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<th>OFFICIAL JOURNAL OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF LOUISIANA</th>
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<td>TWENTY-EIGHTH DAY'S PROCEEDINGS</td>
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<td>Twenty-third Regular Session of the Legislature Under the Adoption of the Constitution of 1974</td>
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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 Glover | Pinac |
| Alario Green | Powell |
| Alexander, A.—93rd Guillory Pratt | Quezaire |
| Alexander, R.—13th Hammett | Riddle |
| Ansardi Heaton | Romero |
| Barton Hebert | Rousselle |
| Baudoin Hill | Salter |
| Baylor Holden | Scalise |
| Bowler Hopkins | Schneider |
| Bruce Hudson | Shaw |
| Brun Hunter | Smith, J.D.—50th |
| Bruneau Iles | Smith, J.R.—30th |
| Carter Jenkins | Stelly |
| Chaisson Jetson | Strain |
| Clarkson Kennard | Theriot |
| Copelin Kenney | Thomas |
| Crane Lancaster | Travis |
| Curtis Landrieu | Triche |
| Damico LeBlanc | Vitter |
| Daniel Long | Walsworth |
| DeWitt Marionneaux | Warner |
| Diez Martiny | Welch |
| Dimos McCain | Weston |
| Doerge McDonald | Wiggins |
| Donelon McMains | Wilkerson |

| ABSENT |
|-----------------|-----------------|
| Fontenot Johns | Total—2 |

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Reverend Lonnie Wascom.

**Pledge of Allegiance**

Rep. Weston 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. Hammett, the reading of the Journal was dispensed with.

On motion of Rep. Hammett, the Journal of May 7, 1997, was adopted.

**Petitions, Memorials and Communications**

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

**STATE OF ARIZONA**

**SENATE JOINT RESOLUTION 1001**

**A JOINT RESOLUTION**

DECLARING THIS STATE'S SOVEREIGNTY UNDER THE UNITED STATES CONSTITUTION AND DEMANDING THAT THE FEDERAL GOVERNMENT STOP MANDATES THAT ARE BEYOND ITS POWERS.

Whereas, the 10th Amendment to the Constitution of the United States reads as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the 10th Amendment defines the total scope of federal power as being that specifically granted by the United States Constitution and no more; and

Whereas, the scope of power defined by the 10th Amendment means that the federal government was created by the states specifically to be the agent of the states; and

Whereas, in the year 1996, the states are demonstrably treated as agents of the federal government; and

Whereas, resolutions have been forwarded to the federal government by the Arizona Legislature without any reply or result from Congress or the federal government; and

Whereas, many federal mandates are directly in violation of the 10th Amendment to the Constitution of the United States; and
Whereas, the United States Supreme Court has ruled in New York v. United States, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the United States Constitution.

Therefore; be it resolved by the Legislature of the State of Arizona:

That the State of Arizona hereby claims sovereignty under the 10th Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the United States Constitution and that this measure serves as notice and demand to the federal government to cease and desist, effective immediately, mandates that exceed the scope of its constitutionally delegated powers.

That the Secretary of State transmit copies of this Resolution to the President and Vice-president of the United States, the Speaker of the House of Representatives of the United States, the President of the Senate of the United States, each Member of the Arizona Congressional Delegation and the Speaker of the House of Representatives and the President of the Senate of each state legislature in the United States.

Privileged Report of the Legislative Bureau

May 8, 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. 1272
Reported without amendments.

Senate Bill No. 1410
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Message from the Senate

SENATE BILLS

May 8, 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. 172, 191, 272, 344, 350, 381, 409, 411, 485, 527, 857, 902, 1097, 1107, 1119, 1168, 1219, 1251, 1314, 1404, 1405, 1449, and 1547

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Durand, 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. 172—
BY SENATOR HINES
AN ACT
To amend and reenact R.S. 37:1270.1(C) and (F), 1360.21(B), 1360.22(B), 1360.28(A), 1360.31, 1360.38(A), and 1731(A), relative to physician assistants; to provide for the duties and meetings of the physician assistants advisory committee; to provide legislative intent; to revise the definition of "supervision"; to provide for the supervision of and services performed by a physician assistant; to provide for a limitation of liability for a physician assistant who provides gratuitous services at the scene of an emergency; to provide exemptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 191—
BY SENATOR ROMERO
AN ACT
To enact R.S. 46:2135(G), to provide for hearing officers in certain courts to handle the first rule to show cause in the enforcement of protective orders; to provide for the manner in which the recommendations by the hearing officers are made; to provide for the duration of such orders; and to provide for related matters.

Read by title.

SENATE BILL NO. 272—
BY SENATOR LANDRY
AN ACT
To amend and reenact R.S. 34:2471(A) and 2472, relative to ports; to provide relative to members of the South Louisiana Port Commission; to require appointment by the governor under certain conditions; to require Senate confirmation; to provide for
SENATE BILL NO. 344—
BY SENATOR GREENE
AN ACT
To enact R.S. 17:7(22), relative to the duties of the State Board of Elementary and Secondary Education; to require the board to adopt the provisions of the interstate contract of a teacher education and certification association; and to provide for related matters.

Read by title.

SENATE BILL NO. 350—
BY SENATOR GREENE
AN ACT
To amend and reenact R.S. 32:432, R.S. 37:2952, and R.S. 56:647(A), and to enact Part VI of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:299.50 through 299.55, relative to tax collection; to provide for the suspension of certain driver's licenses, and professional, occupational, and hunting, and fishing licenses for failure to pay state personal income tax; to provide for reissuance of such licenses; and to provide for related matters.

Read by title.

SENATE BILL NO. 381—
BY SENATOR JORDAN
AN ACT
To enact Title V-A of the Louisiana Code of Criminal Procedure, to be comprised of Article 251, relative to seizure of a person; to provide a definition of seizure of a person for purposes of the right to be free from unreasonable searches and seizures; and to provide for related matters.

Read by title.

SENATE BILL NO. 409—
BY SENATOR DEAN
AN ACT
To amend and reenact Civil Code Articles 2025 and 2028, R.S. 9:2712 and 2721(A), R.S. 12:25(E)(1), 205(E)(1), and 304(11)(a), R.S. 13:3720 and 3888(A), and R.S. 42:1124(B)(5), all relative to counter letters; to prohibit the use of a counter letter; and to provide for related matters.

Read by title.

SENATE BILL NO. 411—
BY SENATOR DEAN
AN ACT
To amend and reenact Code of Civil Procedure Art. 1457(A), relative to interrogatories; to require witnesses or persons other than parties to a suit to answer interrogatories; and to provide for related matters.

Read by title.

SENATE BILL NO. 485—
BY SENATOR JORDAN
AN ACT
To amend and reenact R.S. 24:51(5), relative to the term "lobbyist"; to provide for the definition of "lobbyist"; and to provide for related matters.

Read by title.

SENATE BILL NO. 527—
BY SENATOR GUIDRY
AN ACT
To amend and reenact R.S. 33:4720.17, relative to the sale of abandoned property; to reduce the number of days that notice must be given prior to a post-adjudication sale of abandoned property; to provide for redemption of the property prior to sale; to provide for payment of all fees and charges assessed upon abandoned property prior to sale; and to provide for related matters.

Read by title.

SENATE BILL NO. 857—
BY SENATOR BRANCH
AN ACT
To repeal R.S. 15:574.12, relative to confidentiality of certain information obtained by the boards of pardon and parole.

Read by title.

SENATE BILL NO. 902—
BY SENATOR JORDAN
AN ACT
To amend and reenact Code of Civil Procedure Arts. 254(D), and 2130, and R.S. 49:955(C) and (E)(2), and to enact Code of Civil Procedure Art. 251.1, relative to adjudicatory proceedings; to require certain courts and administrative agencies in adjudications to record all proceedings; to require the record to be maintained for not less than three years; and to provide for related matters.

Read by title.

SENATE BILL NO. 1097—
BY SENATOR LANDRY
AN ACT
To amend and reenact Children's Code Art. 603(3), relative to children in need of care; to redefine the term "caretaker"; and to provide for related matters.

Read by title.

SENATE BILL NO. 1107—
BY SENATOR ROBICHAUX
AN ACT
To amend and reenact R.S. 56:305.6 and to enact R.S. 56:305.7, relative to blue crab trap licenses; to provide for a lottery system for the application of new blue crab trap licenses; to provide for a Blue Crab Gear License Limitation Review Panel; and to provide for related matters.

Read by title.

SENATE BILL NO. 1119—
BY SENATOR JOHNSON
AN ACT
To enact R.S. 15:574.2(C)(11), relative to the board of parole; to provide for parole hearings; to provide for written notification; and to provide for related matters.

Read by title.

SENATE BILL NO. 1168—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT
To amend and reenact R.S. 30:2154(B)(2)(b), (c), (d), and (e), to enact R.S. 30:2154(B)(2)(f), and to repeal R.S. 30:2041, relative to the notification of waste disposal; to delete the notice
To enact R.S. 14:68.5, relative to offenses against property; to provide for the crime of unauthorized removal of property from the governor's mansion; and to provide for related matters.

SENATE BILL NO. 1219—
BY SENATOR HAINKEL
AN ACT
To amend and reenact R.S. 37:3103(A)(11), 3105(A), 3111(B)(2), 3112(D), 3115(A)(2), 3121(B), 3125(B) and 3143 and to repeal R.S. 37:3112(A)(6), 3126, and 3127, relative to the Auctioneers Licensing Board; to provide for a chairman and vice-chairman; to provide for payments and accounts; to provide for discipline; and to provide for related matters.

Read by title.

SENATE BILL NO. 1251—
BY SENATOR ULLO (BY REQUEST)
AN ACT
To enact R.S. 33:1236(21)(g) relative to municipalities and parishes; to provide for the crime of unauthorized removal of property from the governor's mansion; and to provide for related matters.

Read by title.

SENATE BILL NO. 1314—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 26:793(C)(1) and to enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 922, relative to tobacco products at wholesale, retail and through vending machines; to provide for definitions, fees, fines, rules and regulations; to change the name of the office of alcoholic beverage control to the office of alcohol and tobacco control; and to provide for related matters.

Read by title.

SENATE BILL NO. 1449 (Substitute for Senate Bill No. 134 by Senator Cox)—
BY SENATOR COX
AN ACT
To amend and reenact R.S. 13:621.14, relative to district courts; to provide for an additional judgeship in the fourteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Read by title.

SENATE BILL NO. 1547 (Substitute for Senate Bill No. 729 by Senator Ullo)—
BY SENATOR ULLO
AN ACT
To amend and reenact R.S. 26:793(C)(1) and to enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 922, relative to tobacco products at wholesale, retail and through vending machines; to provide for definitions, fees, fines, rules and regulations; to change the name of the office of alcoholic beverage control to the office of alcohol and tobacco control; and to provide for related matters.

Read by title.

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 CONCURRENT RESOLUTION NO. 162—
BY REPRESENTATIVE COPELIN
A CONCURRENT RESOLUTION
To commend and congratulate Eldrick "Tiger" Woods on his winning the 1997 Masters, and to wish him continued success in his career as a professional golfer and all other future endeavors.

Read by title.

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

Ordered to the Senate.

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. 145—
BY SENATORS BARHAM AND JONES
AN ACT
To enact R.S. 38.330, relative to levee districts; to authorize such districts to act jointly in certain circumstances; to provide certain limitations to such joint endeavors; 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. 185—
BY SENATORS DARDENNE, CRAVINS, DYESS AND ELLINGTON
AN ACT
To amend and reenact R.S. 15:574.4(H)(4)(o), relative to parole; to provide for the collection of the costs of the supervision of parole; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 562—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT
To enact R.S. 9:2798.1(E), relative to offenses and quasi offenses; to provide for limitation of liability for failure of public entities for failure to effectively or properly regulate persons or entities under their authority; to provide for proof of liability; to extend liability to certain persons or entities; 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. 658—
BY SENATOR DARDENNE
AN ACT
To amend and reenact Code of Criminal Procedure Art. 408.1, relative to qualifications and selection of grand and petit jurors; to provide with respect to initial selection of general venire; to provide for source; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1121—
BY SENATOR DYESS
AN ACT
To amend and reenact R.S. 45:162(5)(f) and (10) and 172(A)(4)(c), relative to motor carriers; to provide for removal of exemptions for certain carriers of household goods; to provide for the granting of certain Public Service Commission Certificates; to provide for effective dates; 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. 1368—
BY SENATORS COX AND SCHEDLER
AN ACT
To amend and reenact the heading of Chapter 3-B of Title 15 of the Louisiana Revised Statutes of 1950 and R.S. 15:540, 546, 547, and 548(H), and to enact R.S. 15:541 (9) through (16) and R.S. 15:542.1, relative to the registration of sex offenders; to provide for the registration of sexually violent predators and child predators; to provide definitions; to provide for an advisory panel; to provide for evaluation procedures; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1389—
BY SENATORS JONES, FIELDS, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, LANDRY, LENTINI, MALONE, ROMERO SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO
AN ACT
To enact R.S. 14:51.1, relative to offenses against property; to provide with respect to violence to buildings and other property; to provide for arson of a place of worship; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 1447—
BY SENATOR DARDENNE
AN ACT
To enact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to authorize the metropolitan council for the city of Baton Rouge, parish of East Baton Rouge to assign future annexations to the appropriate election sections for the City Court of Baton Rouge; and to provide for related matters.

