000,000, all items dependent thereon shall be reduced on a pro rata basis. The commissioner of administration is authorized to adjust other means of financing only to the extent necessary as a result of funding the item contained herein.

20-XXX MISCELLANEOUS

Payable out of the State General Fund (Direct) to the Technology Innovation Fund in the event that Senate Bill No. 1253 of the 1997 Regular Session of the Legislature is enacted into law \$5,000,000"

AMENDMENT NO. 12

On page 4, line 13, after "June 30, 1996" and before "to be" insert:

"and the sum of Forty-five Million Two Hundred Thousand and No/100 (\$45,200,000.00) Dollars is hereby appropriated out of the State General Fund (Direct) to the state treasurer"

AMENDMENT NO. 13

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

"Section 4. The appropriation contained in Act 45 (House Bill No. 2) of the 1996 Regular Session of the Legislature to the Department of Social Services, Office of the Secretary from the State General Fund (Direct) for four million dollars (\$4,000,000) is null and void and of no effect and the state treasurer is ordered to refuse to honor any warrant drawn upon such appropriation."

AMENDMENT NO. 14

On page 4, at the beginning of line 24, change "Section 3." to "Section 5."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2381—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 45:1177(A)(1) and (2), (B), and (D), relative to carriers and utilities; to provide relative to an increase in inspection, control, and supervision fees; to provide for the direct collection of certain fees by the Public Service Commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2428—

BY REPRESENTATIVE WILKERSON

AN ACT

To enact R.S. 45:1166(F), relative to telephones; to require certain types of directory listings for residential customers in certain cities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 2428 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 3, after "in" delete the remainder of the line and at the beginning of line 4, delete "municipalities" and insert in lieu thereof "certain cities"

AMENDMENT NO. 2

On page 1, line 13, after "services" and before "shall" insert "in any city with a population of eight thousand or less within which a public university is located"

AMENDMENT NO. 3

On page 1, line 14 after "particular" delete the remainder of the line and on line 15, delete "municipality" in insert in lieu thereof "city"

AMENDMENT NO. 4

On page 2, line 1, after "city" and before "in" delete ", town, or municipality"

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

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

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 199—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:162(C), relative to certain retirement systems; to provide for membership eligibility for certain part-time, seasonal, or temporary employees; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Stelly, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 201—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1455, relative to the Assessors' Retirement Fund; to provide for restoration of service credit upon repayment of withdrawn accumulated contributions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 201 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 4, after "contributions;" and before "and" insert the following:

"to provide for an allowable time period for the repayment of such contributions;"

AMENDMENT NO. 2

On page 2, line 10, after "may" and before "repay" insert the following

"within sixty days of becoming a member"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 496—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:2224(E), relative to the Municipal Police Employees' Retirement System; to provide with respect to optional allowance selections; to prohibit a change in beneficiaries after retirement except under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Stelly, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 514—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 33:4574(C)(1)(a), relative to tourist commissions; to increase the membership of the Vermilion Parish Tourist Commission by two; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Weston, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1292—
BY SENATORS IRONS AND HAINKEL

AN ACT

To enact R.S. 33:2740.35, relative to crime prevention in the Lakeview area of Orleans Parish; to create the Lakeview Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of New Orleans, subject to the approval of district voters, to impose a parcel fee within the district and to provide further relative to such fee; to provide relative to funds of the district; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported with amendments by the Legislative Bureau.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1292 by Senator Irons

AMENDMENT NO. 1

On page 1, line 15, before ", a" insert "of this Section"

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

On motion of Rep. Weston, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1367—
BY SENATORS BAGNERIS AND JOHNSON

AN ACT

To amend and reenact Section 8.1(B)(introductory paragraph), (C), and (D) of Act No. 170 of the 1968 Regular Session, as enacted by Act No. 155 of the 1984 Regular Session and amended by Act No. 135 of the 1994 Third Extraordinary Session and Act No. 375 of the 1995 Regular Session, relative to the New Orleans Redevelopment Authority; to provide relative to the identification of property which is blighted and subject to acquisition by the authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Weston, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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 CONCURRENT RESOLUTION NO. 121— BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, the Federal Highway Administration, and the St. John the Baptist Parish Council to enter into a joint-use agreement in order to construct a tourist information center at the I-10/I-55/US 61 intersection in LaPlace.

Read by title.

Motion

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

HOUSE CONCURRENT RESOLUTION NO. 124— BY REPRESENTATIVES WINDHORST AND CLARKSON

A CONCURRENT RESOLUTION

To amend the initial paragraph of LAC 70:I.503 of the rules of the Department of Transportation and Development to redesignate the transit lanes of the Crescent City Connection Bridge in New Orleans.

Read by title.

Rep. Windhorst moved the adoption of the resolution.

By a vote of 91 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 127— BY REPRESENTATIVE WINDHORST

A CONCURRENT RESOLUTION

To memorialize the Louisiana delegation to the United States Congress to seek and provide exemptions and waivers from federal requirements for lead paint removal in order to minimize the cost of repainting the Crescent City Connection Bridge in New Orleans and the Sunshine Bridge which connects Sorrento and Donaldsonville.

Read by title.

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

Ordered to the Senate.

HOUSE RESOLUTION NO. 4— BY REPRESENTATIVE BOWLER

A RESOLUTION

To direct the House Committee on Insurance of the Louisiana Legislature to study the methods utilized and the schools or entities chosen to give the licensing examinations for potential agents.

Read by title.

Motion

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

HOUSE RESOLUTION NO. 12— BY REPRESENTATIVE HEBERT

A RESOLUTION

To urge and request the Department of Public Safety and Corrections to consider contracting with other countries to house prisoners.

Read by title.

Motion

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

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.

Rep. Montgomery moved the adoption of the resolution.

By a vote of 92 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 108— BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To repeal rules eliminating the Medically Needy Program within the Medicaid program; to repeal rules creating a state-funded Medically Needy Program; to provide for effective dates; and to provide for related matters.

Read by title.

Rep. Riddle moved the adoption of the resolution.

By a vote of 91 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 118— BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the Governor's Office of Elderly Affairs to make available to elderly residents of the state a toll-free twenty-four-hour-a-day telephone number through which elderly persons can report any case of abuse of which they are aware and to publicize such number in a manner that will ensure that elderly residents of the state are aware of it and will be inclined to use it, including but not limited to postings relative to the telephone

number in locations frequented by the elderly such as senior citizens centers, nursing homes, adult day care centers, grocery stores, and drug stores throughout the state.

Read by title.

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

Ordered to the Senate.

HOUSE RESOLUTION NO. 4—
BY REPRESENTATIVE BOWLER

A RESOLUTION

To direct the House Committee on Insurance of the Louisiana Legislature to study the methods utilized and the schools or entities chosen to give the licensing examinations for potential agents.

Called from the calendar.

Read by title.

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

HOUSE RESOLUTION NO. 34—

BY REPRESENTATIVES DOWNER, BRUNEAU, AND LANCASTER
A RESOLUTION

To amend and readopt House Rules 6.11, 8.8, and 8.14 and to adopt House Rules 6.13(A)(5), 7.18, 7.19, and 7.20 of the Rules of Order of the House of Representatives to provide for the procedure for passage of duplicate bills.

Read by title.

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

Suspension of the Rules

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

**Introduction of Resolutions,
House and House Concurrent**

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

HOUSE RESOLUTION NO. 44—
BY REPRESENTATIVE ALARIO

A RESOLUTION

To direct the legislative auditor to take no disciplinary action against an employee who recently responded to an inquiry from the press concerning her opinion of the proposed legislative pay raise.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 158—

BY REPRESENTATIVE BRUN
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to enter into agreements with other states to provide reciprocity concerning permits for carrying concealed handguns.

Read by title.

On motion of Rep. Brun, and under a suspension of the rules, the above resolution was referred to the Committee on Administration of Criminal Justice, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 159—

BY REPRESENTATIVE ALARIO
A CONCURRENT RESOLUTION

To direct the legislative auditor to take no disciplinary action against an employee who recently responded to an inquiry from the press concerning her opinion of the proposed legislative pay raise.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

**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:

Regular Calendar

Suspension of the Rules

On motion of Rep. Holden, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 113—

BY REPRESENTATIVES ANSARDI, BRUNEAU, LANCASTER, AND MONTGOMERY AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 27:13(C)(6) and to enact R.S. 27:24(D), relative to the Louisiana Gaming Control Board; to remove the authority of the board to adopt certain prohibitions against gaming licensees and permittees contributing to candidates or committees; to prohibit board members and employees and their family members from receiving a contribution or loan from gaming licensees and permittees; to provide that the board shall not adopt rules regarding campaign finance more restrictive than the Campaign Finance Disclosure Act; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jenkins to Engrossed House Bill No. 113 by Representative Ansardi, et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:13(C)(6)" delete the remainder of the line and insert a comma "," and "relative"

AMENDMENT NO. 2

On page 1, line 4, after "against" delete the remainder of the line and delete line 5 in its entirety and insert "certain licensees; to prohibit board"

AMENDMENT NO. 3

On page 1, line 7, after "permittees;" delete the remainder of the line and delete lines 8 and 9 and insert "and to provide"

AMENDMENT NO. 4

On page 1, at the end of line 12, after "reenacted" delete the remainder of the line and delete line 13, and insert "to read as follows:"

AMENDMENT NO. 5

On page 2, line 8, after "employee" insert "nor any casino operator or any other licensee or permittee, except a person licensed under the provisions of R.S. 27:306(A)(2), for the operation of not more than three video draw poker devices.