Read by title.

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

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. 31—
BY REPRESENTATIVE WINDHORST
A CONCURRENT RESOLUTION
To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits.

Read by title.

Reported with amendments by the Committee on Health and Welfare.
The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 31 by Representative Windhorst

**AMENDMENT NO. 1**

On page 1, delete lines 2 through 5 in their entirety and insert in lieu thereof the following:

"To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits."

**AMENDMENT NO. 2**

On page 3, delete lines 23 through 27 in their entirety and insert in lieu thereof the following:

"THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC 67:III.1301(A) is hereby amended to read as follows:

§1301. Terms and Conditions

A. Time Limitations: The Office of Family Support shall deny AFDC cash benefits to families if the parent has received AFDC for at least 24 months during the prior 60-month period. Only months of AFDC receipt after the January 1, 1997 date of implementation count toward the 24-month limit. This provision does not apply in the following situations (in two parent households both parents must meet at least one of these criteria):

1. the parent is incapacitated or disabled;

2. the parent has been actively seeking employment by engaging in job-seeking activities and is unable to find employment;

3. factors relating to job availability are unfavorable;

4. the parent loses his job as a result of factors not related to his job performance; or

5. an extension of benefits of up to one year will enable the adult to complete employment related education or training.

* * *

**AMENDMENT NO. 3**

On page 4, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the office of the Louisiana Register and to the Department of Social Services, office of family support.

BE IT FURTHER RESOLVED that the Louisiana Register is hereby directed to publish a brief summary of this Resolution as required by R.S. 49:969 and is also directed to incorporate the amendments to LAC 67:III.1301(A) into the Louisiana Administrative Code and to transmit a copy of the revised rules to the Department of Social Services, office of family support."

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

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

**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.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Windhorst, 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. 43—**

**BY REPRESENTATIVE WARNER**

AN ACT

To amend and reenact R.S. 14:100(C)(2), relative to the crime of hit and run driving; to increase the penalty where death or serious bodily injury results from the accident; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 125—**

**BY REPRESENTATIVE DOERGE**

AN ACT

To amend and reenact R.S. 56:105(B), 116(B)(1), 116.1(A)(6), (B)(10), and (E), 116.3(A)(1)(a), and 116.4(A)(1), to enact R.S. 56:115(E) and (F), and to repeal R.S. 56:104.1 and 116.3(B), relative to licensing and other requirements for lawful hunting in this state; to authorize the use of a crossbow and provide for licensing and regulation in the same manner as the hunting by bow and arrow; to provide relative to hunting by disabled hunters, including the establishment of special seasons and the repeal of certain disability classifications; to provide terms, conditions, and penalties for the unauthorized or illegal use of crossbows; to provide relative to deer and wild turkey hunting by crossbow; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 184—
BY REPRESENTATIVE DIMOS
AN ACT
To amend and reenact Code of Civil Procedure Article 5186, relative to payment of costs incurred by indigents; to provide for the filing and the effect of recordation of an affidavit of account; 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. 245—
BY REPRESENTATIVE JACK SMITH
AN ACT
To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; 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. 246—
BY REPRESENTATIVE STELLY
AN ACT
To amend and reenact R.S. 56:1850(A)(7), relative to the Louisiana Natural and Scenic Rivers System; to provide relative to administration of the system, and rules and regulations that may be issued by the administrator of the system; to authorize the regulation of houseboats docked for longer than thirty days on a natural and scenic river; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to original House Bill No. 246 by Representative Stelly

AMENDMENT NO. 1
On page 1, line 6, after “thirty” insert “consecutive”

AMENDMENT NO. 2
On page 2, line 5, after “thirty” insert “consecutive”

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 336—
BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL
A JOINT RESOLUTION
Proposing to add Article X, Section 31 of the Constitution of Louisiana, relative to public employees; to prohibit the state and any of its political subdivisions from requiring employees to reside or have a domicile in a particular place; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 336 by Representative Scalise

AMENDMENT NO. 1
On page 1, line 4, after “requiring” and before “employees” insert “municipal fire or police”

AMENDMENT NO. 2
On page 1, line 16, after “public” and before “employees” insert “municipal fire or police”

AMENDMENT NO. 3
On page 2, line 2, after “public” and before “employee” insert “municipal fire or police”

AMENDMENT NO. 4
On page 2, at the beginning of line 3, before “employee” insert “municipal fire or police”

AMENDMENT NO. 5
On page 2, line 5, after “public” and before “employees” insert “municipal fire or police”

AMENDMENT NO. 6
On page 2, line 17, after “public” and before “employees” insert “municipal fire or police”

AMENDMENT NO. 7
On page 2, line 18, before “employee” delete “an” and insert “a municipal fire or police”

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.
HOUSE BILL NO. 397—
BY REPRESENTATIVE CURTIS
AN ACT
To enact R.S. 24:513.4, relative to boards, commissions, and like entities; to require certain boards, commissions, and like entities to provide notification of a vacancy in membership to the legislative auditor; to require the legislative auditor to notify certain members of the legislature of such vacancies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 420—
BY REPRESENTATIVE VITTER
AN ACT
To amend and reenact R.S. 24:51(5), relative to lobbying: to provide for the definition of lobbyist; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 429—
BY REPRESENTATIVE WARNER
A JOINT RESOLUTION
Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide for the creation, governance, management, and control of a community college system and for the transfer of the supervision and control of certain educational institutions and programs; to provide certain preconditions for enacting legislation creating a community college system; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE BILL NO. 509—
BY REPRESENTATIVE CARTER
AN ACT
To amend and reenact R.S. 14:70.1(B), relative to the crime of Medicaid fraud; to provide that a sentence of at least one year of imprisonment shall be imposed without benefit of probation, parole, or suspension of sentence; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 509 by Representative Carter

AMENDMENT NO. 1
On page 1, line 5, after "sentence;" and before "and" insert "to provide exceptions;"

AMENDMENT NO. 2
On page 1, at the end of line 15, delete the period "." and insert "if the loss to the state is in excess of five thousand dollars."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 533—
BY REPRESENTATIVE FRITH
AN ACT
To enact R.S. 37:2887(C), relative to certified stress analysts; to provide for an exception regarding peace officers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 533 by Representative Frith

AMENDMENT NO. 1
On page 1, at the end of line 12, add the following:

"However, the Council on Peace Officers Standards and Training shall adopt standards and guidelines for the operation of such instruments and devices by peace officers in the course and scope of their official law enforcement duties."

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

On motion of Rep. Rodney Alexander, the bill, as amended, was ordered engrossed and returned to the calendar subject to call.

HOUSE BILL NO. 626—
BY REPRESENTATIVE MONTGOMERY
AN ACT
To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State University campus police have access to criminal history information; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 756—
BY REPRESENTATIVES PERKINS AND DONELON
AN ACT
To amend and reenact Civil Code Articles 102 and 103 and R.S. 9:234 and 245(A)(1) and to enact R.S. 9:224(C) and 225(A)(3), Part VII of Chapter 1 of Code Title IV of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:272 through 275, and R.S. 9:307, 308, and 309, all relative to covenant marriages; to provide for a declaration on the application for a marriage license; to provide prerequisites to entering into a covenant marriage, including counseling; to authorize the entering into a covenant marriage by couples already married; to provide for indication thereof on the marriage certificate; to provide the exclusive means to terminate a covenant marriage; to provide with respect to jurisdiction, venue, and incidental relief; 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. 781—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS, DUPRE, FORSTER, LEBLANC, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND STRAIN
A JOINT RESOLUTION
Proposing a revision of Article IV of the Constitution of Louisiana, to be comprised of Sections 1 through 22 thereof, relative to the executive branch of state government; to provide for the organization and management of the executive branch of state government; for the appointment in lieu of election of certain state officials when provided by law enacted by a two-thirds vote of each house of the legislature; for succession to the office of governor; to provide for the inability of the governor to serve; 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. 1951—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, DEVILLE, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, LE BLANC, MCDONALD, MCMAINS, MICHOT, SCALISE, JOHN SMITH, AND STELLY
AN ACT
To enact Chapter 23 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:931 through 937, to provide for the reorganization of the executive branch of state government; to provide for further reorganization and consolidation within the executive branch of state government by creating and providing for the Joint Legislative Committee on Reorganization of the Executive Branch, including its membership, powers, and duties; and to provide for related matters.

Called from the calendar.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1951 by Representatives Downer, et al.

AMENDMENT NO. 1
On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 17, delete pages 2 and 3, and on page 4, delete lines 1 through 9, and insert in lieu thereof:

"enact Chapter 23 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:931 through 937, to provide for the reorganization of the executive branch of state government; to provide for further reorganization and consolidation within the executive branch of state government by creating and providing for the Joint Legislative Committee on Reorganization of the Executive Branch, including its membership, powers, and duties; and to provide for related matters."

AMENDMENT NO. 2
On page 4, line 11, after "Section 1." delete the remainder of the line, delete lines 12 through 24, and on line 25, delete "(9), 768(D) through (G), 769(C)(3) and (4), (K), and (L), and"

AMENDMENT NO. 3
On page 4, at the beginning of line 26, delete "said"

AMENDMENT NO. 4
On page 4, line 27, change "are hereby enacted, all" to "is hereby enacted"

AMENDMENT NO. 5
Delete pages 5 through 107, and on page 108, delete lines 1 through 3

AMENDMENT NO. 6
On page 108, at the end of line 16, delete the comma "," and insert:

"from a list of nominees submitted by the Senate Committee on Senate and Governmental Affairs."

AMENDMENT NO. 7
On page 108, line 18, after "Representatives" delete the comma "," and insert:
"from a list of nominees submitted by the House Committee on House and Governmental Affairs."

**AMENDMENT NO. 8**

On page 113, delete lines 5 through 27, and delete pages 114 through 118

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 790—**

**By Representative Marionneau**

**AN ACT**

To enact R.S. 42:2.1, relative to terms of office of public officers; to restrict the service of persons on boards and commissions; to provide for certain exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1096—**

**By Representative Jetson**

**AN ACT**

To enact R.S. 17:416(G), relative to pupil discipline; to prohibit the taking of any disciplinary action against a pupil by the governing authority of a public elementary or secondary school or by any public elementary or secondary school administrator, teacher, or other school employee for the use of force or violence upon another person under specified circumstances involving self-defense of the pupil and the defense of others; to provide for application; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 1096 by Representative Jetson

**AMENDMENT NO. 1**

On page 1, line 6, after "force" and before "upon" delete "or violence"

**AMENDMENT NO. 2**

On page 1, line 7, after "pupil" delete the remainder of the line and at the beginning of line 8 delete "others;" and insert "or the pupil's property;"

**AMENDMENT NO. 3**

On page 2, at the end of line 2, delete the colon ";" and at the beginning of line 3 change "(a) The" to "the"
AMENDMENT NO. 4
On page 2, delete line 4, and insert the following:
"Quality who is knowledgeable regarding a permit"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1232—
BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT
To amend and reenact R.S. 9:5628(A) and to enact R.S. 9:5628(C), relative to prescription; to provide for prescriptive period applicable to state and private health care providers for actions for medical malpractice; to provide that the peremptive period does not apply in cases of fraud; 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. 1253—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT
To enact R.S. 15:902.1, relative to the placement of juveniles adjudicated delinquent; to authorize and provide with respect to the transfer of such juveniles to adult facilities when the juveniles have attained the age of seventeen years; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1285—
BY REPRESENTATIVE FORSTER
AN ACT
To enact R.S. 40:2109(F), relative to hospital licensure; to require the secretary of the Department of Health and Hospitals to include in the minimum standards adopted relative to the operation and maintenance of hospitals, a provision which prohibits a hospital from paying or reimbursing for, or on behalf of, a patient any sum for which the patient would be responsible, except for certain charges and expenses; to require that such payment be deemed payment for referral; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Rodney Alexander, the bill was ordered engrossed and passed to its third reading.
Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1298—**

**BY REPRESENTATIVE MCCAIN**

**AN ACT**

To amend and reenact R.S. 40:1563.1, relative to the office of state fire marshal; to add crimes for which the state fire marshal may arrest an individual for; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1467—**

**BY REPRESENTATIVE MCMAINS**

**AN ACT**

To amend and reenact Civil Code Arts. 2762 and 3500 and R.S. 9:2772(A) and (C), relative to actions against architects, engineers, land surveyors, contractors, or other persons surveying, designing, or constructing improvements to immovable property; to provide for peremptive and prescriptive periods of five years in certain actions; 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. 1467 by Representative McMains

**AMENDMENT NO. 1**

On page 1, line 2, after "3500" and before "R.S." delete "and" and insert a comma ,

**AMENDMENT NO. 2**

On page 1, line 3, after "(C)," and before "relative" insert "and" and 3144(A)(3), and to enact R.S. 9:3144(A)(4),

**AMENDMENT NO. 3**

On page 1, line 4, after "contractors," and before "or" insert "new home builders,"

**AMENDMENT NO. 4**

On page 1, line 6, after "periods" and before "in" delete "of five years" and after the semicolon ;" and before "and" insert "to provide for limitations on new home warranties for certain major structural defects;"

**AMENDMENT NO. 5**

On page 1, at the end of line 17, delete the period ." and add "if the building is used for residential purposes or ten years if the building is used for commercial purposes."