AMENDMENT NO. 6

On page 2, after line 14, after "permittee." insert the following:

"No person licensed under the provisions of R.S. 27:306(A)(2) shall make a contribution, either directly or indirectly, to a political committee which supports or opposes candidates."

AMENDMENT NO. 7

On page 2, delete lines 16 through 22 in their entirety

Rep. Jenkins moved the adoption of the amendments.

Rep. Ansardi objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Riddle
Alario	Hill	Schneider
Alexander, R.—13th	Hopkins	Shaw
Baudoin	Iles	Smith, J.D.—50th
Brun	Jenkins	Smith, J.R.—30th
Crane	Jetson	Stelly
Damico	Johns	Thompson
Daniel	Kennard	Thornhill
DeWitt	Kenney	Triche
Diez	Long	Vitter
Dimos	Marionneaux	Walsworth
Donelon	McCallum	Weston
Dupre	McMains	Wiggins
Farve	Michot	Wilkerson
Faucheux	Montgomery	Windhorst
Flavin	Morrish	Winston
Fontenot	Perkins	Wright
Total—51		

NAYS

Alexander, A.—93rd	Fruge	Murray
Ansardi	Gautreaux	Odinot
Barton	Green	Pierre

Baylor	Guillory	Pinac
Bowler	Hammett	Pratt
Bruce	Heaton	Quezaire
Bruneau	Hebert	Romero
Carter	Holden	Rousselle
Chaisson	Hudson	Scalise
Clarkson	Hunter	Strain
Copelin	Lancaster	Theriot
Curtis	Landrieu	Toomy
Deville	LeBlanc	Travis
Doerge	Martiny	Warner
Durand	McCain	Welch
Forster	Morrell	Willard-Lewis
Frith		
Total—49		

ABSENT

McDonald	Powell	Thomas
Mitchell	Salter	
Total—5		

The amendments were adopted.

Suspension of the Rules

On motion of Reps. Rousselle and Frith, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Frith	Perkins
Alexander, R.—13th	Gautreaux	Pierre
Ansardi	Glover	Pinac
Barton	Green	Pratt
Baudoin	Guillory	Quezaire
Baylor	Hammett	Riddle
Bowler	Heaton	Romero
Bruce	Hebert	Rousselle
Bruneau	Hill	Salter
Carter	Holden	Scalise
Chaisson	Hunter	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Curtis	Lancaster	Strain
Damico	Landrieu	Theriot
Daniel	LeBlanc	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Farve	Morrell	Wiggins
Faucheux	Morrish	Willard-Lewis
Flavin	Murray	Winston
Forster	Odinot	
Total—77		

NAYS

Mr. Speaker	Hudson	Schneider
Alario	Iles	Shaw

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Brun	Jenkins	Thompson
Crane	Jetson	Thornhill
Diez	Kenney	Weston
Dimos	Long	Windhorst
Fontenot	McCallum	Wright
Fruge	Michot	
Total—23		

ABSENT

Hopkins	Powell	Wilkerson
Mitchell	Thomas	
Total—5		

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.

Consent Calendar

HOUSE BILL NO. 319—
BY REPRESENTATIVE JACK SMITH
AN ACT

To provide relative to the Wedell-Williams Memorial Aviation Museum; to authorize certain leases or cooperative endeavors on behalf of said museum by the Department of Transportation and Development and the Department of Culture, Recreation and Tourism; to provide that said authority for leases or endeavors includes the use of certain property in St. Mary Parish; to provide terms and conditions; and to provide for related matters.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Gautreaux	Perkins
Alexander, A.—93rd	Glover	Pierre
Alexander, R.—13th	Green	Pinac
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Riddle
Baylor	Hebert	Romero
Bowler	Hill	Rousselle
Bruce	Holden	Salter
Brun	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Johns	Strain
Curtis	Kennard	Theriot
Damico	Kenney	Thomas
Daniel	Lancaster	Thompson
Deville	Landrieu	Thornhill
DeWitt	LeBlanc	Toomy
Diez	Long	Travis
Dimos	Marionneaux	Triche

Doerge	Martiny	Vitter
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Farve	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
		Wright

Total—103

NAYS

Total—0

ABSENT

Mitchell	Powell
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith 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. 362—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Chapter 17-B of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:831 through 834, and to amend and reenact R.S. 36:209(B), to provide for the creation of the Louisiana Cypress Sawmill Museum in Patterson, Louisiana; and to provide for related matters.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Quezaire
Alario	Green	Riddle
Alexander, A.—93rd	Guillory	Romero
Alexander, R.—13th	Hammett	Rousselle
Ansardi	Heaton	Salter
Baudoin	Hebert	Scalise
Baylor	Holden	Schneider
Bowler	Hopkins	Shaw
Bruce	Hudson	Smith, J.D.—50th
Brun	Hunter	Smith, J.R.—30th
Bruneau	Iles	Stelly
Carter	Jenkins	Strain
Chaisson	Jetson	Theriot
Clarkson	Johns	Thomas
Copelin	Kennard	Thompson
Crane	Kenney	Thornhill
Curtis	Lancaster	Toomy
Damico	Landrieu	Travis
Deville	LeBlanc	Triche
DeWitt	Long	Vitter
Diez	Marionneaux	Walsworth
Dimos	Martiny	Warner

Doerge	McCain	Welch
Donelon	McCallum	Weston
Dupre	McDonald	Wiggins
Durand	McMains	Wilkerson
Farve	Michot	Willard-Lewis
Faucheux	Montgomery	Windhorst
Flavin	Morrell	Winston
Fontenot	Morrish	Wright
Forster	Murray	
Frith	Odinet	
Fruge	Pierre	
Gautreaux	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Barton	Mitchell	Pratt
Daniel	Perkins	
Hill	Powell	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith 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. 603—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:2740.26(D)(1)(g), (h), and (j), relative to the Louis Armstrong Park Authority and Historic Jazz District; to provide for the membership of the board of commissioners; and to provide for related matters.

Read by title.

Rep. Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Gautreaux	Pinac
Alexander, A.—93rd	Glover	Pratt
Ansardi	Green	Quezaire
Barton	Guillory	Riddle
Baudoin	Hammett	Rousselle
Baylor	Hebert	Salter
Bowler	Hill	Scalise
Brun	Holden	Schneider
Bruneau	Hopkins	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
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	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Total—96		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Hudson	Perkins
Bruce	Iles	Powell
Heaton	Mitchell	Romero
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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. 1091—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 11:2253(A)(1)(a), relative to the Firefighters' Retirement System; to provide with respect to membership; to establish a membership age limit; and to provide for related matters.

Read by title.

Rep. Wilkerson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Odinet
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Brun	Hopkins	Schneider
Bruneau	Hudson	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jenkins	Stelly
Copelin	Jetson	Strain
Crane	Johns	Theriot
Curtis	Kennard	Thomas
Daniel	Kenney	Thompson
Deville	Lancaster	Thornhill
DeWitt	Landrieu	Toomy

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Diez	LeBlanc	Travis
Dimos	Long	Triche
Doerge	Marionneaux	Vitter
Donelon	Martiny	Walsworth
Dupre	McCain	Warner
Durand	McCallum	Welch
Farve	McDonald	Weston
Faucheux	McMains	Wiggins
Flavin	Michot	Wilkerson
Fontenot	Montgomery	Willard-Lewis
Forster	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wright

Total—99

NAYS

Total—0

ABSENT

Bruce	Mitchell	Pinac
Damico	Perkins	Powell

Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wilkerson 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. 1658—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To provide relative to Lafourche Parish Ambulance Service District No. 1, to ratify and confirm the authority of the board of commissioners of the district to levy and collect an ad valorem tax, subject to voter approval; to provide that the tax not be levied or collected prior to the dissolution of an agreement between the district and Lafourche Parish Hospital Service District No. 1 which authorizes the hospital district to levy an ad valorem tax on behalf of the ambulance service district and the removal of the tax levied pursuant to the agreement from the tax rolls of the hospital service district; to provide that such agreement is dissolved and to require removal of such tax from the tax rolls; and to provide for related matters.

Read by title.

Rep. Rousselle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Glover	Pratt
Alexander, A.—93rd	Green	Quezairé
Alexander, R.—13th	Hammett	Riddle
Ansardi	Heaton	Romero
Barton	Hebert	Rousselle
Baudoin	Hill	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th

Chaisson	Jetson	Stelly
Clarkson	Johns	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
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	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Odinot	Winston
Fruge	Pierre	Wright

Total—96

NAYS

Total—0

ABSENT

Bruce	Guillory	Morrish
Curtis	Jenkins	Perkins
Frith	Mitchell	Powell

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Rousselle 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. 1661—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact Part III of Chapter 12-A of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:4709.11, to create and provide for a special municipal district consisting of property owned by the town of Vidalia to be known as the Tacony Restoration District which district shall govern the restoration and preservation of the Tacony House and other property and facilities within the district; to provide for the governing authority of such district and its authority with respect to such property; to provide relative to the transfer of property; to provide for a plan for the restoration, preservation, and development of property in the district; to provide with respect to the funds of the district; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Pierre
Alexander, A.—93rd	Gautreaux	Pinac
Alexander, R.—13th	Glover	Pratt

Ansardi	Green	Quezaire
Barton	Guillory	Riddle
Baudoin	Hammett	Romero
Baylor	Heaton	Rousselle
Bowler	Hebert	Salter
Bruce	Hill	Scalise
Brun	Holden	Schneider
Bruneau	Hopkins	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Triche
DeWitt	Marionneaux	Vitter
Diez	Martiny	Walsworth
Dimos	McCain	Warner
Doerge	McCallum	Welch
Donelon	McDonald	Weston
Dupre	McMains	Wiggins
Durand	Michot	Wilkerson
Farve	Montgomery	Willard-Lewis
Faucheux	Morrell	Windhorst
Flavin	Morrish	Winston
Fontenot	Murray	Wright
Forster	Odinet	
Total—98		

NAYS

Total—0

ABSENT

Hudson	Mitchell	Travis
Jenkins	Powell	
Jetson	Thomas	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett 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. 1665—
BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 40:1501(E)(4), relative to certain fire protection districts in Terrebonne Parish; to authorize the governing authority of each such district to levy and collect, subject to voter approval, an additional tax for maintenance and operation of the fire protection district; and to provide for related matters.