**AMENDMENT NO. 6**

On page 2, at the end of line 11, change the period ." to a comma ," and add "in the case of residential immovable property, or by the lapse of ten years, if the property is commercial immovable property."

**AMENDMENT NO. 7**

On page 2, line 12, after "(C)" delete "is" and insert "and 3144(A)(3) are" and after "reenacted" and before "to" insert "and R.S. 9:3144(A)(4) is hereby enacted"

**AMENDMENT NO. 8**

On page 2, line 26, after "years" and before "after" insert "if the property is residential immovable property or more than ten years if the property is commercial immovable property"

**AMENDMENT NO. 9**

On page 3, line 3, after "years" and before "after" insert "if the property is residential immovable property or more than ten years if the property is commercial immovable property"

**AMENDMENT NO. 10**

On page 3, line 10, after "years" and before "after" insert "if the property is residential immovable property or more than ten years if the property is commercial immovable property"

**AMENDMENT NO. 11**

On page 3, line 13, after "C."

**AMENDMENT NO. 12**

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

"(2) If the property is commercial immovable property and such an injury to the property or to the person or if such a wrongful death occurs during the ninth year after the date set forth in Subsection A, an action to recover the damages thereby suffered may be brought within one year after the date of the injury, but in no event more than eleven years after the date set forth in Subsection A (even if the wrongful death results thereafter)."

**AMENDMENT NO. 13**

On page 3, between lines 19 and 20 insert the following:

"§3144. Warranties; exclusions

A. Subject to the exclusions provided in R.S. 9:3144(B), every builder warrants the following to the owner:

* * *

(3) Ten Five years following the warranty commencement date, the home will be free from major structural defects provided in R.S. 9:3143(5)(b) through (h) due to noncompliance with the building standards.

(4) Ten years following the warranty commencement date, the home will be free from major structural defects provided in R.S. 9:3143(5)(a):

* * *"
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. 1511—**
**BY REPRESENTATIVE DONELON**

To amend and reenact R.S. 14:98(B)(introductory paragraph), (C)(introductory paragraph), (D), and (E) and to enact R.S. 14:98(K) and 98.1, relative to driving offenses involving alcoholic beverages; to provide for an increase in penalties for commission of the offense of driving while intoxicated; to provide for mandatory driver's license revocation and imprisonment; to prohibit the suspension of sentence relating to the term of imprisonment; to provide for the seizure and sale of the motor vehicle; to provide for the distribution of the proceeds from the sale; to prohibit plea bargaining; to create the offense of possession of alcoholic beverages by the operator of a vehicle; to provide for exceptions and penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1511 by Representative Donelon

**AMENDMENT NO. 1**
On page 1, at the end of line 3, add a comma ",," and at the beginning of line 4, delete "and 98.1,"

**AMENDMENT NO. 2**
On page 1, line 10, after "sale;" delete the remainder of the line and delete line 11, and insert "to provide for rules and regulations to institute an administrative hearing process;"

**AMENDMENT NO. 3**
On page 1, line 12, delete "provide for exceptions and penalties;"

**AMENDMENT NO. 4**
On page 1, at the beginning of line 16, delete "and 98.1 are" and insert "is"

**AMENDMENT NO. 5**
On page 2, at the end of line 3, change "five" to "three"

**AMENDMENT NO. 6**
On page 2, line 4, after "dollars," and before "have" change "shall" to "may"

**AMENDMENT NO. 7**
On page 2, at end of line 5, change "shall be" to "may be"

**AMENDMENT NO. 8**
On page 2, line 10, after "On a" and before "conviction" delete "second" and after "conviction" and before the comma ",," insert "of a second offense"

**AMENDMENT NO. 9**
On page 2, delete line 14, and insert "seven hundred fifty dollars, nor more than one thousand dollars, shall"

**AMENDMENT NO. 10**
On page 2, line 15, after "period of" delete the remainder of the line and insert "six months;"

**AMENDMENT NO. 11**
On page 2, at the beginning of line 16, delete "eligibility for a hardship license;"

**AMENDMENT NO. 12**
On page 2, line 17, after "than" and before "thirty days" insert "forty-eight hours and thereafter may be imprisoned for not less than"

**AMENDMENT NO. 13**
On page 2, line 20, after "On a" and before "conviction" delete "third" and after "conviction" and before the comma ",," insert "of a third offense"

**AMENDMENT NO. 14**
On page 2, line 23, after "period of" and before "years" change "five" to "three"

**AMENDMENT NO. 15**
On page 3, at the end of line 9, delete "but" and insert the following: "or if the driver of the vehicle at the time of the violation was not the owner and the owner did not know that the driver was operating the vehicle while intoxicated, or if the owner did not know of the driver's previous convictions under this Section."

**AMENDMENT NO. 16**
On page 3, at the beginning of line 10, delete "in that event" and insert "If this exemption is applicable, the vehicle"

**AMENDMENT NO. 17**
On page 3, line 17, after "E." and before "On" insert (1)" and after "On a" and before "conviction" delete "fourth" and after "conviction" and before the comma ",," insert "of a fourth offense"

**AMENDMENT NO. 18**
On page 4, line 1, after "was stolen," and before "shall" delete "but in that event" and insert "or if the driver of the vehicle at the time of the violation was not the owner and the owner did not know that the driver was operating the vehicle while intoxicated, or if the owner did not know of the driver's previous convictions under this Section. If this exemption is applicable, the vehicle"

**AMENDMENT NO. 19**
On page 4, line 9, insert the following:
"(2) At least one year two years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole. In the discretion of the court, any additional portion or all of the sentence may be imposed without benefit of suspension of sentence, probation, or parole. If a portion of the sentence is imposed with benefit of suspension of sentence, probation, or parole, the court shall require the offender to participate in a court-approved substance abuse program and a court-approved driver improvement program. If the offender has previously been required to participate in either or both of such programs pursuant to Subsection D of this Section, at least three years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole. If the offender has previously received the benefit of suspension of sentence, probation, or parole as a fourth offender, no part of the sentence may be imposed with benefit of suspension of sentence, probation, or parole, and no portion of the sentence shall be imposed concurrently with the remaining balance of any sentence to be served for a prior conviction for any offense."

AMENDMENT NO. 20
On page 5, delete lines 6 through 26, and insert the following:

"the provisions of Code of Criminal Procedure Article 894 shall not be applicable to violations of this Section, except for a first conviction under Subsection B of this Section. The Department of Public Safety and Corrections shall by rules and regulations, provide for an administrative hearing procedure with respect to the provisions of Subsections D and E of this Section regarding the seizure and sale of motor vehicles."

AMENDMENT NO. 21
On page 6, delete lines 1 through 4

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1605—
BY REPRESENTATIVE FORSTER

To amend and reenact R.S. 40:2144(H), relative to the Hospital Records and Retention Act, to authorize the Department of Health and Hospitals to promulgate rules to regulate the use of orders for the care and treatment of hospital patients transmitted electronically; to authorize such rules to include when and under what circumstances the ordering health care provider must sign or countersign the order; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1631—
BY REPRESENTATIVES HAMMETT, DOWNER, AND DUPRE

AN ACT
To enact Code of Civil Procedure Art. 894, relative to the filing of any malpractice action against an architect, landscape architect, engineer, or land surveyor; to require the filing of certain affidavits verifying negligent acts with the original petition; 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. 1673—
BY REPRESENTATIVE DONELON

AN ACT
To amend and reenact R.S. 22:224(A)(2), (B)(2), and (F)(3)(introductory paragraph) and to repeal R.S. 22:224(F)(3)(c) and (d), relative to Medicare supplemental insurance; to provide for minimum standards; to provide for notice requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Insurance to Original House Bill No. 1673 by Representative Donelon

AMENDMENT NO. 1
On page 1, line 3, after "paragraph)" insert ", and (H)"

AMENDMENT NO. 2
On page 1, line 8, after "paragraph)" insert ", and (H)"

AMENDMENT NO. 3
On page 2, line 7, delete "or"

AMENDMENT NO. 4
On page 2, at the beginning of line 8, delete "Section 1833"

AMENDMENT NO. 5
On page 3, between lines 6 and 7, insert the following:

"H. Every insurer, health care service plan, or other entity providing Medicare supplement insurance or benefits in this state shall provide a copy of any Medicare supplement advertisement intended for use in this state, whether through written, radio, or television medium, to the commissioner for his review of and approval to the extent permitted under the Insurance Code, particularly under R.S. 22:1215 and any applicable regulations issued by the Department of Insurance under the Administrative Procedure Act governing advertisements of Medicare supplement insurance.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1720—
BY REPRESENTATIVE THORNHILL
AN ACT
To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to create a new cause of action for damages attributable to the termination of a pregnancy; 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. 1720 by Representative Thornhill

AMENDMENT NO. 1
On page 1, line 9, delete "and father"

AMENDMENT NO. 2
On page 1, line 10, delete "three" and insert in lieu thereof "ten years from the date of the abortion." and delete line 11 in its entirety

AMENDMENT NO. 3
On page 1, line 13, delete "a" and insert in lieu thereof "an intrauterine"

AMENDMENT NO. 4
On page 1, line 16, after "child" insert a period "." and delete the remainder of the line and delete line 17 in its entirety

AMENDMENT NO. 5
On page 2, line 4, after "child" and before "mother" delete the comma "," and insert in lieu thereof "or" and after "mother" change the comma "," to a period "." and delete "or father." and at the end of the line insert "However, if the court determines that an act or action of the mother was the proximate cause of her damages, she shall be barred from any recovery."

AMENDMENT NO. 6
On page 2, line 8, delete "or father"

AMENDMENT NO. 7
On page 2, line 11, delete "or father"

AMENDMENT NO. 8
On page 2, line 12, delete "or he"

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. 1972—
BY REPRESENTATIVE BOWLER
AN ACT
To amend and reenact Code of Evidence Article 411, relative to relevant evidence; to prohibit a policy of insurance from being admitted into evidence or communicated to the jury; to provide consequences thereof; 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. 1972 by Representative Bowler

AMENDMENT NO. 1
On page 1, line 15, after "Article" delete the remainder of the line and insert in lieu thereof "shall be cause for a mistrial."

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. 1993—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 56:263(A) and 307.1(A), relative to fishing and fishing industry licensing; to provide resident and nonresident fees for certain licenses required for transport, for alligator parts dealers, and for retailers purchasing for retail sale finished alligator parts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2000—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 56:301.2, relative to fishing licenses; to require notification be given to the Department of Wildlife and Fisheries of any changes of licensure information; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 2000 by Representative DeWitt

AMENDMENT NO. 1
On page 2, at the end of line 12, change "Class Two" to "class one"

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2037—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 40:1846(E) and to enact R.S. 40:1842(10) and (11) and 1846(G), relative to the Liquefied Petroleum Gas Commission; to provide relative to manufacturers and resellers of liquefied petroleum gas; to provide definitions, requirements, and exclusions; to provide for the obtaining of a permit and payment of a permit fee by resellers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 2037 by Representative DeWitt

AMENDMENT NO. 1
On page 1, line 2, change "40:1846(E)" to "40:1846(D) and (E)" and after "40:1842(10)" delete the remainder of the line and insert ", (11), and (12)"

AMENDMENT NO. 2
On page 1, line 4, after "manufacturers" and before "and resellers" insert ", dealers,"

AMENDMENT NO. 3
On page 1, line 6, after "fee by" delete "resellers" and insert in lieu thereof "certain persons"

AMENDMENT NO. 4
On page 1, line 9, change "40:1846(E) is" to "40:1846(D) and (E) are"

AMENDMENT NO. 5
On page 1, line 10, change "40:1842(10) and (11)" to "40:1842(10), (11), and (12)"

AMENDMENT NO. 6
On page 1, delete line 16 and insert in lieu thereof:

"raw materials, such as crude oil or natural gas, through an artificial process that gives the raw materials new qualities or combinations that are suitable for use in some form other than in its raw state."