Read by title.

Rep. Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Gautreaux	Perkins
Alexander, A.—93rd	Glover	Pierre
Alexander, R.—13th	Green	Pinac
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Riddle
Bowler	Hebert	Romero
Bruce	Hill	Rousselle
Brun	Holden	Salter
Bruneau	Hopkins	Scalise
Carter	Hudson	Schneider
Chaisson	Hunter	Shaw
Clarkson	Iles	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Johns	Strain
Curtis	Kennard	Theriot
Damico	Kenney	Thomas
Daniel	Lancaster	Thompson
Deville	Landrieu	Thornhill
DeWitt	LeBlanc	Toomy
Diez	Long	Travis
Dimos	Marionneaux	Triche
Doerge	Martiny	Vitter
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Weston
Farve	McMains	Wiggins
Faucheux	Michot	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Total—99		

NAYS

Total—0

ABSENT

Baylor	Mitchell	Smith, J.D.—50th
Jenkins	Powell	Welch
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 2176—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 46:1053(M) and to enact R.S. 33:4341.1 and R.S. 46:1064.1, relative to Hospital Service District No. 1 of Terrebonne Parish; to establish limits on the terms commissioners of the district may serve; to provide relative to the sale or lease of the Terrebonne General Medical Center by the governing authority of the district; to provide relative to requirements for any offer for sale or lease of the hospital; to provide relative to approval of the sale or lease; to provide relative to hearings and meetings to discuss the sale or lease; to provide relative to the applicability of the procedures; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dupre to Engrossed House Bill No. 2176 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 10, between "procedures;" and "and to" insert "to provide for use of the proceeds of any sale or lease;"

AMENDMENT NO. 2

On page 3, delete lines 7 through 10 and insert the following:

"(b) No person who has been appointed to serve as a commissioner for more than two and one-half terms in three consecutive terms, which period of service began on or after the effective date of this Subparagraph, shall be appointed for a succeeding term."

AMENDMENT NO. 3

On page 5, line 13, between "does not" and "consummate" delete "comply with and"

AMENDMENT NO. 4

On page 7, line 18, between "does not" and "consummate" delete "comply with and"

AMENDMENT NO. 5

On page 9, after line 3, insert the following:

"C.(1) All proceeds from a sale or lease of Terrebonne General Medical Center shall be placed in a permanent endowment trust. The proceeds of the sale or lease shall constitute the principal of such trust and shall remain permanently endowed, in perpetuity, and shall not be removed from trust for any purpose except by a two-thirds vote of the district governing authority and a two-thirds vote of the parish governing authority to purchase Terrebonne General Medical Center or to build a hospital or medical center consistent with the objects and purposes of the hospital service district as set forth in R.S. 46:1051, et seq.

(2) The endowed sale or lease proceeds described in Subparagraph (a) of this Paragraph shall constitute the principal of the trust, and the sole principal beneficiary of such trust shall be Hospital Service District No. 1 of Terrebonne Parish. All income which accrues on such principal during the first four years following the sale or lease of Terrebonne General Medical Center shall be added to the principal, or corpus, of the trust and shall be endowed and disposed of only in accordance with the provisions of Paragraph (1) of this Subsection.

(3) Beginning with the fifth year of the existence of the trust and every year thereafter twenty-five percent of all income earned by the endowed principal shall be added to the endowed principal of the trust.

(4)(a) Beginning with the fifth year of the existence of the trust, and every year thereafter, the district governing authority acting as a board of trustees for the endowment trust may expend available funds for projects and undertakings within the hospital service district

which are consistent with the objects and purposes of the district as set forth in the R.S. 46:1051 et seq.

(b) The district governing authority, with a two-thirds vote, may expend up to five percent of available revenues for emergencies affecting the parish governing authority, the parish school board, the Terrebonne Parish Levee and Conservation District, or any levee district with jurisdiction completely within the parish if such expenditure is pursuant to a cooperative endeavor between the district governing authority and the appropriate political subdivision.

(c) Any available funds not used for stated purposes within three years shall be returned to the endowment fund and added to the principal of the trust."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Barton	Hammett	Riddle
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Bruce	Holden	Scalise
Brun	Hopkins	Schneider
Bruneau	Hudson	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenny	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Montgomery	Wilkerson
Faucheux	Morrell	Willard-Lewis
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Forster	Odinot	Wright
Frith	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Ansardi	Lancaster	Thomas
Fruge	Mitchell	
Jenkins	Powell	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 130—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:34.2(B)(2) and to enact R.S. 14:34.2(A)(3) and 34.5, relative to the crime of battery; to create the crime of battery of a correctional facility employee; to add contact with human waste to the offense of battery of a police officer; to provide with respect to penalties; and to provide for related matters.

Read by title.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Bruce	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Clarkson	Jetson	Strain
Copelin	Johns	Theriot
Crane	Kennard	Thomas
Curtis	Kenney	Thompson
Damico	Lancaster	Thornhill
Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Marionneaux	Vitter
Dimos	Martiny	Walsworth
Doerge	McCain	Warner
Donelon	McCallum	Welch
Dupre	McDonald	Weston
Durand	McMains	Wiggins
Farve	Michot	Wilkerson
Fauchaux	Montgomery	Willard-Lewis
Flavin	Morrell	Windhorst
Fontenot	Morrish	Winston
Forster	Murray	Wright
Frith	Odinet	
Fruge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Mitchell Powell
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fauchaux 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. 202—

BY REPRESENTATIVES WIGGINS, HILL, JOHNS, SHAW, AND TRICHE
AN ACT

To enact Code of Criminal Procedure Art. 221, relative to arrest; to provide that a law enforcement officer may be tested for infectious disease if he is exposed to potential infectious disease; to provide that an offender must be tested for infectious disease after attempting to transmit the disease to a law enforcement police officer who tests positive for the disease; and to provide for related matters.

Read by title.

Rep. Wiggins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Alario	Glover	Pratt
Alexander, A.—93rd	Green	Quezaire
Alexander, R.—13th	Guillory	Riddle
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Bowler	Holden	Schneider
Bruce	Hopkins	Shaw
Brun	Hudson	Smith, J.D.—50th
Bruneau	Iles	Smith, J.R.—30th
Carter	Jenkins	Stelly
Chaisson	Jetson	Strain
Clarkson	Johns	Thomas
Copelin	Kennard	Thompson
Crane	Kenney	Thornhill
Curtis	Lancaster	Toomy
Damico	Landrieu	Travis
Daniel	LeBlanc	Triche
Deville	Long	Vitter
DeWitt	Marionneaux	Walsworth
Diez	McCain	Warner
Dimos	McCallum	Welch
Donelon	McDonald	Weston
Dupre	McMains	Wiggins
Durand	Montgomery	Wilkerson
Farve	Morrell	Willard-Lewis
Fauchaux	Odinet	Windhorst
Flavin	Perkins	Winston
Fontenot	Pierre	Wright
Forster	Pinac	
Frith	Powell	
Total—94		

NAYS

Total—0

ABSENT

Mr. Speaker Hunter Morrish

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Doerge Martiny Murray
Fruge Michot Theriot
Gautreaux Mitchell
Total—11
The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.
Rep. Wiggins 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. 258—
BY REPRESENTATIVE TRAVIS
AN ACT
To amend and reenact R.S. 14:102.1(C), relative to the offense of cruelty to animals; to provide for certain exceptions to the offense when an animal poses a threat; 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	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Bruce	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Clarkson	Jetson	Strain
Copelin	Johns	Theriot
Crane	Kennard	Thomas
Curtis	Kenney	Thompson
Damico	Lancaster	Thornhill
Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Marionneaux	Vitter
Dimos	Martiny	Walsworth
Doerge	McCain	Warner
Donelon	McCallum	Welch
Dupre	McDonald	Weston
Durand	McMains	Wiggins
Farve	Michot	Wilkerson
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Windhorst
Fontenot	Morrish	Winston
Forster	Murray	Wright
Frith	Odinet	
Fruge	Perkins	
Total—103		

NAYS

Total—0

ABSENT
Mitchell Powell
Total—2
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. 388—
BY REPRESENTATIVE MCCAIN
AN ACT
To enact R.S. 15:242 and 578.1, relative to criminal procedure; to provide that the record of the arrest and the placement of a person in a pretrial diversion program arrested for driving while intoxicated become public record; and to provide for related matters.

Read by title.
Rep. McCain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. Speaker	Gautreaux	Pierre
Alario	Green	Pinac
Alexander, A.—93rd	Guillory	Powell
Alexander, R.—13th	Hammett	Pratt
Ansardi	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Brun	Hunter	Schneider
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	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	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Faucheux Mitchell
Glover Vitter
Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McCain 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.

Acting Speaker Copelin in the Chair

HOUSE BILL NO. 447—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 22:1404(3)(f), relative to the Louisiana Insurance Rating Commission; to require consideration of the place of domicile of the person at fault when computing rates for a demographic area; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 507—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), relative to the Louisiana Bureau of Criminal Identification and Information; to provide that local code enforcement agencies of municipalities and parishes can have access to criminal history information; 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. 507 by Representative Ansardi

AMENDMENT NO. 1

On page 1, at the end of line 3 and at the beginning of line 4, change "local code enforcement agencies" to "departments and personnel" and on line 4 after "parishes" and before "can" insert "responsible for reviewing applications for alcoholic beverage permits"

AMENDMENT NO. 2

On page 2, line 2, after "Development," delete the remainder of the line and delete line 3 in its entirety and at the beginning of line 4, delete "information," and insert in lieu thereof the following:

"the municipal or parish department or personnel responsible for reviewing applications for alcoholic beverage outlet permits."

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	Green	Pinac
Alario	Guillory	Powell
Alexander, A.—93rd	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baylor	Holden	Rousselle
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kenney	Stelly
Curtis	Lancaster	Strain
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thomas
Deville	Long	Thompson
DeWitt	Marionneau	Thornhill
Dimos	Martiny	Toomy
Doerge	McCallum	Travis
Donelon	McDonald	Triche
Dupre	McMains	Vitter
Farve	Michot	Walsworth
Faucheux	Montgomery	Warner
Flavin	Morrell	Welch
Frith	Morrish	Wiggins
Frue	Murray	Wilkerson
Gautreaux	Odinet	Willard-Lewis
Glover	Pierre	Wright
Total—87		

NAYS

Baudoin	Fontenot	Perkins
Bowler	Jenkins	Schneider
Brun	Jetson	Weston
Crane	Kennard	Windhorst
Diez	McCain	Winston
Total—15		

ABSENT

Durand	Forster	Mitchell
Total—3		

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.

Speaker Downer in the Chair

HOUSE BILL NO. 581—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:101 and 312.4(D) and to repeal R.S. 13:101.1, relative to the supreme court; to provide that the members of the supreme court shall be elected from the congressional districts; to provide for the terms and assignment of the justices presently serving; to provide for the filling of vacancies; to remove provisions for a specific reapportionment of the supreme court; to provide with respect to the provisions for a temporary additional judgeship for the Court of Appeal for the Fourth Circuit and such judge's appointment to the supreme

court; to provide for the term of office and compensation of such temporary judgeship; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Engrossed House Bill No. 581 by Representative Bruneau

AMENDMENT NO. 1

On page 4, line 15, after "1999" delete the period "." and insert a comma "," and the following:

"and shall not affect any election held prior to that date."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 581 by Representative Bruneau

AMENDMENT NO. 1

On page 4, line 12, after "such judge" delete the remainder of the line and delete line 13 and insert a period "."

AMENDMENT NO. 2

On page 4, at the end of line 15, delete the period "." and insert a semicolon ";" and the following:

"except that if said temporary additional judgeship is held invalid, this Act shall become effective on July 1, 1998."

Rep. Murray moved the adoption of the amendments.

Rep. Carter objected.

By a vote of 90 yeas and 12 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 581 by Representative Bruneau

AMENDMENT NO. 1

On page 4, line 12, after "judge" delete the remainder of the line and delete line 13 and insert in lieu thereof a period "."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Brun	Hunter	Shaw
Bruneau	Iles	Smith, J.D.—50th
Carter	Jenkins	Smith, J.R.—30th
Chaisson	Jetson	Stelly
Clarkson	Johns	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Mitchell	Wilkerson
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Fruge	Odinet	
Gautreaux	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Fontenot
Total—2

Powell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bruneau 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. 580—
BY REPRESENTATIVE BRUNEAU
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to amend Article V, Sections 4 and 24 and to add Article V, Section 35, relative to the supreme court; to provide for districts for the election of justices of the supreme court; to provide for special domicile provisions for the election of justices of the supreme court following reapportionment; to provide relative to the term of office of justices of the supreme court following reapportionment; to provide for the effectiveness of the amendment; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Bruneau, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Engrossed House Bill No. 580 by Representative Bruneau

AMENDMENT NO. 1

On page 4, line 5, after "1999" delete the period "." and insert a comma "," and the following:

"and shall not affect any election held prior to that date."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 580 by Representative Bruneau

AMENDMENT NO. 1

On page 4, at the beginning of line 2, before "Effectiveness" insert "Other Provisions:"

AMENDMENT NO. 2

On page 4, between lines 17 and 18, insert the following:

"(C) Any tenure on the supreme court gained by a judge of a court of appeal temporarily assigned by law to the supreme court while so assigned to the supreme court shall be credited to such judge."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Riddle
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th

Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Odinet	Winston
Fruge	Perkins	Wright

Total—102

NAYS

Total—0

ABSENT

Frith	Martiny	Mitchell
Total—3		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Bruneau 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. 721—

BY REPRESENTATIVES DUPRE, FLAVIN, FAUCHEUX, FRITH, AND HUDSON

AN ACT

To enact R.S. 56:495.1(F), relative to shrimping; to require certain net sizes in offshore territorial waters; to provide terms and conditions; to provide penalties; and to provide for related matters.

Read by title.

Rep. Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

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

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Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
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	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright

Total—102

NAYS

Total—0

ABSENT

Fontenot	Mitchell	Powell
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 784—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 40:941(C), relative to handling of meat not slaughtered under license; to add field dressing of wild game intended for human consumption to the listing of exceptions to the licensure requirement; to provide that the Louisiana Department of Health and Hospitals promulgate rules and regulations addressing the field dressing of wild game; and to provide for related matters.

Read by title.

Rep. Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Gautreaux	Pierre
Alexander, A.—93rd	Glover	Pinac
Alexander, R.—13th	Green	Pratt
Ansardi	Guillory	Quezaire
Barton	Hammett	Romero
Baudoin	Heaton	Rousselle
Baylor	Hebert	Salter
Bowler	Hill	Scalise
Bruce	Holden	Schneider

Brun	Hopkins	Shaw
Bruneau	Hudson	Smith, J.D.—50th
Carter	Hunter	Smith, J.R.—30th
Chaisson	Iles	Stelly
Clarkson	Jenkins	Strain
Copelin	Johns	Theriot
Crane	Kennard	Thomas
Curtis	Kenney	Thompson
Damico	Lancaster	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright

Total—99

NAYS

Total—0

ABSENT

Dupre	Landrieu	Powell
Jetson	Mitchell	Riddle
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Holden 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. 949—

BY REPRESENTATIVES ODINET AND MURRAY
AN ACT

To enact R.S. 22:215.18 and 2027(E) and R.S. 40:2207, relative to health insurance; to provide coverage for reconstructive surgery following a mastectomy; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Engrossed House Bill No. 949 by Representatives Odinet and Murray

AMENDMENT NO. 1

On page 2, between lines 13 and 14, insert the following:

"C. The provisions of this Section shall not apply to individually underwritten limited benefit and supplemental health insurance policies."

AMENDMENT NO. 2

On page 2, line 19, after "E." insert "(1)"

AMENDMENT NO. 3

On page 3, between lines 4 and 5, insert the following:

"(2) The provisions of this Subsection shall not apply to individually underwritten limited benefit and supplemental health insurance policies."

AMENDMENT NO. 4

On page 3, at the beginning of line 7, insert "A."

AMENDMENT NO. 5

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

"B. The provisions of this Section shall not apply to individually underwritten limited benefit and supplemental health insurance policies."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Pratt
Alexander, A.—93rd	Guillory	Quezaire
Alexander, R.—13th	Hammett	Riddle
Ansardi	Heaton	Romero
Barton	Hebert	Rousselle
Baudoin	Hill	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
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	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	
Gautreaux	Pierre	
Total—100		

NAYS

ABSENT

Bruce	Jetson	Powell
Clarkson	Mitchell	

Total—5

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.

HOUSE BILL NO. 1276—

BY REPRESENTATIVES DUPRE, FAUCHEUX, FRITH, AND HUDSON
AN ACT

To amend and reenact R.S. 56:495.1(B) and 497(B)(2), relative to fishing; to provide relative to trawling in inside waters; to provide relative to bait shrimp; to prohibit the use of skimmer nets under certain circumstances; and to provide for related matters.

Read by title.

Rep. Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Murray
Alario	Gautreaux	Odinet
Alexander, A.—93rd	Glover	Pierre
Alexander, R.—13th	Green	Pinac
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Riddle
Baylor	Hebert	Romero
Bowler	Hill	Rousselle
Bruce	Holden	Salter
Brun	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Johns	Strain
Curtis	Kennard	Theriot
Damico	Kenney	Thomas
Daniel	Lancaster	Thompson
Deville	Landrieu	Thornhill
DeWitt	LeBlanc	Toomy
Diez	Long	Travis
Dimos	Marionneaux	Triche
Doerge	Martiny	Vitter
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Farve	McMains	Weston
Faucheux	Michot	Wilkerson
Flavin	Mitchell	Willard-Lewis
Fontenot	Montgomery	Windhorst
Forster	Morrell	Winston
Frith	Morrish	Wright
Total—102		

NAYS

Total—0

ABSENT

Perkins	Powell	Wiggins
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Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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.