AMENDMENT NO. 7
On page 2, before line 1, insert the following:

"(11) Manufacturer of products of which liquefied petroleum gas forms a component part" means any person, firm, or corporation which uses liquefied petroleum gas as a raw material or in combination with other materials to form another product.

AMENDMENT NO. 8
On page 2, line 1, change ",(11)" to ",(12)"

AMENDMENT NO. 9
On page 2, line 3, after "gas" and before "or of" insert:

", manufacturer of products of which liquefied petroleum gas form a component part;

AMENDMENT NO. 10
On page 2, line 4, after "facility" delete the remainder of the line and delete lines 5 through 7 in their entirety and insert:

", or (b) transfers such title or ownership to another without substantially changing the form of the liquefied petroleum gas, or (c) transfers such title or ownership to a liquefied petroleum gas dealer for sale at retail. This definition shall include a manufacturer of liquefied petroleum gas or a manufacturer of products of which liquefied petroleum gas forms a component part, if title or ownership transfers directly to a liquefied petroleum gas dealer for retail. This definition shall not include a manufacturer of liquefied petroleum gas or a manufacturer of products of which liquefied petroleum gas forms a component part, if title or ownership transfers to a reseller.

AMENDMENT NO. 11
On page 2, between lines 14 and 15, insert:

"D. The power of regulation vested in the commission shall not extend to the manufacture plant site of a manufacturer of liquefied petroleum gases, or to the manufacture plant site of a manufacturer of products of which liquefied petroleum gases form a component part, or to installations or storage or delivery of such gases within the plant site of any such manufacturer."

AMENDMENT NO. 12
On page 2, line 19, after "purchased" delete the remainder of the line and insert:

"exclusively to resellers (1) another manufacturer of liquefied petroleum gases, or to (2) resellers who are subject to the provisions of this Part."

AMENDMENT NO. 13
On page 2, delete lines 21 through 24 and insert:

"G. Liquefied petroleum gas dealers and resellers, as defined in this Part, shall be subject to the provisions of this Part, including the obtaining of a permit, payment of a permit fee and obtaining the required insurance. The permit fee amount shall be based on the cost of the liquefied petroleum gases or the sales price of those gases,
whichever is greater. A manufacturer of liquefied petroleum gases or a manufacturer of products of which liquefied petroleum gas form a component part, who is also a dealer or reseller within the meaning of this Part, shall not include within the term "annual gross sales" for the purpose of computing the permit fee as a dealer or reseller, those sales of liquefied petroleum gas made by such manufacturer to another manufacturer of liquefied petroleum gases or to resellers. It is the intent of this Part to make all sales subject to a permit fee at the reseller's point of sale and at the dealer's point of sale.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2043—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 40:1841(A) and (C) and 1851(E) and (G), relative to the Louisiana Liquefied Petroleum Gas Commission; to provide for membership of the commission to provide relative to assessments by the commission and deductions of expenses from such assessments; to provide for an advisory board to the commission on the expenditure of such assessments and provide members and terms thereof; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2117—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT
To enact R.S. 40:1379.3(C)(16), relative to concealed handgun permits; to provide that a history of engaging in violent behavior shall preclude the issuance of a concealed handgun permit; to authorize the use of an arrest record as an indication of a history of engaging in violent behavior; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2117 by Representatives Windhorst and DeWitt

AMENDMENT NO. 1
On page 1, line 4, after "permit;" delete the remainder of the line and delete line 5, and insert "to provide for a presumption based upon the applicant's arrest record;"

AMENDMENT NO. 2
On page 1, at the beginning of line 6, delete "behavior;"

AMENDMENT NO. 3
On page 1, at the end of line 14, delete "Arrest" and delete lines 15 and 16 and insert the following:

"There shall be a rebuttable presumption that an applicant has a history of engaging in violent behavior upon proof that, within a ten-year period immediately preceding the date of the application, the applicant has been arrested or charged three or more times for any crime of violence as defined in R.S. 14:2(13), or has been arrested or charged two or more times for any crime of violence that may be punished by death."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2119—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT
To amend and reenact R.S. 40:1379.3(E), to provide that it shall be illegal to present fraudulent documents to prove training in handguns in order to obtain a concealed handgun permit; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2130—
BY REPRESENTATIVES DONELON AND MCMAINS
AN ACT
To enact R.S. 22:15 and 253.1, relative to funeral service policies; to provide for an advisory commission to the commissioner of insurance; to authorize the commissioner of insurance to promulgate regulations; to provide for the membership of the advisory commission; to provide for the discontinuation of funeral service policies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 2130 by Representatives Donelon and McMains

AMENDMENT NO. 1
On page 1, line 6, after "policies;" insert "to authorize the commissioner to promulgate regulations;"

AMENDMENT NO. 2
On page 2, at the beginning of line 1, after "B." insert "(1)" and after "consist of" change "nine" to "twelve"
AMENDMENT NO. 3
On page 2, line 2, after "designee," insert "the secretary of the Department of Health and Hospitals or his designee."

AMENDMENT NO. 4
On page 2, line 3, after "directors," delete the remainder of the line and insert in lieu thereof "Six"

AMENDMENT NO. 5
On page 2, at the beginning of line 4, delete "other"

AMENDMENT NO. 6
On page 2, at the beginning of line 6, delete "(1) Two" and insert in lieu thereof "(a) One"

AMENDMENT NO. 7
On page 2, at the beginning of line 7, change "(2)" to "(b)"

AMENDMENT NO. 8
On page 2, at the beginning of line 9, change "(3)" to "(c)"

AMENDMENT NO. 9
On page 2, at the beginning of line 11, change "(4)" to "(d)"

AMENDMENT NO. 10
On page 2, at the beginning of line 13, delete "(5) Two" and insert in lieu thereof "(e) One"

AMENDMENT NO. 11
On page 2, between lines 14 and 15, insert the following:

"(f) One member from Citizens Action.

(2) The remaining members shall be:

(a) The chairman of the Senate Insurance Committee or his designee.

(b) The chairman of the House Insurance Committee or his designee.

(c) One consumer, selected by the commissioner, who has registered a complaint with the Department of Insurance regarding burial insurers."

AMENDMENT NO. 12
On page 3, at the end of line 2, change "the" to "certain"

AMENDMENT NO. 13
On page 3, after line 6, insert the following:

"§253.1. Prohibitions and requirements regarding insurance policies and contracts for provision of funeral and burial services

A. No insurance policy or contract for the provision of funeral or burial services approved under this Title which shall include but not be limited to those described in R.S. 22:162, R.S. 22:252, R.S. 22:253, R.S. 22:291 (1), R.S. 22:332, R.S. 22:337, and R.S. 22:556 shall continue to be sold in this state after twelve o'clock midnight December 31, 1997.

B. The commissioner of insurance, based on the recommendations of the Louisiana burial insurance advisory commission and consultation with the secretary of the department of health and hospitals, shall be authorized to adopt reasonable regulations regarding the surrender, conversion, or transfer of insurance policies and contracts for the provision of funeral and burial services. Such regulations shall be for the sole purpose of protecting the benefits of insureds under such policies who would otherwise be ineligible for coverage under Medicaid based on the value of an insurance policy or contract for funeral or burial services."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2166—
BY REPRESENTATIVE WINDHORST
AN ACT
To amend and reenact R.S. 46:460.1, relative to welfare reform; to remove the authority granted to the secretary of the Department of Social Services to promulgate rules and regulations which provide exceptions to time limitations for the receipt of benefits in cases of hardship; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 2166 by Representative Windhorst

AMENDMENT NO. 1
On page 1, at the end of line 2, change "the" to "certain"

AMENDMENT NO. 2
On page 2, after line 6, insert the following:
“C. The secretary of the department may promulgate rules and regulations providing exceptions to the time limitations of this Section in cases of hardship. In promulgating rules and regulations, in accordance with the Administrative Procedure Act, the secretary shall address circumstances:

(1) Where an individual has been actively seeking employment by engaging in job-seeking activities and is unable to find employment;

(2) (1) Where factors relating to job availability may be unfavorable;

(2) (2) Where an individual loses his job as a result of factors not related to his job performance;

(3) (3) Where extension of benefits for up to one year will enable an individual to complete employment-related education or training.”

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2174—
BY REPRESENTATIVE McMAMS
AN ACT
To amend and reenact R.S. 49:141 and to repeal Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 584, relative to the Old Governor's Mansion; to provide for transfer of supervision and administrative control of the mansion from the Department of Culture, Recreation and Tourism and the Board of Commissioners of the Louisiana Arts and Science Center to the commissioner of administration; to repeal provisions relative to the Louisiana Arts and Science Center and its board of commissioners; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 2174 by Representative McMAMS

AMENDMENT NO. 1
On page 1, line 4, after "584" and before the comma ",," insert "and R.S. 36:209(H)(2)"

AMENDMENT NO. 2
On page 1, line 9, after "commissioners;" and before "and" insert "to repeal the provisions regarding the transfer of the functions of such board to the Department of Culture, Recreation and Tourism;"

AMENDMENT NO. 3
On page 2, line 16, after "preservation;" and before "maintenance" insert "heritage education;"

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

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

Under the rules, placed on the consent calendar.

HOUSE BILL NO. 2183—
BY REPRESENTATIVE DONELON
AN ACT
To enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:3051 through 3065, relative to insurance; to provide with respect to consumer protections applicable to insurance sales, including licensure requirements, sales, referrals, anti-tying, disclosures, solicitations, discrimination, customer privacy, and maintenance of insurance records by certain companies, agencies, and institutions; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 2509 (Substitute for House Bill No. 2183 by Representative Donelon)—
BY REPRESENTATIVE DONELON
AN ACT
To amend and reenact R.S. 6:242(A)(6)(a) and R.S. 22:1113(G) and (H) and to enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:3051 through 3065, relative to insurance; to provide with respect to consumer protections applicable to insurance sales, including licensure requirements, sales, referrals, anti-tying, disclosures, solicitations, discrimination, customer privacy, and maintenance of insurance records by certain companies, agencies, and institutions; and to provide for related matters.

Read by title.

On motion of Rep. Donelon, the substitute was adopted and became House Bill No. 2509 by Rep. Donelon, on behalf of the Committee on Insurance, as a substitute for House Bill No. 2183 by Rep. Donelon.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 2281—
BY REPRESENTATIVES MARTINY, ALARIO, AND ANSARDI
AN ACT
To amend and reenact R.S. 27:312(C)(1)(introductory paragraph), relative to the Video Draw Poker Device Fund; to increase the allocation of monies in the fund to certain local governments; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

On motion of Rep. Windhorst, the bill was ordered engrossed and passed to its third reading.
Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2295**
BY REPRESENTATIVE DAMICO
AN ACT
To enact R.S. 40:1846(B)(3)(f), relative to liquefied petroleum gas; to provide for the commission; to provide for mobile air conditioning systems; to provide for prohibitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2297**
BY REPRESENTATIVE MCCALLUM
AN ACT
To amend and reenact R.S. 40:1849(C), relative to the Liquefied Petroleum Gas Commission; to provide for rules; to provide for reciprocal agreements; to provide for examination requirements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2299**
BY REPRESENTATIVE THORNHILL
AN ACT
To enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3050 through 3060, and Code of Civil Procedure Art. 970.1, relative to automobile insurance and mediation; to provide for the office of mediation; to require mediation in certain cases; to provide for the Board of Mediation; to provide for its membership, powers, duties, and responsibilities; to provide for prescription, general appearances, and abeyance of court proceedings with mediation; to provide for fees for mediation; to provide for the qualification and duties of mediators and their appointment; to provide for confidentiality and time frame of mediation proceedings, for penalties, and for post-trial motions; to provide for written settlement agreements and accessibility to courts with mediation; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

**HOUSE BILL NO. 2508 (Substitute for House Bill No. 2299 by Representative Thornhill)**
BY REPRESENTATIVE THORNHILL
AN ACT
To enact Chapter 1 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, as Chapters 2 and 3 thereof, and to rename Code Title XIX thereof, all relative to mediation of claims resulting from vehicular accidents; and to provide for related matters.

Read by title.