Speaker Pro Tempore Bruneau in the Chair

HOUSE BILL NO. 1413—

BY REPRESENTATIVE BARTON

AN ACT

To enact R.S. 18:1300.22, relative to gaming elections; to provide for an election in Bossier Parish to allow an additional riverboat; to provide relative to the calling and conducting of the election; to provide relative to the effectiveness of the results of the election; to provide for applicability; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Barton, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Rep. Barton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Green, Pinac, Ansardi, Guillory, Pratt, Barton, Hammett, Quezairé, Baylor, Heaton, Romero, Bowler, Hebert, Rousselle, Bruce, Holden, Salter, Bruneau, Hopkins, Scalise, Clarkson, Hudson, Shaw, Copelin, Hunter, Smith, J.D.—50th, Curtis, Johns, Stelly, Damico, Lancaster, Strain, Deville, Landrieu, Theriot, Doerge, LeBlanc, Thomas, Dupre, Martiny, Thornhill, Durand, McCain, Toomy, Farve, Mitchell, Travis, Fauchaux, Montgomery, Triche, Flavin, Morrell, Warner, Frith, Morrish, Welch, Fruge, Murray, Willard-Lewis, Gautreaux, Odinet, Windhorst, Glover, Pierre, Winston, Total—66

NAYS

Table with 3 columns of names: Alario, Fontenot, Perkins, Alexander, A.—93rd, Iles, Riddle, Alexander, R.—13th, Jenkins, Schneider, Baudoin, Jetson, Thompson, Brun, Kennard, Vitter, Carter, Kenney, Walsworth, Chaisson, Long, Weston, Crane, Marionneaux, Wiggins

Daniel Diez Dimos Donelon Total—34

McCallum McDonald McMains Michot

Wilkerson Wright

ABSENT

DeWitt Forster Total—5

Hill Powell

Smith, J.R.—30th

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barton 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. 1314—

BY REPRESENTATIVES HOLDEN, DOWNER, HOLDEN, JETSON, MURRAY, AND THORNHILL

AN ACT

To amend and reenact R.S. 22:245(A) and 247(D) and to enact R.S. 22:245(C) and 246(A)(7), relative to health care; to create the Louisiana Healthy Kids Corporation Act; to provide children with increased access to health care; to improve children's health; to reduce the incidence and cost of childhood illnesses and disabilities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed House Bill No. 1314 by Representative Holden, et al.

AMENDMENT NO. 1

On page 2, line 9, after "composed of" change "ten" to "sixteen"

AMENDMENT NO. 2

On page 2, delete lines 17 through 22 in their entirety and insert in lieu thereof the following:

"(3) One member appointed by the secretary of the Department of Health and Hospitals from the Office of Public Health Adolescent and School Health Program.

(4) One member appointed by the secretary of the Department of Health and Hospitals from among three members nominated by the Louisiana Chapter of the American Academy of Pediatrics."

AMENDMENT NO. 3

On page 3, between lines 11 and 12 insert the following:

"(10) The remainder of the members shall be appointed by the commissioner from a list of nominees, one nominee to be submitted by each of the following:

(a) Louisiana Consumers League.

(b) Louisiana Coalition for Maternal & Infant Health.

- (c) Louisiana Optometrist Society.
- (d) Louisiana AFL-CIO.
- (e) Louisiana State Nurses Association.
- (f) Louisiana Dental Association."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Engrossed House Bill No. 1314 by Representative Holden

AMENDMENT NO. 1

On page 5, at the end of line 4, after "seeking" and before "funding" insert "nongovernmental"

Rep. Brun moved the adoption of the amendments.

Rep. Holden objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, R.—13th	Donelon	Morrish
Ansardi	Faucheux	Perkins
Barton	Fontenot	Riddle
Baudoin	Fruge	Scalise
Bowler	Hopkins	Schneider
Bruce	Jenkins	Shaw
Brun	Johns	Stelly
Bruneau	Lancaster	Theriot
Chaisson	Martiny	Thornhill
Crane	McCallum	Vitter
Deville	McMains	Walsworth
Diez	Michot	Windhorst
Dimos	Montgomery	Winston
Total—39		

NAYS

Alexander, A.—93rd	Heaton	Pratt
Baylor	Hill	Quezaire
Carter	Holden	Rousselle
Clarkson	Hudson	Salter
Copelin	Hunter	Smith, J.D.—50th
Curtis	Iles	Strain
Damico	Jetson	Thomas
Daniel	Kenney	Thompson
Doerge	Landrieu	Toomy
Dupre	Long	Travis
Durand	Marionneaux	Warner
Farve	McCain	Welch
Frith	McDonald	Weston
Gautreaux	Mitchell	Wiggins
Glover	Murray	Wilkerson
Green	Odinet	Willard-Lewis
Guillory	Pierre	Wright

Hammett
Total—53

Pinac

ABSENT

Mr. Speaker	Hebert	Romero
Alario	Kennard	Smith, J.R.—30th
DeWitt	LeBlanc	Triche
Flavin	Morrell	
Forster	Powell	
Total—13		

The amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Odinet
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Riddle
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
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	Wilkerson
Flavin	Montgomery	Willard-Lewis
Forster	Morrish	Winston
Frith	Murray	Wright
Total—96		

NAYS

Brun	Jenkins
Fruge	Windhorst
Total—4	

ABSENT

Fontenot	Perkins	Romero
Morrell	Powell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Holden 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. 1373—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:636.1(D)(3)(a), relative to cancellation of an automobile insurance policy; to provide for cancellation upon receipt of a dishonored check or negotiable instrument; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 1373 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 22:636.1(D)(3)(a);" and insert in lieu thereof the following:

"R.S. 22:636(B) and (C), 636.1(D)(1), (3)(a) and (F), 636.3(C) and (D), 636.4(C)(2)(a) and (F), and 636.6(A) and to enact R.S. 22:636.2(E)."

AMENDMENT NO. 2

On page 1, line 3, after "policy;" insert the following:

"to provide for notice of cancellation of insurance policies by certified mail; to provide for proof of mailing of such notices;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and insert in lieu thereof the following:

"R.S. 22:636(B) and (C), 636.1(D)(1), (3)(a) and (F), 636.3(C) and (D), 636.4(C)(2)(a) and (F), and 636.6(A) are hereby amended and reenacted and R.S. 22:636.2(E) is hereby enacted to"

AMENDMENT NO. 4

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

"§636. Cancellation by insurer

* * *

B. The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his last address as known to the insurer or as shown by the insurer's records, with proper prepaid postage affixed, in a letter depository of the United States post office. No notice of cancellation of a policy to which this Section applies shall be effective unless mailed by certified mail. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to the addressee.

C. The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed. Proof of mailing of the notice of cancellation, of the intention not to renew, or of reasons for

cancellation to the named insured shall be in the form of a signed receipt of certified mail or the envelope which was returned by the United States post office upon failure to find or deliver the mailing to the addressee.

* * *

AMENDMENT NO. 5

On page 1, line 11, after "D.", insert the following:

"(1) No notice of cancellation of a policy to which Subsection B or C of this Section applies shall be effective unless mailed by certified mail or delivered by the insurer to the named insured at least thirty days prior to the effective date of cancellation; however, when cancellation is for nonpayment of premium at least ten days notice of cancellation accompanied by the reason therefor shall be given. In the event of nonpayment of premiums for a binder, a ten-day notice of cancellation shall be required before the cancellation shall be effective. ~~Notice of cancellation for nonpayment of premiums shall not be required to be sent by certified mail.~~ Unless the reason accompanies the notice of cancellation, the notice of cancellation shall state or be accompanied by a statement that upon written request of the named insured, mailed or delivered to the insurer within six months after the effective date of cancellation, the insurer will specify the reason for such cancellation. This Subsection shall not apply to nonrenewal."

AMENDMENT NO. 6

On page 2, after line 5, insert the following:

"F. Proof of mailing of notice of cancellation, or of intention not to renew or of reasons for cancellation, to the named insured at the address shown in the policy, shall be sufficient proof of notice in the form of a signed receipt of certified mail or the envelope which was returned by the United States post office upon failure to find or deliver the mailing to the addressee.

* * *

§636.2. Property, casualty, and liability insurance policies; cancellation and nonrenewal provisions; nonrenewal for rate inadequacy; certain prohibitions

* * *

E. No notice of cancellation of a policy to which this Section applies shall be effective unless mailed by certified mail.

§636.3. Cancellation by insurer; failure to maintain membership in required organization

* * *

C. The mailing of any such notice shall be effected by depositing it in a sealed envelope, directed to the addressee at his last address as known to the insurer or as shown by the insurer's records, with proper prepaid postage affixed, in a letter depository of the United States post office. No notice of cancellation of a policy to which this Section applies shall be effective unless mailed by certified mail. The insurer shall retain in its records any such item so mailed, together with its envelope, which was returned by the post office upon failure to find, or deliver the mailing to the addressee.

D. The affidavit of the individual making or supervising such a mailing, shall constitute prima facie evidence of such facts of the mailing as are therein affirmed. Proof of mailing of the notice of cancellation, of the intention not to renew, or of reasons for

cancellation to the named insured shall be in the form of a signed receipt of certified mail or the envelope which was returned by the United States post office upon failure to find or deliver the mailing to the addressee.

* * *

§636.4. Commercial insurance; cancellation and renewal

* * *

C.

* * *

(2)(a) A notice of cancellation of insurance coverage by an insurer shall be in writing and shall be mailed by certified mail or delivered to the first-named insured at the mailing address as shown on the policy. Notices of cancellation based on R.S. 22:636.4(C)(1)(b) through (g) shall be mailed by certified mail or delivered at least twenty days prior to the effective date of the cancellation; notices of cancellations based upon R.S. 22:636.4(C)(1)(a) shall be mailed by certified mail or delivered at least ten days prior to the effective date of cancellation. The notice shall state the effective date of the cancellation.