On motion of Rep. McMains, the substitute was adopted and became House Bill No. 2508 by Rep. Thornhill, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 2299 by Rep. Thornhill.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 2324**
BY REPRESENTATIVE PINAC
AN ACT
To repeal R.S. 22:801(B), relative to life insurers; to repeal certain conversion requirements for life insurance companies.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2354**
BY REPRESENTATIVE WINSTON
AN ACT
To authorize and provide for the lease of or other cooperative endeavor involving certain state property by the Northlake Nature Center from the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2360**
BY REPRESENTATIVE MURRAY
AN ACT
To amend and reenact R.S. 22:1404.1, relative to the Department of Insurance; to permit the review of the financial condition of insurers by the department; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2374**
BY REPRESENTATIVE DURAND
AN ACT
To enact R.S. 46:450.4, relative to providers of nonemergency, nonambulance transportation services for Medicaid recipients; to require the Department of Health and Hospitals to withhold Medicaid reimbursement for a provider of nonemergency, nonambulance transportation services for Medicaid recipients; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.
under certain circumstances; to provide for notification of the provider; to provide for fines; to provide for rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2386—
BY REPRESENTATIVES LONG, ALARIO, BOWLER, BRUN, CRANE, DAMICO, DEWITT, DIEZ, DIMOS, DONELON, DUPRE, DURAND, FAUCHEUX, FONTENOT, GAUTREAUX, HEBERT, JOHNS, KENNARD, LANCASTER, LEBLANC, MARTIN, MCCALLUM, MCDONALD, MCMAINS, MORRISH, PINAC, POWELL, QUEZARIE, SALTER, SCALISE, JOHN SMITH, STELLY, THOMAS, TRICHE, WIGGINS, AND WINSTON AND SENATORS BEAN, HINES, LANDRY, AND SIRACUSA

AN ACT

To amend and reenact R.S. 46:450.1(C), (D), and (E) and to enact R.S. 46:450.1(F) and (G), relative to the system for electronic distribution of certain public entitlement benefits; to require the contract program for such distribution system to provide merchants the option to utilize commercial automated teller machines and point of sale terminals to interface with the electronic benefits transfer provider; to require the contract program to provide for reimbursement by the department or the electronic benefits transfer provider; to provide for the processing of benefits under the electronic issuance system; to require the contract program to provide that the cash back provisions of the electronic issuance system contain a schedule of permissible fees and charges for the provision of cash back services; to provide that participation in the program not cause or require any merchant to incur any expense or cost directly or indirectly; to require that the statewide expansion and implementation of the electronic issuance program not commence and contracts with merchants and providers not be required for participation in the program until certain acts occur; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSEx COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 2386 by Representative Long, et al.

AMENDMENT NO. 1

On page 1, line 8, after "reimbursement by" delete the remainder of the line

AMENDMENT NO. 2

On page 2, line 19, after "reimbursement by" delete the remainder of the line and insert "the"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2389—
BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact Code of Criminal Procedure Art. 887(A) and to enact Code of Criminal Procedure Art. 887(I), relative to the imposition of court costs on criminal defendants; to provide that court costs may be imposed when the defendant enters into a pretrial diversion program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2393—
BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 40:31.3(D) and to enact R.S. 40:31.3(C)(3) and (4) and (E), relative to school-based health centers; to prohibit health centers in schools from referring students to organizations for the distribution of any contraceptive or abortifacient drug, device, or similar product, from counseling students relative to any contraceptive or abortifacient drug, device, or similar product, or referring any student to an organization for such counseling; to specify certain information to be required on consent forms to be signed by the parent or guardian of a student; to require school-based health centers to post signs stating the prohibitions placed upon the centers which include a telephone number for reporting violations; to require employees of school-based health centers to sign statements acknowledging certain limitations imposed upon them; to require all requests for proposals to establish school-based health centers to recite certain state law relative to counseling or referring of students for abortions, distributing or counseling relative to contraceptives or abortifacients, and referring of a student for such distribution or counseling; and to require all contracts for the operation of school-based health centers to clearly recite such state law and possible sanctions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2394—
BY REPRESENTATIVES BAYLOR, BARTON, COPELIN, DOERGE, GLOVER, HOLDEN, HUNTER, MONTGOMERY, PRATT, QUEZARIE, ROUSSELLE, TRAVIS, WESTON, AND WILLARD-LEWIS AND SENATOR JONES

AN ACT

To amend and reenact R.S. 17:1206(A), relative to sick leave for certain public school employees; to provide limitations on salary deductions due to the absence of a public school employee who is not a bus driver, teacher, or other person required to hold a teacher's certificate; to prohibit any deduction from the salary of such an employee under certain circumstances; to provide for related matters; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2396—
BY REPRESENTATIVE KENNEY
AN ACT
To enact R.S. 17:181 and to repeal R.S. 17:2006.1, relative to secondary school vocational education; to require each governing authority of a public secondary school to allocate certain funding for instructional materials and supplies for students enrolled in vocational agricultural, agribusiness, and agriscience programs; to provide for effectiveness; to repeal certain provisions relative to funding for such students by the State Board of Elementary and Secondary Education; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2401—
BY REPRESENTATIVE PERKINS
AN ACT
To enact R.S. 22:1474, relative to homeowners' policies; to prohibit certain actions by insurers based upon nonfault losses; to define nonfault loss; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Insurance to Original House Bill No. 2401 by Representative Perkins

AMENDMENT NO. 1
On page 1, line 11, after "based" insert "solely"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2403—
BY REPRESENTATIVE TOOMY
AN ACT
To enact R.S. 17:1835, to enable the Board of Trustees for State Colleges and Universities to assess a student technology fee; to authorize the board to provide for the assessment of such fee at each institution in the University of Louisiana system; to provide for the use of the proceeds thereof; to provide for reports; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Education to Original House Bill No. 2403 by Representative Toomy

AMENDMENT NO. 1
On page 1, line 5, after "system;" and before "to" insert "to provide limitations;"

AMENDMENT NO. 2
On page 1, line 13, after "hour" and before "The" delete the period "." and add "but shall not exceed sixty dollars for any semester."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2409—
BY REPRESENTATIVE MARIONNEAUX
AN ACT
To enact R.S. 56:318.1, relative to fishing; to provide relative to fishing tournaments; to provide definitions, terms, conditions, requirements, and procedures; to provide for special permits for the possession of certain fish; to provide for applications; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Natural Resources to Original House Bill No. 2409 by Representative Marionneaux

AMENDMENT NO. 1
On page 1, line 14, after "hybrids" and before "crappie" change the semi-colon ";" to a comma "," and delete the remainder of the line and on line 15, delete "Morone saxatilis, or its hybrids,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2424—
BY REPRESENTATIVES CRANE AND BRUN
AN ACT
To amend and reenact R.S. 17:3351(A)(5), relative to tuition and attendance fees at public colleges and universities; to provide for the powers, duties, and responsibilities of public higher education management boards; to grant authority to the management boards to establish in accordance with certain
guidelines tuition and attendance fees applicable to nonresident students; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2426—**
**BY REPRESENTATIVE HOLDEN**
**AN ACT**
To enact R.S. 17:1855, relative to public higher education tuition and attendance fees; to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose certain specified tuition and attendance fee amounts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2442—**
**BY REPRESENTATIVE HUNTER**
**AN ACT**
To enact R.S. 17:7.1(F), relative to certification of teachers; to provide for certain reciprocal agreements for teacher certification; to require that such agreements include certain educational requirements under certain circumstances; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 2442 by Representative Hunter

**AMENDMENT NO. 1**

On page 1, line 4, after "legislator" and before "public" change "ranking" to "listing"

**AMENDMENT NO. 2**

On page 1, line 17, after "a" and before "of" change "ranking" to "listing"

**AMENDMENT NO. 3**

On page 2, line 7, after "exam," and before "the" insert "the percent of students who take the American College Test, the percent of students who take the Scholastic Aptitude Test,"

**AMENDMENT NO. 4**

On page 2, line 8, after "rates," and before "and" insert "the number of graduating seniors who enroll in an institution of higher education the semester following graduation,"

**AMENDMENT NO. 5**

On page 2, at the end of line 8, add "Upon request, the board shall provide the listing required by this Paragraph to any legislator in the form of a computer diskette."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2444—**
**BY REPRESENTATIVE BRUN**
**AN ACT**
To enact R.S. 17:181, relative to public elementary school students; to require each governing authority of a public elementary school to implement a reading program at each elementary school in accordance with certain guidelines; to provide for certain reports; to require the inclusion of reported information in school progress profiles; to provide for implementation and effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 2450—**
**BY REPRESENTATIVE DANIEL**
**AN ACT**
To enact R.S. 17:7(22), relative to the duties and responsibilities of the State Board of Elementary and Secondary Education; to require that the board provide an annual report to each legislator ranking public elementary and secondary schools throughout the state in accordance with certain indicators; to provide for the time of such report; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 2450 by Representative Daniel

**AMENDMENT NO. 1**

On page 1, line 4, after "legislator" and before "public" change "ranking" to "listing"

**AMENDMENT NO. 2**

On page 1, line 17, after "a" and before "of" change "ranking" to "listing"

**AMENDMENT NO. 3**

On page 2, line 7, after "exam," and before "the" insert "the percent of students who take the American College Test, the percent of students who take the Scholastic Aptitude Test,"

**AMENDMENT NO. 4**

On page 2, line 8, after "rates," and before "and" insert "the number of graduating seniors who enroll in an institution of higher education the semester following graduation,"

**AMENDMENT NO. 5**

On page 2, at the end of line 8, add "Upon request, the board shall provide the listing required by this Paragraph to any legislator in the form of a computer diskette."

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

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 2451—
BY REPRESENTATIVES ANSARDI AND PIERRE
AN ACT
To enact R.S. 33:2740.35, to create an educational facilities improvement district in each school district; to provide for the purposes and governance of such districts; to provide for the rights and powers of any such district including the authority, subject to voter approval, to levy a sales and use tax and to issue bonds; to provide relative to agreements between educational facilities improvement districts and school districts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2493—
BY REPRESENTATIVE THORNHILL
AN ACT
To enact R.S. 22:2.1, relative to recommendations of the commissioner regarding insurance rates; to provide that the commissioner shall make recommendations regarding rates to the House Committee on Insurance and the Senate Committee on Insurance; to provide for the scope of the recommendations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2494—
BY REPRESENTATIVE DONELON
AN ACT
To amend and reenact R.S. 22:229.1, relative to health insurance policies; to permit rate increases for individual accident and health insurance policies under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Insurance to Original House Bill No. 2494 by Representative Donelon

AMENDMENT NO. 1
On page 2, at the end of line 3, delete "An" and delete lines 4 through 6 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2498—
BY REPRESENTATIVE HUNTER
AN ACT
To enact R.S. 46:450.1(F), relative to electronic issuance of certain public assistance program benefits; to require that the system for electronic issuance of food stamps provide for identification of nonallowable items; to require photo identification; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2507 (Substitute for House Bill No. 2290 by Representative Hammett)—
BY REPRESENTATIVE HAMMETT
AN ACT
To amend and reenact the heading of Chapter 8 of Title 37 of the Louisiana Revised Statutes of 1950 and R.S. 37:690(A), 693(B)(1)(introductory paragraph) and (c) and (2), 694(B), relative to engineers; to provide for various revisions to the provisions regulating engineers; to provide for receipts and disbursements; to provide for requirements for registration; to provide for application fees; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the bill was ordered 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. 687—
BY SENATORS LANDRY, CAIN AND SMITH
AN ACT
To amend and reenact R.S. 32:387(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.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 867 (Duplicate of House Bill No. 1244)—
BY SENATOR CAIN AND REPRESENTATIVE WIGGINS
AN ACT
To amend and reenact R.S. 33:1236(31) and R.S. 30:2057(B), relative to governmental regulation; to allow property owners in certain parishes to burn yard waste under certain conditions; to
exclude such burn activities from the provisions of the Louisiana Air Control Law; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1104 (Duplicate of House Bill No. 1885)—
BY SENATOR ROBICHAUX AND REPRESENTATIVE DONELON AND
COAUTHORED BY SENATOR CAMPBELL AND REPRESENTATIVE
THOMPSON
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 corporations or limited liability companies; 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.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1161—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 30:2419, relative to scrap metal recycling; to prohibit the knowing and intentional delivery of certain scrap to a scrap metal collection and recycling facility; to require persons delivering scrap to these facilities to certify that certain prohibited materials have been removed; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1162—
BY SENATOR DARDENNE
AN ACT
To enact R.S. 30:2153(1)(b)(iv), relative to the definition of solid waste; to exclude from the definition of solid waste automotive fluff from automobile shredding; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.
health-related employees; to provide that criminal history checks may be performed by private agencies; to provide that such agencies must be authorized by the office of state police; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Jetson, 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. 309—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 17:416(A)(3)(a)(x) and (B)(1)(b), relative to pupil discipline; to provide for the discipline of a pupil found carrying or possessing a firearm or knife; to provide for applicability by removing certain exceptions for knives having less than a specified blade length; 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. 309 by Representative Flavin

AMENDMENT NO. 1

On page 1, line 17, change "can be" to "is being"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Crane
Curtis
Damico
Daniel
Deville
DeWitt
Diez
Dimos
Doerge
Donelon
Dupre
Durand
Farve
Faucheux
Flavin
Forster
Firth

Total—96

NAYS

Total—0

ABSENT

Carter
Fontenot
Hebert

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Flavin 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. 188—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:1300.52 (B)(1), (C), and (D)(1)(introductory paragraph) and (2) and to enact R.S. 40:1300.51(6), relative to criminal history checks on certain health-related employees; to provide that criminal history checks may be performed by private agencies; to provide that such agencies must be authorized by the office of state police; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Engrossed House Bill No. 188 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 17, after "Part." add the following language:

"Nothing herein shall be construed as expanding the access to confidential law enforcement records of the state of Louisiana or its political subdivisions or authorizing access by said agency to the computerized records of law enforcement agencies.

On motion of Rep. Brun, the amendments were adopted.
Rep. Faucheux moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker Glover Powell</td>
</tr>
<tr>
<td>Alario Green Pratt</td>
</tr>
<tr>
<td>Alexander, A.—93rd Guilford Quezaire</td>
</tr>
<tr>
<td>Alexander, R.—13th Hammett Riddle</td>
</tr>
<tr>
<td>Ansardi Heaton Salter</td>
</tr>
<tr>
<td>Barton Hill Scallie</td>
</tr>
<tr>
<td>Baudoin Holden Schneider</td>
</tr>
<tr>
<td>Baylor Hopkins Shaw</td>
</tr>
<tr>
<td>Bowler Hudson Smith, J.D.—50th</td>
</tr>
<tr>
<td>Bruce Hunter Smith, J.R.—30th</td>
</tr>
<tr>
<td>Brun Jenkins Stelly</td>
</tr>
<tr>
<td>Bruneau Jetson Strain</td>
</tr>
<tr>
<td>Chaisson Johns Theriot</td>
</tr>
<tr>
<td>Copelin Kenney Thomas</td>
</tr>
<tr>
<td>Crane Lancaster Thompson</td>
</tr>
<tr>
<td>Curtis Landrieu Thornhill</td>
</tr>
<tr>
<td>Damico LeBlanc Toomy</td>
</tr>
<tr>
<td>Daniel Long Travis</td>
</tr>
<tr>
<td>Deville Marionneaux Triche</td>
</tr>
<tr>
<td>DeWitt Martiny Vitter</td>
</tr>
<tr>
<td>Diez McCain Walsworth</td>
</tr>
<tr>
<td>Dimos McCallum Warner</td>
</tr>
<tr>
<td>Doerge McDonald Welch</td>
</tr>
<tr>
<td>Donelon McMains Weston</td>
</tr>
<tr>
<td>Dupre Michot Wiggins</td>
</tr>
<tr>
<td>Durand Montgomery Wilkerson</td>
</tr>
<tr>
<td>Farve Morrell Willard-Lewis</td>
</tr>
<tr>
<td>Faucheux Morrish Windhorst</td>
</tr>
<tr>
<td>Flavin Murray Winston</td>
</tr>
<tr>
<td>Forster Perkins Wright</td>
</tr>
<tr>
<td>Fruge Pierre</td>
</tr>
<tr>
<td>Gautreaux Pinac</td>
</tr>
<tr>
<td>Total—94</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total—0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carter Hebert Odinet</td>
</tr>
<tr>
<td>Clarkson Illes Romero</td>
</tr>
<tr>
<td>Fontenot Kennard Rousselle</td>
</tr>
<tr>
<td>Frith Mitchell</td>
</tr>
<tr>
<td>Total—11</td>
</tr>
</tbody>
</table>

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Faucheux 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. 349—**

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:856(1) and to repeal R.S. 22:855(13), relative to admitted assets for certain insurers; to prohibit the use of goodwill by an insurer for an admitted asset for solvency purposes; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. 349 by Representative Bowler

**AMENDMENT NO. 1**

On page 1, line 2, after "22:" insert "855(13) and" and after "and" delete "to repeal R.S. 22:855(13)"

**AMENDMENT NO. 2**

On page 1, line 7, after "22:" delete "856(1) is" and insert "855(13) and 856(1) are"

**AMENDMENT NO. 3**

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

"§855. Admitted assets

For the purposes of this Part, the following assets, if owned by an insurer, shall be known as admitted assets:

* * *"

**AMENDMENT NO. 4**

On page 1, delete lines 13 through 17 and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"(13) Goodwill of an insurer that satisfies the requirements of R.S. 22:856(1), purchased by a domestic life insurance company possessing twice the required capital and surplus. Goodwill shall be the same as defined in the Purposes and Procedures Manual of the Securities Valuation Office of the National Association of Insurance Commissioners. Goodwill shall be amortized in accordance with the instructions set forth in the same manual, and amounts in excess of ten percent of an insurer's capital and surplus shall be written off immediately by a direct charge to surplus.

* * *"
AMENDMENT NO. 5
On page 2, delete line 4 in its entirety

AMENDMENT NO. 6
On page 2, line 5, after "Section" change "3" to "2"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor
Bowler
Bruce
Bruneau
Carter
Chaisson
Copelin
Crate
Curtis
Damico
Daniel
Deville
DeWitt
Dimos
Doerge
Dupre
Durand
Fauches
Flavin
Forster
Fruge
Gautreaux
Glover
Green
Guillory

Total—95

NAYS

Brun

Total—3

ABSENT

Clarkson
Farve
Fontenot

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler 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. 358—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 17:176(E), relative to extracurricular activities; to prohibit limitations on the number of extracurricular activities an otherwise eligible student may participate in during a school year at public and state-approved nonpublic elementary and secondary schools; to provide for effectiveness; 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. 358 by Representative Quezaire

AMENDMENT NO. 1
On page 1, at the end of line 4, delete "and"

AMENDMENT NO. 2
On page 1, at the beginning of line 5, delete "state approved nonpublic"

AMENDMENT NO. 3
On page 1, line 13, after "public" delete the remainder of the line

Rep. Jenkins moved the adoption of the amendments.

Rep. Quezaire objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario
Alexander, R.—13th
Ansardi
Barton
Bowler
Bruce
Bruneau
Carter
Chaisson
Copelin
Crate
Curtis
Damico
Daniel
Deville
DeWitt
Dimos
Doerge
Dupre
Durand
Fauches
Flavin
Forster
Fruge
Gautreaux
Glover
Green
Guillory

Total—95

NAYS

Brun

Total—3

ABSENT

Clarkson
Farve
Fontenot

Total—7

The title of the above bill was read and adopted.
The amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor
Bruce
Carter
Chaisson
Clarkson
Copelin
Curtis
Damico
Daniel
Deville
Diez
Dinos
Doerge
Dupre
Durand
Farve
Fauchaux
Flavin
Forster
Frith
Total—77

NAYS

Baudoin
Baylor
Chaisson
Copelin
Deville
Farve
Frith
Glover
Total—22

ABSENT

Mr. Speaker
Alexander, A.—93rd
Carter
Curtis
Total—10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezaire 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. 615—
BY REPRESENTATIVE ALARIO

AN ACT

To authorize the Jefferson Parish School Board to name the baseball field located at West Jefferson High School in Jefferson Parish, Louisiana, the "Louis Blanda, Sr. Baseball Field"; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor
Bruce
Carter
Chaisson
Clarkson
Copelin
Curtis
Damico
Daniel
Deville
Diez
Dinos
Doerge
Dupre
Durand
Farve
Fauchaux
Flavin
Forster
Frith
Total—99

NAYS

Alario
Bowler
Brun
Bruneau
Crane
Curtis
Damico
Daniel
Deville
Diez
Dinos
Doerge
Donelon
Dupre
Durand
Farve
Fauchaux
Flavin
Forster
Frith
Frige
Total—23

ABSENT

Fontenot
Mitchell
Pierre
Shaw
Total—5

Mr. Speaker
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor
Bower
Bruce
Bruneau
Carter
Chaisson
Clarkson
Copelin
Curtis
Damico
Daniel
Deville
Diez
Dinos
Doerge
Donelon
Dupre
Durand
Farve
Fauchaux
Flavin
Forster
Frith
Frige
Total—99

NAYS

Alario
Bowler
Brun
Bruneau
Crane
Curtis
Damico
Daniel
Deville
Diez
Dinos
Doerge
Donelon
Dupre
Durand
Farve
Fauchaux
Flavin
Forster
Frith
Frige
Total—23
ABSENT
Brun        Johns        Thomas
Fontenot    Mitchell     Warner
Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario 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. 735—
BY REPRESENTATIVE FORSTER

AN ACT

To enact R.S. 14:403.5, relative to the reporting of gunshot wounds; to require medical professionals, medical practitioners, and associated personnel to report the treatment of gunshot wounds; to provide for information to be included in the report; to provide for penalties for failure to make such reports; to provide for certain immunity; and to provide for related matters.

Read by title.

Motion

Rep. Forster moved that House Bill No. 735 be designated as a duplicate of Senate Bill No. 308.

Which motion was agreed to.

Rep. Dimos, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 2, line 6, following "three" and before "days" change "wording" to "working"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 1, at the end of line 5 and the beginning of line 6, delete "to provide for penalties for failure to make such reports;"

AMENDMENT NO. 2

On page 2, delete lines 18 through 20 in their entirety

AMENDMENT NO. 3

On page 2, line 21, change "E." to "D."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Holden and Bowler to Engrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 2, line 1, change "immediately" to "within six hours"

AMENDMENT NO. 2

On page 2, line 5, after "to the" and before "oral" delete "immediate"

AMENDMENT NO. 3

On page 2, line 8, delete "oral and subsequent" and change "reports" to "report"

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

Rep. Forster 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              Powell
Alexander, A.—93rd    Guillory           Pratt
Alexander, R.—13th   Hammett            Quezaire
Ansardi               Heaton             Riddle
Barton                Hebert             Romero
Baudoin               Holden             Rousselle
Baylor                Hopkins            Salter
Brower                Hudson             Scalice
Bruce                 Hunter             Schneider
Bruno                 Iles               Shaw
Bruneau               Jenkins            Smith, J.D.—50th
Carter                Jetson             Smith, J.R.—30th
Chaisson              Johns              Stelly
Clarkson              Kennard            Strain
Copelin               Kenney             Theriot
Crane                 Lancaster          Thomas
Curtis                Landrieu          Thompson
Damico                LeBlanc            Thornhill
Daniel                Long               Toomy
Deville               Marionneaux        Travis
DeWitt                Martiny            Triche
Diez                  McCain            Vitter
Dimos                 McCallum           Walsworth
Doerge                McDonald           Warner
Donelon               McMain            Welch
Durand                Michot             Weston
Farve                 Montgomery         Wiggins
Faucheux              Morrell            Wilkerson
Flavin                Morrish           Willard-Lewis
Forster               Murray             Windhorst
Frith                 Odinet             Winston
Frugé                 Perkins            Wright
Gautreaux             Pierre           
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Forster 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. 737—
BY REPRESENTATIVES FORSTER, BRUCE, BRUNEAU, DUPRE, HEATON, KENNARD, MARIONNEAUX, MCCAIN, PERKINS, ROMERO, AND WINDHORST
AN ACT
To amend and reenact R.S. 14:64.2(B), relative to carjacking; to increase penalties; and to provide for related matters.

Read by title.

Motion
Rep. Forster moved that House Bill No. 737 be designated as a duplicate of Senate Bill No. 310.

Which motion was agreed to.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Copelin to Engrossed House Bill No. 737 by Representative Forster

AMENDMENT NO. 1
On page 1, line 9, after "carjacking" and before "shall" insert "by use of force or intimidation or while armed with a dangerous weapon"

On motion of Rep. Copelin, the above amendments were withdrawn.

Motion
Rep. Murray moved that the bill be returned to the calendar subject to call.

Rep. Forster objected.

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

ROLL CALL
The roll was called with the following result:

YEAS
Baudoin  Green  Pratt
Baylor  Guillory  Quezaire

NAYS
Bruce  Holden  Welch
Carter  Hudson  Weston
Copelin  Hunter  Wilkerson
Doerge  Morrell  Willard-Lewis
Farve  Murray

ABSENT
Fontenot  Hill  Mitchell

Total—11

The House refused to return the bill to the calendar.

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


By a vote of 26 yeas and 59 nays, the House refused to order the previous question on the entire subject matter.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Copelin to Engrossed House Bill No. 737 by Representative Forster

AMENDMENT NO. 1
On page 1, line 2, change "14:64.2(B)" to "14.64.2"
On page 1, line 3, after "penalties;" and before "and" insert the following: "to provide for elements of the crime;"

**AMENDMENT NO. 3**
On page 1, line 5, change "14:64.2(B)" to "14.64.2"

**AMENDMENT NO. 4**
On page 1, line 8, delete the line and insert in lieu thereof the following:

"A. Carjacking is the intentional taking of a motor vehicle, as defined in R.S. 32:1(40), belonging to another person, in the presence of that person, or in the presence of a passenger, or any other person in lawful possession of the motor vehicle, by the use of force or intimidation, while armed with a dangerous weapon."