* * *

F. Proof of mailing of notice of cancellation, or of nonrenewal or of premium or coverage changes, to the named insured at the address shown in the policy, shall be sufficient proof of notice in the form of a signed receipt of certified mail or the envelope which was returned by the United States post office upon failure to find or deliver the mailing to the addressee.

* * *

§636.6. Homeowner's insurance; cancellation, nonrenewal

A. An insurer that has issued a policy of homeowner's insurance shall not fail to renew the policy unless it has mailed or delivered to the named insured, at the address shown in the policy, written notice of its intention not to renew. The notice of nonrenewal shall be mailed by certified mail or delivered at least thirty days before the expiration date of the policy. If the notice is mailed less than thirty days before expiration, coverage shall remain in effect under the terms and conditions until thirty days after the notice is mailed or delivered. Any earned premium for the period of coverage extended beyond the expiration date shall be considered pro rata based upon the rate of the previous year.

* * *"

Rep. Wilkerson moved the adoption of the amendments.

Rep. Donelon objected.

By a vote of 45 yeas and 52 nays, the amendments were rejected.

Rep. Donelon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Pinac
Alexander, A.—93rd	Gautreaux	Pratt
Alexander, R.—13th	Glover	Riddle
Ansardi	Green	Romero
Barton	Hammett	Rousselle
Baudoin	Heaton	Salter
Baylor	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Holden	Shaw
Brun	Hopkins	Smith, J.D.—50th
Bruneau	Hunter	Smith, J.R.—30th
Carter	Iles	Stelly
Chaisson	Jetson	Strain
Clarkson	Johns	Theriot
Copelin	Kennard	Thomas
Crane	Kenney	Thompson
Curtis	Lancaster	Thornhill
Damico	Landrieu	Toomy
Daniel	LeBlanc	Travis
Deville	Long	Triche
DeWitt	Marionneaux	Vitter
Diez	Martiny	Walsworth
Dimos	McCain	Warner
Doerge	McCallum	Weston
Donelon	McDonald	Wiggins
Dupre	McMains	Wilkerson
Durand	Michot	Willard-Lewis
Farve	Mitchell	Windhorst
Faucheux	Montgomery	Winston
Flavin	Morrish	Wright
Fontenot	Murray	
Forster	Odinet	
Total—97		

NAYS

Guillory	Pierre	Welch
Morrell	Quezaire	
Total—5		

ABSENT

Hudson	Jenkins	Powell
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Donelon 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. 1387—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 18:1491.6(D)(3) and 1495.4(D)(3), relative to campaign finance disclosure; to require certain supplemental reports; to require certain reports in the case of deficits; to provide for effectiveness, including retroactivity of certain provisions; and to provide for related matters.

Read by title.

Motion

Rep. McMains moved that House Bill No. 1387 be designated as a duplicate of Senate Bill No. 1298.

Which motion was agreed to.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—97

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Dupre	Powell
Alexander, R.—13th	Jenkins	Pratt
Curtis	Kennard	

Total—8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McMains 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. 1429—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 15:587.1(E) and R.S. 46:51.2(A), (B), and (C) and to enact R.S. 15:587.1(F), relative to criminal history checks of persons exercising authority over children; to provide for penalties for failure to obtain required background

checks or for hiring persons convicted of certain crimes; to prohibit the hiring of persons that the background checks indicate have committed certain crimes; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1429 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and R.S. 46:51.2(A)" change "R.S. 15:587.1(E)" to "R.S. 15:587(D) and 15:587.1(E)"

AMENDMENT NO. 2

On page 1, line 3, after "checks" delete the remainder of the line and insert a semicolon ";

AMENDMENT NO. 3

On page 1, at the beginning of line 4, insert "to allow local law enforcement agencies to conduct screening functions of persons" and after "children" and before the semicolon ";" insert "to allow agencies conducting such functions to charge reasonable processing fees;"

AMENDMENT NO. 4

On page 1, line 10, after "Section 1." and before "hereby" change "R.S. 15:587.1(E) is" to "R.S. 15:587(D) and 15:587.1(E) are"

AMENDMENT NO. 5

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

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information Fund

* * *

D. Any local law enforcement agency may conduct any screening function conducted by the bureau, except those screening functions conducted for entities regulated by any office of the Department of Public Safety and Corrections, mentioned above and also may charge a reasonable processing fee of not more than fifteen dollars per inquiry for information provided. The provisions of this Subsection shall also apply to any screening function provided for in R.S. 15:587.1.

On motion of Rep. Schneider, the amendments were withdrawn.

Motion

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

HOUSE BILL NO. 1430—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 15:587.1(E) and R.S. 46:51.2(F) (introductory paragraph) and (3)(b) and to enact R.S. 15:587.1(F) and R.S. 46:51.2(F)(3)(c), relative to criminal history checks conducted on certain persons seeking

employment that involves the execution of authority over children; to provide that when the criminal history check indicates that the person has been previously convicted of certain crimes, he may not be so employed; to provide for penalties for employers that do not request criminal history checks or that hire persons with previous criminal convictions; and to provide for related matters.

Read by title.

Motion

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

Speaker Downer in the Chair

HOUSE BILL NO. 1747—

BY REPRESENTATIVE JETSON

AN ACT

To amend and reenact R.S. 37:2801(3), relative to the practice of chiropractic; to provide that a chiropractor may order certain diagnostic tests; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Jetson, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Rep. Jetson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

Mr. Speaker	Flavin	Morrell
Alexander, A.—93rd	Frith	Murray
Alexander, R.—13th	Fruge	Perkins
Ansardi	Gautreaux	Pierre
Barton	Glover	Pinac
Baudoin	Green	Pratt
Baylor	Guillory	Riddle
Bowler	Heaton	Smith, J.D.—50th
Bruce	Hill	Smith, J.R.—30th
Brun	Holden	Stelly
Carter	Hopkins	Thompson
Chaisson	Hudson	Thornhill
Clarkson	Hunter	Toomy
Copelin	Iles	Welch
Crane	Jetson	Weston
Curtis	Johns	Wiggins
Daniel	Landrieu	Wilkerson
Doerge	Marionneaux	Willard-Lewis
Donelon	Martiny	Winston
Dupre	McCallum	Wright
Farve	Mitchell	
Faucheux	Montgomery	
Total—64		

NAYS

Alario	LeBlanc	Shaw
Damico	Long	Strain
Deville	McDonald	Theriot
DeWitt	McMains	Thomas
Diez	Michot	Travis
Dimos	Morrish	Triche

Hammett	Odinet	Vitter
Kennard	Quezaire	Walsworth
Kenney	Salter	Warner
Lancaster	Scalise	
Total—29		

ABSENT

Bruneau	Hebert	Romero
Durand	Jenkins	Rousselle
Fontenot	McCain	Schneider
Forster	Powell	Windhorst
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jetson 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

Rep. Ansardi moved to call from the table the motion to reconsider the vote by which House Bill No. 113 finally passed.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Gautreaux	Odinet
Alexander, R.—13th	Glover	Pierre
Ansardi	Green	Pinac
Barton	Guillory	Pratt
Baylor	Hammett	Quezaire
Bowler	Heaton	Riddle
Bruce	Hill	Rousselle
Bruneau	Holden	Salter
Carter	Hudson	Scalise
Chaisson	Hunter	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Doerge	McCain	Warner
Dupre	Michot	Welch
Farve	Mitchell	Wilkerson
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Winston
Frith	Morrish	
Fruge	Murray	
Total—67		

NAYS

Alario	Iles	Thomas
Baudoin	Kennard	Thompson
Brun	Kenney	Thornhill
Crane	Long	Vitter
Daniel	McCallum	Walsworth
Diez	McDonald	Weston
Dimos	McMains	Wiggins
Donelon	Perkins	Wright
Fontenot	Shaw	
Total—26		

ABSENT

Mr. Speaker	Hopkins	Romero
Durand	Jenkins	Schneider
Forster	Jetson	Strain
Hebert	Powell	Windhorst
Total—12		

The House agreed to call from the table the motion to reconsider the vote by which House Bill No. 113 finally passed.

Suspension of the Rules

Rep. Ansardi moved to suspend the rules to reconsider the vote by which House Bill No. 113 finally passed on the same legislative day.

Rep. Brun objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Murray
Alexander, A.—93rd	Green	Odinot
Alexander, R.—13th	Guillory	Pierre
Ansardi	Hammett	Pinac
Barton	Heaton	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Riddle
Bruce	Hudson	Rousselle
Bruneau	Hunter	Salter
Carter	Iles	Scalise
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kenney	Stelly
Copelin	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Doerge	McCain	Warner
Dupre	Michot	Welch
Fauchoux	Mitchell	Wilkerson
Flavin	Montgomery	Willard-Lewis
Frith	Morrell	Winston
Fruge	Morrish	
Total—68		

NAYS

Baudoin	Kennard	Thornhill
Brun	Long	Vitter
Crane	McCallum	Walsworth
Daniel	McDonald	Weston
Diez	McMains	Wiggins
Dimos	Perkins	Wright
Donelon	Shaw	
Fontenot	Thompson	
Total—22		

ABSENT

Mr. Speaker	Hebert	Romero
Durand	Hopkins	Schneider
Farve	Jenkins	Smith, J.R.—30th
Forster	Jetson	Strain
Gautreaux	Powell	Windhorst
Total—15		

The rules were suspended.

Reconsideration

HOUSE BILL NO. 113—

BY REPRESENTATIVES ANSARDI, BRUNEAU, LANCASTER, AND MONTGOMERY AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 27:13(C)(6) and to enact R.S. 27:24(D), relative to the Louisiana Gaming Control Board; to remove the authority of the board to adopt certain prohibitions against gaming licensees and permittees contributing to candidates or committees; to prohibit board members and employees and their family members from receiving a contribution or loan from gaming licensees and permittees; to provide that the board shall not adopt rules regarding campaign finance more restrictive than the Campaign Finance Disclosure Act; and to provide for related matters.

Read by title.

Rep. Ansardi moved to reconsider the vote by which the above bill passed on the same legislative day.

Rep. Perkins objected.

By a vote of 68 yeas and 28 nays, the House agreed to reconsider the vote by which the above bill passed on the same legislative day.

Returned to the calendar under the rules.

HOUSE BILL NO. 113—

BY REPRESENTATIVES ANSARDI, BRUNEAU, LANCASTER, AND MONTGOMERY AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 27:13(C)(6) and to enact R.S. 27:24(D), relative to the Louisiana Gaming Control Board; to remove the authority of the board to adopt certain prohibitions against gaming licensees and permittees contributing to candidates or committees; to prohibit board members and employees and their family members from receiving a contribution or loan from gaming licensees and permittees; to provide that the board shall not adopt rules regarding campaign finance more restrictive than the Campaign Finance Disclosure Act; and to provide for related matters.

Called from the calendar

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Engrossed House Bill No. 113 by Representative Ansardi

AMENDMENT NO. 1

Delete Amendments Nos. 1 through 7, proposed by Rep. Jenkins and adopted by the House on May 6, 1997.

Motion

Rep. Copelin moved the previous question be ordered on the entire subject matter.

As a substitute motion, Rep. Travis moved to end consideration of amendments.

Rep. Perkins objected.

The vote recurred on the substitute motion.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Barton	Heaton	Pierre
Bruce	Hill	Pinac
Bruneau	Hunter	Quezaire
Carter	Iles	Salter
Curtis	Kenney	Scalise
Diez	Lancaster	Smith, J.R.—30th
Fontenot	Martiny	Toomy
Frith	McCain	Travis
Glover	Mitchell	Windhorst
Guillory	Murray	Winston
Total—30		

NAYS

Alario	Flavin	Riddle
Alexander, A.—93rd	Fruge	Rousselle
Alexander, R.—13th	Gautreaux	Schneider
Ansardi	Hammett	Shaw
Baudoin	Holden	Smith, J.D.—50th
Baylor	Hopkins	Stelly
Bowler	Hudson	Strain
Brun	Johns	Theriot
Chaisson	Kennard	Thomas
Clarkson	Landrieu	Thompson
Copelin	LeBlanc	Thornhill
Crane	Long	Triche
Damico	McCallum	Vitter
Daniel	McDonald	Walsworth
Deville	McMains	Warner
DeWitt	Michot	Welch
Dimos	Montgomery	Weston
Doerge	Morrell	Wiggins
Donelon	Morrish	Willard-Lewis
Dupre	Odinet	Wright
Farve	Perkins	
Faucheux	Pratt	
Total—64		

ABSENT

Mr. Speaker	Hebert	Powell
Durand	Jenkins	Romero
Forster	Jetson	Wilkerson
Green	Marionneaux	
Total—11		

The House refused to end consideration of amendments.

Rep. Copelin insisted on his motion that the previous question be ordered on the entire subject matter.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Fruge	Odinet
Alexander, R.—13th	Gautreaux	Pierre
Ansardi	Glover	Pinac
Barton	Guillory	Pratt
Baylor	Hammett	Quezaire
Bowler	Heaton	Rousselle
Bruce	Hill	Salter
Carter	Holden	Scalise
Chaisson	Hudson	Smith, J.D.—50th
Clarkson	Hunter	Smith, J.R.—30th
Copelin	Iles	Strain
Curtis	Johns	Theriot
Damico	Lancaster	Thomas
Deville	Landrieu	Thompson
DeWitt	Martiny	Toomy
Doerge	Michot	Travis
Dupre	Mitchell	Warner
Farve	Montgomery	Welch
Flavin	Morrell	Willard-Lewis
Frith	Murray	Winston
Total—60		

NAYS

Alario	Kennard	Shaw
Baudoin	Kenney	Stelly
Brun	LeBlanc	Thornhill
Bruneau	Long	Triche
Crane	McCain	Vitter
Daniel	McCallum	Walsworth
Diez	McDonald	Weston
Dimos	McMains	Wiggins
Donelon	Morrish	Windhorst
Faucheux	Perkins	Wright
Fontenot	Riddle	
Hopkins	Schneider	
Total—34		

ABSENT

Mr. Speaker	Hebert	Powell
Durand	Jenkins	Romero
Forster	Jetson	Wilkerson
Green	Marionneaux	
Total—11		

The House agreed to order the previous question on the entire subject matter.

Rep. Lancaster moved the adoption of the amendments.

Rep. Perkins objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

Mr. Speaker	Gautreaux	Odinet
Alexander, R.—13th	Glover	Pierre
Ansardi	Guillory	Pinac
Barton	Hammett	Pratt
Baylor	Heaton	Quezaire
Bowler	Hill	Rousselle
Bruce	Holden	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Smith, J.D.—50th
Chaisson	Johns	Stelly

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Clarkson	Lancaster	Strain
Copelin	Landrieu	Theriot
Curtis	LeBlanc	Thomas
Damico	Martiny	Toomy
Deville	McCain	Travis
Doerge	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Willard-Lewis
Frith	Morrell	Winston
Früge	Murray	
Total—59		

NAYS

Alario	Fontenot	Schneider
Alexander, A.—93rd	Hopkins	Shaw
Baudoin	Iles	Smith, J.R.—30th
Brun	Kennard	Thompson
Crane	Kenney	Thornhill
Daniel	Long	Triche
DeWitt	McCallum	Vitter
Diez	McDonald	Walsworth
Dimos	McMains	Weston
Donelon	Morrish	Wiggins
Dupre	Perkins	Windhorst
Fauchaux	Riddle	Wright
Total—36		

ABSENT

Durand	Jenkins	Romero
Forster	Jetson	Wilkerson
Green	Marionneaux	
Hebert	Powell	
Total—10		

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	Früge	Odinot
Ansardi	Gautreaux	Pierre
Barton	Glover	Pinac
Baudoin	Guillory	Pratt
Baylor	Hammett	Quezaire
Bowler	Heaton	Rousselle
Bruce	Holden	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Smith, J.D.—50th
Clarkson	Johns	Stelly
Copelin	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	Martiny	Thomas
Deville	McCain	Toomy
Doerge	Michot	Travis
Dupre	Mitchell	Warner
Farve	Montgomery	Welch
Fauchaux	Morrell	Willard-Lewis
Flavin	Morrish	Winston
Frith	Murray	
Total—59		

NAYS

Alario	Hill	Schneider
Alexander, A.—93rd	Hopkins	Shaw

Alexander, R.—13th	Iles	Smith, J.R.—30th
Brun	Kennard	Thompson
Chaisson	Kenney	Thornhill
Crane	LeBlanc	Triche
Daniel	Long	Vitter
DeWitt	McCallum	Walsworth
Diez	McDonald	Weston
Dimos	McMains	Wiggins
Donelon	Perkins	Windhorst
Fontenot	Riddle	Wright
Total—36		

ABSENT

Durand	Jenkins	Romero
Forster	Jetson	Wilkerson
Green	Marionneaux	
Hebert	Powell	
Total—10		

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.

Suspension of the Rules

On motion of Rep. DeWitt, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate

SENATE BILLS

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 348, 618, 712, 922, 1175, 1393, and 1458

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Perkins, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 348—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 15:587(C), R.S. 18:1505.2(L)(5)(d)(ii), R.S. 27:15(B)(1), 31(A)(1), and 241(H)(1), and R.S. 42:1134(N) and 1170(A) and repeal R.S. 18:1505.2(L)(3)(a)(i), R.S. 26:91(A)(9) and 287(A)(11), and R.S. 27:20(A)(1)(d)(ii) and 301 through 324, relative to the licensing and regulation of video draw poker devices operations; to repeal all authority for the operation of video draw poker devices and all laws which provide relative to such authority or the operation of such devices; and to provide for related matters.

Read by title.

SENATE BILL NO. 618—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To enact R.S. 30:2065, relative to fees; to provide for air quality control programs; and to provide for related matters.

Read by title.

SENATE BILL NO. 712—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 32:295.1(D), relative to motor vehicles; to provide for special tags indicating exemption from seat belt usage; to provide for issuance of such tags; to authorize temporary use of such tags; to provide for renewal of temporary tags; to prohibit certain activities by tag holders; to provide for penalties; to provide for fees; to require promulgation of rules and regulations; and to provide for related matters.

Read by title.

SENATE BILL NO. 922—
BY SENATORS DARDENNE, HAINKEL, BARHAM, ELLINGTON, BEAN, HOLLIS AND ROMERO AND REPRESENTATIVES MCMAINS, FORSTER, DEWITT, WIGGINS, DOWNER, BARTON, BOWLER, CRANE, DONELON, FONTENOT, FRUGE, LANCASTER, PERKINS, POWELL, SCALISE, VITTER AND WINSTON

AN ACT

To amend and reenact R.S. 23:1031(C) and (D) and 1061(A), and to enact R.S. 23:1031(E), relative to workers' compensation; to provide with respect to liability of principal to employees of independent contractor; to provide for guidelines to determine principal contractors' liability; to provide that a statutory employer relationship shall exist in certain instances; to provide a rebuttable presumption of a statutory employer relationship in certain instances; to provide with respect to borrowed employees; and to provide for related matters.

Read by title.