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

Rep. Forster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Fruge</th>
<th>Perkins</th>
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</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Gautreaux</td>
<td>Pinac</td>
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<tr>
<td>Alexander, A.—93rd</td>
<td>Glover</td>
<td>Powell</td>
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<tr>
<td>Alexander, R.—13th</td>
<td>Green</td>
<td>Quezaire</td>
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<td>Ansardi</td>
<td>Hamentt</td>
<td>Riddle</td>
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<td>Barton</td>
<td>Heaton</td>
<td>Romero</td>
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<td>Baudoin</td>
<td>Hbert</td>
<td>Rousselle</td>
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<td>Baylor</td>
<td>Hill</td>
<td>Salter</td>
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<td>Bowler</td>
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<td>Scalise</td>
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<tr>
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<td>Hopkins</td>
<td>Schneider</td>
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<td>Brun</td>
<td>Hudson</td>
<td>Shaw</td>
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<tr>
<td>Bruneau</td>
<td>Iles</td>
<td>Smith, J.D.—50th</td>
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<tr>
<td>Carter</td>
<td>Jenkins</td>
<td>Smith, J.R.—30th</td>
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<td>Chaisson</td>
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<td>Clarkson</td>
<td>Kennard</td>
<td>Strain</td>
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<td>Copelin</td>
<td>Kenney</td>
<td>Theriot</td>
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<td>Crane</td>
<td>Lancaster</td>
<td>Thomas</td>
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<td>Curtis</td>
<td>Landrieu</td>
<td>Thompson</td>
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<td>Dumico</td>
<td>LeBlanc</td>
<td>Thornhill</td>
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<tr>
<td>Daniel</td>
<td>Long</td>
<td>Toomy</td>
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<tr>
<td>Deville</td>
<td>Marionneaux</td>
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<td>DeWitt</td>
<td>Martiny</td>
<td>Triche</td>
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<td>Diez</td>
<td>McCain</td>
<td>Vitter</td>
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<td>Doerge</td>
<td>McCallum</td>
<td>Walsworth</td>
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<tr>
<td>Donelon</td>
<td>McDonald</td>
<td>Warner</td>
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<td>Dupre</td>
<td>McMains</td>
<td>Weston</td>
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<tr>
<td>Durand</td>
<td>Michot</td>
<td>Wiggins</td>
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<td>Farve</td>
<td>Montgomery</td>
<td>Wilkerson</td>
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<tr>
<td>Faucheux</td>
<td>Morrell</td>
<td>Willard-Lewis</td>
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<td>Flavin</td>
<td>Morrish</td>
<td>Windhorst</td>
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<tr>
<td>Forster</td>
<td>Murray</td>
<td>Winston</td>
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<tr>
<td>Frith</td>
<td>Odinet</td>
<td>Wright</td>
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</tbody>
</table>


**NAYS**

<table>
<thead>
<tr>
<th>Fontenot</th>
<th>Mitchell</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total—5</td>
<td></td>
</tr>
</tbody>
</table>

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Forster 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. 738—**
**BY REPRESENTATIVE FORSTER**

**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 336(A), (B)(introductory paragraph), (D)(introductory paragraph), (E), (F), and (G), relative to release conditioned on pretrial drug testing program; to provide for submission to drug testing as part of booking procedure; to prohibit certain persons from having financial interests in participating drug testing companies; and to provide for related matters.

Read by title.

**Motion**

Rep. Forster moved that House Bill No. 738 be designated as a duplicate of Senate Bill No. 309.

Which motion was agreed to.

Rep. Dimos, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 738 by Representative Forster

**AMENDMENT NO. 1**

On page 2, line 2, following "of" and before "for" change "Article 315" to "Chapter 3"

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

**Speaker Downer in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Farve to Engrossed House Bill No. 738 by Representative Forster

**AMENDMENT NO. 1**

On page 1, line 3, after (B)(introductory paragraph) and before the comma ";" insert "and (1)"

On page 1, line 5, after "procedure;" and before "to" insert "to restrict the drug testing for violations of the Uniform Controlled Dangerous Substances Law, to delete the mandatory testing program in a certain parish;"

**AMENDMENT NO. 2**

On page 1, line 28, after "to do without the drug testing for drug testing for a period of 30 days;" insert "and to provide for a period of time which may exceed 30 days;"

On page 1, line 32, after "will not be" insert "for the purposes of this chapter;"

On page 1, line 33, after "will not be" insert "for the purposes of this chapter;"
On page 1, line 14, after "for a" and before "may be" delete "state crime" and insert in lieu thereof "violation of the Uniform Controlled Dangerous Substances Law"

AMENDMENT NO. 4

On page 1 line 18, after "for a" delete the remainder of the line in its entirety and delete lines 19 and 20 in their entirety and insert in lieu thereof "violation of the Uniform Controlled Dangerous Substances Law"

AMENDMENT NO. 5

On page 2, at the beginning of line 1, before "if released" delete "R.S. 40:961 through 1036,"

AMENDMENT NO. 6

On page 2, line 5, after "may" delete the comma "," and the remainder of the line in its entirety

AMENDMENT NO. 7

On page 2, at the beginning of line 6, before "implement" delete "hundred thousand or more persons shall,"

AMENDMENT NO. 8

On page 2, line 7, after "arrestees" and before "are" insert "for violations of the Uniform Controlled Dangerous Substances Law"

AMENDMENT NO. 9

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

"(1) Mandatory participation for all persons arrested for violations of state law: the Uniform Controlled Dangerous Substances Law."

Rep. Farve moved the adoption of the amendments.

Rep. Forster objected.

Motion

Rep. Morrell moved to table the entire subject matter.

Rep. Forster objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Chaisson          Jetson          Tachie
Copelin           Long            Welch
Deville           Marionneaux    Weston
Diez              McCain          Wilkerson
Doerge            Morrell         Willard-Lewis
Total—45

NAYS

Alexander, R.—13th Jenkins          Scalise
Bruneau           Kennard         Shaw
Clarkson           Kenney          Smith, J.R.—30th
Crane              Lancaster       Stelly
Damoico           Landrieu        Thornhill
Daniel             LeBlanc         Toomy
Dimos              Martiny         Vitter
Donelon           McCallum         Walsworth
Flavin            McDonald        Warner
Forster            McMains         Wiggins
Frith              Montgomery      Windhorst
Fruge              Morrish         Winston
Hammett           Odinet          Wright
Hebert            Powell          
Hill              Salter          
Total—43

ABSENT

Mr. Speaker Hopkins        Romero
Curtis              Iles            Schneider
DeWitt             Johns          Strain
Faucheux           Michot          Thompson
Fontenot           Mitchell       Travis
Holden             Pierre         
Total—17

The House agreed to table the entire subject matter.

HOUSE BILL NO. 739—

BY REPRESENTATIVE FORSTER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 334(7), relative to factors considered in determining the amount of bail to provide that results of tests for controlled dangerous substances by chemical tests of a defendant's blood, urine, hair, perspiration, or other bodily fluids shall be considered in setting bail; and to provide for related matters.

Read by title.

Motion

Rep. Forster moved that House Bill No. 739 be designated as a duplicate of Senate Bill No. 311.

Which motion was agreed to.

Motion

Rep. Forster moved that House Bill No. 739 be designated as a duplicate of Senate Bill No. 311.

Which motion was agreed to.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McCain to Engrossed House Bill No. 739 by Representative Forster

AMENDMENT NO. 1

On page 1, line 17, after "substance" and before "as" insert "at the time of arrest"
On motion of Rep. McCain, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. 739 by Representative Forster

**AMENDMENT NO. 1**

On page 1, line 5, after "urine," and before "shall" delete "hair, perspiration, or other bodily fluids" and insert "breath, or perspiration"

**AMENDMENT NO. 2**

On page 2, line 2, after "urine" delete the remainder of the line and insert in lieu thereof "or perspiration."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Landrieu to Engrossed House Bill No. 739 by Representative Forster

**AMENDMENT NO. 1**

On page 2, line 2, at the end of the line delete the period "." and insert in lieu thereof "conducted in accordance with regulations established by the Department of Public Safety and Corrections, office of state police, applied technology unit."

On motion of Rep. Landrieu, 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. 739 by Representative Forster

**AMENDMENT NO. 1**

On page 1, line 5, after "urine," delete the remainder of the line and insert "or breath shall"

**AMENDMENT NO. 2**

On page 2, line 2, delete "urine, or perspiration," and insert "or urine"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed House Bill No. 739 by Representative Forster

**AMENDMENT NO. 1**

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

"Upon motion of the defendant or his counsel, whenever the court orders blood, breath, urine, hair, perspiration, or other bodily substances tests for purposes of setting bail, the defendant shall be authorized either to be present during testing procedure or to acquire one-half of the sample used to be tested separately by the defendant at his/her expense."

**Motion**

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

As a substitute motion, Rep. Copelin moved that the previous question be ordered on the amendments.


The vote recurred on the substitute motion.

By a vote of 46 yeas and 34 nays, the House agreed to order the previous question on the amendments.

Rep. Hunter moved the adoption of the amendments.

Rep. Forster objected.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
<td>Alario</td>
<td>Farve</td>
</tr>
<tr>
<td>Alexander, A.—93rd</td>
<td>Faucheux</td>
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<td>Ansardi</td>
<td>Glover</td>
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<td>Baudoin</td>
<td>Green</td>
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<td>Baylor</td>
<td>Guillory</td>
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<td>Bowler</td>
<td>Hammett</td>
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<td>Bruce</td>
<td>Hopkins</td>
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<td>Brun</td>
<td>Hudson</td>
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<td>Carter</td>
<td>Hunter</td>
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<td>Clarkson</td>
<td>Jetson</td>
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<tr>
<td>Copelin</td>
<td>Marionnaux</td>
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<td>Deville</td>
<td>McCallum</td>
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<td>DeWitt</td>
<td>Montgomery</td>
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<td>Doerge</td>
<td>Morrell</td>
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<tr>
<td>Durand</td>
<td>Morrish</td>
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<tr>
<td>Total—43</td>
<td></td>
</tr>
</tbody>
</table>

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

"Upon motion of the defendant or his counsel, whenever the court orders blood, breath, urine, hair, perspiration, or other bodily substances tests for purposes of setting bail, the defendant shall be authorized either to be present during testing procedure or to acquire one-half of the sample used to be tested separately by the defendant at his/her expense."
The title of the above bill was read and adopted.

Rep. Forster 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. Thomas, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 740—
BY REPRESENTATIVE FORSTER
AN ACT
To amend and reenact Code of Criminal Procedure Art. 321, relative to the affidavit of surety for posting bail bonds; to require that certain documents be presented to support statements of assets and liabilities; to provide that the authority fixing bail is authorized to administer the affidavit; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Engrossed House Bill No. 740 by Representative Forster

AMENDMENT NO. 1

On page 2, line 6, after "surety" and before "include" insert "may"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed House Bill No. 740 by Representative Forster

AMENDMENT NO. 1

On page 1, line 16, after "surety" and before the comma "," insert "for an amount in excess of fifty thousand dollars"

Rep. Green moved the adoption of the amendments.

Rep. Forster objected.

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

ROLL CALL

The roll was called with the following result:
Carter Carter Hunter Hunter Smith, J.D.—50th Smith, J.R.—30th
Chaisson Chaisson Iles Iles Stelly Stelly
Copelin Copelin Jetson Jetson Theriot Theriot
Damico Damico kenney kenney Thomas Thomas
Devile Devile Long Long Thornhill Thornhill
DeWitt DeWitt Marionneaux Marionneaux Toomy Toomy
Diez Diez McCain McCain Travis Travis
Doerge Doerge Montgomery Montgomery Warner Warner
Dupre Dupre Morrell Morrell Welch Welch
Durand Durand Morrish Morrish Westen Westen
Farve Farve Murray Murray Wilkerson Wilkerson
Faucheux Faucheux Odinet Odinet Willard-Lewis Willard-Lewis
Flavin Flavin Perkins Perkins Wright Wright
Total—63 NAYS

Alexander, A.—93rd Alexander, A.—93rd Fruge Fruge Powell Powell
Alexander, R.—13th Alexander, R.—13th Hebert Hebert Scalise Scalise
Barton Barton Jenkins Jenkins Triche Triche
Bruneau Bruneau Lancaster Lancaster Vitter Vitter
Clarkson Clarkson Landrieu Landrieu Walsworth Walsworth
Crane Crane LeBlanc LeBlanc Wiggins Wiggins
Dimos Dimos McCallum McCallum Windhorst Windhorst
Donelon Donelon McDonald McDonald Wiggins Wiggins
Forster Forster McMains McMains Windhorst Windhorst
Frith Frith Michot Michot
Total—28 ABSENT

Mr. Speaker Mr. Speaker Hopkins Hopkins Romero Romero
Curtis Curtis Johns Johns Schneider Schneider
Fontenot Fontenot Martiny Martiny Strain Strain
Gautreaux Gautreaux Mitchell Mitchell Thompson Thompson
Holden Holden Pierre Pierre
Total—14 The Chair declared the above bill failed to pass.

The amendments were adopted.

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

ROll Call

The roll was called with the following result:

YEAS

Mr. Speaker Mr. Speaker Hammett Hammett Perkins Perkins
Alexander, R.—13th Alexander, R.—13th Hebert Hebert Powell Powell
Ansardi Ansardi Hill Hill Scalise Scalise
Brun Brun Jenkins Jenkins Shaw Shaw
Brunken Brunken Kendall Kendall Smith, J.R.—30th Smith, J.R.—30th
Clarkson Clarkson Lancaster Lancaster Triche Triche
Crane Crane Landrieu Landrieu Vitter Vitter
Dimos Dimos LeBlanc LeBlanc Walsworth Walsworth
Donelon Donelon McCallum McCallum Wiggins Wiggins
Dupre Dupre McDonald McDonald Windhorst Windhorst
Forster Forster McMains McMains Winston Winston
Frith Frith Michot Michot
Gautreaux Gautreaux Odinet Odinet
Total—37

NAYS

Alario Alario Flavin Flavin Quezaire Quezaire
Alexander, A.—93rd Alexander, A.—93rd Fruge Fruge Riddle Riddle
Baudoin Baudoin Glover Glover Rousselle Rousselle
Baylor Baylor Green Green Salter Salter
Boudin Boudin Guillory Guillory Smith, J.D.—50th Smith, J.D.—50th
Bruce Bruce Heaton Heaton Stelly Stelly

The Chair declared the above bill failed to pass.

Rep. Green moved to reconsider the vote by which the above
bill failed to pass, and, on his own motion, the motion to reconsider
was laid on the table.

Motion

On motion of Rep. LeBlanc, House Bill No. 1 was made Special

Suspension of the Rules

On motion of Rep. Welch, 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

HOUSE CONCURRENT RESOLUTIONS

May 8, 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. 162
Returned without amendments.

Respectfully submitted,
MICHAE L S. BAER, III
Secretary of the Senate

Message from the Senate
HOUSE BILLS
May 8, 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 House Bills:

House Bill No. 200
Returned with amendments.

House Bill No. 198
Returned with amendments.

House Bill No. 1437
Returned with amendments.

House Bill No. 1821
Returned with amendments.

House Bill No. 1472
Returned without amendments.

House Bill No. 1075
Returned without amendments.

House Bill No. 1714
Returned without amendments.

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

Message from the Senate
SENATE BILLS
May 8, 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. 58, 151, 294, 359, 389, 447, 513, 516, 529, 616, 699, 704, 827, 832, 894, 927, 1007, 1020, 1070, 1071, 1112, 1114, 1115, 1117, 1156, 1160, 330, 1348, 1385, 1454, 1511, 1546

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

Suspension of the Rules
On motion of Rep. Riddle, 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. 58—
BY SENATOR GUIDRY
AN ACT
To enact R.S. 49:1015(F), relative to employee drug testing; to require drug testing prior to the hiring of certain public employees; to require random drug testing of certain public employees; and to provide for related matters.

Read by title.

SENATE BILL NO. 151—
BY SENATOR JORDAN
AN ACT
To amend and reenact Code of Criminal Procedure Art. 894.2(A)(2); relative to requirements of home incarceration; to provide that home incarceration may be recommended by the district attorney, or under certain circumstances, ordered by the court; and to provide for related matters.

Read by title.

SENATE BILL NO. 294—
BY SENATOR JORDAN
A JOINT RESOLUTION
Proposing to amend and reenact Article III, Section 2(B) of the Louisiana Constitution of 1974, relative to extraordinary sessions of the legislature; to provide that the proclamation for extraordinary sessions of the legislature state in general terms the objects of the session; to provide for the power of the legislature to legislate with regard to such objects; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

SENATE BILL NO. 359—
BY SENATOR GREENE AND REPRESENTATIVE BRUNEAU
AN ACT
To amend and reenact R.S. 18:21(A), 1353(C)(3), and 1371(A), relative to elections; to provide for the notification of contracts for lease of space for voting machines; to provide for the notification of contracts for the delivery of voting machines to the precincts; and to provide for related matters.

Read by title.

SENATE BILL NO. 389—
BY SENATOR GUIDRY
AN ACT
To enact R.S. 32:354(G), relative to motor vehicles; to require rear vision mirrors on state delivery vans; and to provide for related matters.

Read by title.

SENATE BILL NO. 447—
BY SENATOR JORDAN
AN ACT
To amend and reenact Code of Criminal Procedure Art. 899(C), relative to suspended sentence and probation; to provide with respect to arrest or summons for violation of probation; to provide for bail; and to provide for related matters.

Read by title.
SENATE BILL NO. 513—
BY SENATORS COX AND JORDAN
AN ACT
To repeal R.S. 15:571, relative to time limitations, to delete requirement for an expeditious disposition of criminal cases involving minors; and to provide for related matters.
Read by title.

SENATE BILL NO. 516—
BY SENATOR LENTINI
AN ACT
To amend and reenact the introductory paragraph of R.S. 40:1484.2 and R.S. 40:1484.2(4), (5), (6), (7), (8), (9), and (10), 1484.3(A) and (B)(1), 1484.4, 1484.5(B), 1484.6, 1484.7, 1484.8, 1484.9, 1484.10, 1484.11(2), and 1484.13 and to enact R.S. 40:1484.2(11), relative to amusement attractions or rides; to provide for certain inspections on behalf of an owner or operator's insurer prior to operation; to prohibit operation of the attraction or ride until such inspection; and to provide for related matters.
Read by title.

SENATE BILL NO. 529—
BY SENATOR GUIDRY
AN ACT
To amend and reenact R.S. 17:350.21(B), relative to funding of laboratory schools; to increase state funding for the university laboratory schools operated by Louisiana State University and Agricultural and Mechanical College and by Southern University and Agricultural and Mechanical College; and to provide for related matters.
Read by title.

SENATE BILL NO. 616—
BY SENATORS HAINKEL, DARDEENNE AND EWING
AN ACT
To amend and reenact R.S. 30:2351.59, and to repeal R.S. 30:2351.60, relative to lead abatement programs; to provide for licensure, certification, accreditation, and notification fees to be paid into the Lead Hazard Reduction Fund; and to provide for related matters.
Read by title.

SENATE BILL NO. 699—
BY SENATORS BAOJE AND GUIDRY
AN ACT
To enact R.S. 47:463.46, relative to license plates; to create a prestige plate to promote Louisiana education; to provide for a fee; to create a special fund and to provide for the use of revenue from the plate; to purchase text books; to provide relative to the design of the plate; to authorize promulgation of rules; and to provide for related matters.
Read by title.

SENATE BILL NO. 704—
BY SENATOR LANDRY
AN ACT
To enact R.S. 32:1728.2, relative to motor vehicles; to provide with respect to the procedure for disposal of junk vehicles; and to provide for related matters.
Read by title.
plan status under the Internal Revenue Code; to provide for direct rollover of funds from a qualified retirement plan to certain eligible plans; to repeal provision requiring income tax withholdings pending certain rulings; and to provide for related matters.

Read by title.

SENATE BILL NO. 1071—
BY SENATOR LANDRY
AN ACT
To amend and reenact R.S. 32:1253(B)(2), (D), and (I), and 1254(C) and (K)(2), and to enact R.S. 32:1254(A)(3) and 1256(I), relative to the Louisiana Motor Vehicle Commission; to provide for the location and domicile of the commission; to provide for certain powers of the commission; to provide for the application for motor vehicle dealer licenses and certain duties of the applicants; to provide for cease and desist orders; and to provide for related matters.

Read by title.

SENATE BILL NO. 1112—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 23:1121(B) and 1124, relative to worker’s compensation; to provide for expedited hearing relative to examination of injured employee; to provide with respect to refusal to submit to medical examinations; to provide for expedited hearing; and to provide for related matters.

Read by title.

SENATE BILL NO. 1114—
BY SENATOR DARDENNE
AN ACT
To enact R.S. 23:1208(C)(4), relative to worker’s compensation; to provide with respect to misrepresentations concerning benefits; to provide for definition; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 1115—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 23:1208(D), relative to worker’s compensation; to provide with respect to misrepresentations concerning benefit payment; to authorize restitution; and to provide for related matters.

Read by title.

SENATE BILL NO. 1117—
BY SENATOR DARDENNE
AN ACT
To amend and reenact R.S. 23:1121(A), relative to worker’s compensation; to provide with respect to examination of injured employee; to provide for reasonable diagnostic testing; and to provide for related matters.

Read by title.

SENATE BILL NO. 1156—
BY SENATOR HINES
AN ACT
To amend and reenact Sections 2(A) and (b) and 3 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 572 of the 1984 Regular Session of the Legislature, and Act No. 1013 of the 1993 Regular Session of the Legislature, relative to the board of commissioners for the Ernest N. Morial-New Orleans Exhibition Authority; to add one additional member to the board; to provide for confirmation of members; to provide with respect to quorum requirements; and to provide for related matters.

Read by title.
SENATE BILL NO. 1546 (Substitute for Senate Bill No. 511 by Senator Cox)—
BY SENATOR COX
AN ACT
To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised
Statutes of 1950, to be comprised of R.S. 28:221 through 234,
relative to civil commitment; to provide for special procedures
for commitment of sexually violent predators; to define terms;
to provide for offenses considered as sexually violent offenses;
to provide for initial assessments, the filing of sexually violent
offender petitions, detention, evaluations, hearing procedures,
trials, and dispositions in connection therewith; to provide for
periodic examinations and judicial review; to provide for
notifications upon release; to provide for special allegations in
certain criminal cases; to provide with respect to confidential or
privileged information and the sealing of court records; and to
provide for related matters.
Read by title.

Message from the Senate
ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS
May 8, 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 No. 61

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. 47—
BY REPRESENTATIVES MURRAY, ALEXANDER, COPELIN, FARVE,
GREEN, MORRELL, PRATT, AND WILLARD-LEWIS
A RESOLUTION
To express the condolences of the House of Representatives of the
Legislature of Louisiana and its sincere regrets upon the death of
Mrs. Thelma L. Tucker Desselle Smith.
Read by title.

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

HOUSE RESOLUTION NO. 48—
BY REPRESENTATIVES FORSTER AND MCMAINS
A RESOLUTION
To commend small businesses for their contribution to the economic
health of the state and for their civic and social contributions to
communities throughout Louisiana to declare May 8, 1997, as
Small Business Day at the House of Representatives of the
Louisiana Legislature.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE THORNHILL
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana
upon the death of James Edward Champagne of Covington.
Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION
To recognize the month of May as “National Stroke Month” and to
commend the National Stroke Association for efforts to promote
public awareness of the high incidence of stroke and stroke’s
symptoms, as well as its preventability and treatability.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice
May 8, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal
Justice to submit the following report:

House Concurrent Resolution No. 156, by Riddle
Reported with amendments. (7-0-1)

House Bill No. 186, by Dupre
Reported favorably. (6-0-1) (Regular)

House Bill No. 526, by Dupre
Reported favorably. (6-0-1) (Regular)

House Bill No. 685, by Odinet
Reported with amendments. (5-2-1) (Regular)

House Bill No. 711, by Barton
Reported with amendments. (5-1-1) (Regular)

House Bill No. 1395, by Windhorst
Reported with amendments. (6-1-0) (Regular)

House Bill No. 1839, by Windhorst
Reported with amendments. (7-2-1) (Regular)

House Bill No. 1971, by Bowler
Report of the Committee on Health and Welfare

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1806, by Rodney Alexander
Reported with amendments. (9-0) (Regular)

Senate Concurrent Resolution No. 7, by Hines
Reported favorably. (9-0)

Senate Bill No. 175, by Hines
Reported with amendments. (9-5) (Regular) (Duplicate)

Senate Bill No. 459, by Hines
Reported favorably. (10-0) (Regular)

Senate Bill No. 501, by Hines
Reported favorably. (11-0) (Regular)

Senate Bill No. 502, by Hines
Reported favorably. (11-0) (Regular)

Senate Bill No. 503, by Hines
Reported favorably. (9-0) (Regular)

Senate Bill No. 1303, by Hines
Reported favorably. (10-0) (Regular) (Duplicate)

RODNEY ALEXANDER
Chairman

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

Report of the Committee on House and Governmental Affairs

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 370, by Dimos
Reported favorably. (8-0) (Regular)

House Bill No. 2127, by Thornhill
Reported with amendments. (9-1) (Regular)

House Bill No. 2303, by Copelin
Reported with amendments. (9-0) (Regular)

House