SENATE BILL NO. 1175—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R. S. 30:2014(D)(1), and to repeal R. S. 30:2014(C), relative to the collection of fees by the Department of Environmental Quality; to eliminate the collection by the department of certain additional fees for hazardous waste permits, licenses, registrations, or variances; to permit the department to use existing revenues to provide for operating expenses of the department; and to provide for related matters.

Read by title.

SENATE BILL NO. 1393—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:4548.1, 4548.2, 4548.3(A), (B), (C), (F), (G) and (H), 4548.4(A), 4548.5(A)(5), (8), and (14), 4548.6(A) and (J), 4548.13, and 4548.14, and to enact R.S. 33:4548.4(F), 4548.5(A)(16), (17), (18), and (19), and 4548.6(K), (L), and (M), relative to the Louisiana Local Government Environmental Facilities and Community Development Authority, to authorize the financing of infrastructure and economic development projects by political subdivisions; and to provide for related matters.

Read by title.

SENATE BILL NO. 1458—
BY SENATORS THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, COX, CRAVINS, DYESS, ELLINGTON, EWING, GUIDRY, HINES, JONES, LAMBERT, ROMERO, SIRACUSA, SMITH, JOHNSON AND TARVER AND REPRESENTATIVES R. ALEXANDER, BARTON, BAUDOIN, BRUCE, CARTER, COPELIN, CURTIS, DAMICO, DANIEL, DIEZ, DOERGE, DUPRE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, JETSON, KENNARD, KENNEY, LEBLANC, LONG, MARIONNEAUX, McCALLUM, McDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, RIDDLE, ROUSSELLE, SALTER, JACK SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, WALSWORTH, WARNER, WELCH, WRIGHT, DEWITT AND HOLDEN

AN ACT

To amend and reenact R.S. 3:3221(A), relative to registration of pesticides; to provide for annual registration fee; and to provide for related matters.

Read by title.

Message from the Senate**SIGNED SENATE CONCURRENT RESOLUTIONS**

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 93

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

Message from the Senate**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 509 and 989

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 155
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 40, 87, and 100

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

**Introduction of Resolutions,
House and House Concurrent**

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

HOUSE RESOLUTION NO. 45—

BY REPRESENTATIVE WIGGINS

A RESOLUTION

To commend Kisha James of the Pineville Lady Rebel Basketball Team for being named Louisiana's Miss Basketball.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVE ROUSSELLE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to require the Health Care Financing Administration to enforce existing regulations prohibiting the improper downstreaming of hospital self-referrals from physicians they compensate and to instruct the Health Care Financing Administration to reinstitute the two "Hoyer letters" stating that hospitals referring to their own home health agencies are in violation of federal regulations on self-referral.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 161—

BY REPRESENTATIVE MCCAIN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, office of family support, support enforcement services, to adopt and implement rules which provide for the possibility of recovering certain costs incurred in providing child support enforcement services pursuant to Title 45 of the Code of Federal Regulations, Section 302.33.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 6, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 5, 1997, I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 1, by LeBlanc
Reported with amendments. (15-0) (Regular)

JERRY LUKE LEBLANC
Chairman

Report of the Committee on Environment

May 6, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 2327, by Faucheux
Reported with amendments. (10-2) (Regular)

House Bill No. 2453, by Windhorst
Reported with amendments. (9-4) (Regular)

Senate Concurrent Resolution No. 25, by Cox
Reported favorably. (12-0)

Senate Bill No. 867, by Cain
Reported favorably. (12-0) (Regular)

Senate Bill No. 1161, by Dardenne
Reported favorably. (12-0) (Regular)

Senate Bill No. 1162, by Dardenne
Reported favorably. (12-0) (Regular)

N. J. DAMICO
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Report of the Committee on Commerce

May 6, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 222, by J. R. Smith
Reported with amendments. (8-0) (Regular)

House Bill No. 251, by Travis
Reported with amendments. (7-0) (Regular)

House Bill No. 367, by Travis
Reported with amendments. (7-0) (Regular)

House Bill No. 368, by Travis
Reported with amendments. (10-0) (Regular)

House Bill No. 1062, by Green
Reported with amendments. (9-0) (Regular)

House Bill No. 1101, by Travis
Reported with amendments. (10-0) (Regular)

House Bill No. 1345, by Hebert
Reported unfavorably. (6-4)

House Bill No. 1541, by Hammett
Reported favorably. (10-0) (Regular)

House Bill No. 1580, by Hammett
Reported with amendments. (10-1) (Regular)

House Bill No. 1675, by Hammett
Reported with amendments. (10-0) (Regular)

House Bill No. 2290, by Hammett
Reported by substitute. (10-0)

JOHN D. TRAVIS
Chairman

Report of the Committee on Transportation, Highways and Public Works

May 6, 1997

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 136, by Rousselle
Reported with amendments. (12-0)

House Concurrent Resolution No. 141, by Doerge
Reported favorably. (12-0)

House Concurrent Resolution No. 142, by Wilkerson
Reported favorably. (10-0)

House Concurrent Resolution No. 143, by Fruge
Reported with amendments. (9-0)

House Bill No. 357, by McCain
Reported with amendments. (14-0) (Regular)

House Bill No. 550, by Schneider
Reported favorably. (12-0) (Regular)

House Bill No. 726, by Faucheux
Reported with amendments. (11-0) (Regular)

House Bill No. 1190, by Rousselle
Reported with amendments. (13-0) (Regular)

House Bill No. 1308, by Triche
Reported with amendments. (12-0) (Regular)

House Bill No. 1423, by Pratt
Reported favorably. (14-0) (Regular)

House Bill No. 1510, by Donelon
Reported with amendments. (10-0) (Regular)

House Bill No. 1662, by Kenney
Reported favorably. (13-0) (Regular)

House Bill No. 1669, by Chaisson
Reported favorably. (13-0) (Regular)

House Bill No. 1676, by Hudson
Reported favorably. (10-0) (Regular)

House Bill No. 1698, by Holden
Reported favorably. (13-0) (Regular)

House Bill No. 1813, by Faucheux
Reported favorably. (9-0) (Regular)

House Bill No. 1871, by Fontenet
Reported favorably. (13-0) (Regular)

House Bill No. 1903, by Johns
Reported with amendments. (14-0) (Consent)

House Bill No. 1926, by Salter
Reported favorably. (9-0) (Regular)

House Bill No. 2257, by Hudson
Reported favorably. (7-2) (Regular)

House Bill No. 2308, by Hopkins
Reported with amendments. (6-5) (Regular)

House Bill No. 2380, by Theriot
Reported favorably. (10-0) (Regular)

House Bill No. 2390, by Hopkins
Reported favorably. (12-0) (Regular)

House Bill No. 2395, by Winston
Reported favorably. (7-6) (Regular)

JOHN C. DIEZ
Chairman

Report of the Committee on Ways and Means

May 6, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 196, by Schneider (Joint Resolution)
Reported with amendments. (10-0)

House Bill No. 2377, by Wilkerson
Reported favorably. (10-0) (Regular)

JOHN A. ALARIO, JR.
Chairman

Privileged Report of the Committee on Enrollment

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 38—
BY REPRESENTATIVE PRATT

A RESOLUTION

To designate and proclaim the week of May 4 through May 10, 1997, as Louisiana Teacher Appreciation Week, to declare Tuesday, May 6, 1997, as Louisiana Teacher Appreciation Day, and to recognize and salute the accomplishments of teachers throughout the state and their integral contributions to the educational system of Louisiana.

HOUSE RESOLUTION NO. 39—
BY REPRESENTATIVE CRANE

A RESOLUTION

To recognize Wednesday, May 7, 1997, as Dental Hygiene Day in the state of Louisiana and to commend dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

May 6, 1997

To the honorable Speaker and Members of the House of Representatives:

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 145—

BY REPRESENTATIVES TRAVIS, FONTENOT, KENNARD, MCMAINS, PERKINS, AND POWELL AND SENATOR BRANCH

A CONCURRENT RESOLUTION

To commend and congratulate the Holden High School Lady Rockets basketball team for winning the 1997 Class B Louisiana State Championship, and to recognize the sportsmanship, outstanding performance, and dedication shown by the players, coaches, and staff during the 1997 season.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVES PINAC, JOHN SMITH AND SENATORS CASANOVA AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend and congratulate Bill Williams and Shel Kanter upon the fortieth anniversary of The Bill & Shel Show and for their cultural contributions to Acadiana and the state of Louisiana, and to wish them continued success in this and all other future endeavors.

HOUSE CONCURRENT RESOLUTION NO. 149—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Louis Emile Morrell, Jr.

HOUSE CONCURRENT RESOLUTION NO. 151—

BY REPRESENTATIVES FLAVIN, GULLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, CASANOVA, COX, HINES, AND THEUNESSIN

A CONCURRENT RESOLUTION

To commend and congratulate PPG Industries for fifty years of service to the Lake Charles area, to express gratitude for their innumerable social and economic contributions to the state of Louisiana, and to wish them continued success in all of their future commercial endeavors.

HOUSE CONCURRENT RESOLUTION NO. 152—

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

A CONCURRENT RESOLUTION

To recognize and commend the Arcadia High School Lady Hornets basketball team for their outstanding season and for winning the Class A Sweet Sixteen State Championship.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of

the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Brun, the rules were suspended to permit the Committee on Education to add the following legislative instruments to its agenda without giving the notice required by House Rule 14.21(A).

House Bill No. 2393

Adjournment

On motion of Rep. Landrieu, at 6:30 P.M., the House agreed to adjourn until Wednesday, May 7, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Wednesday, May 7, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

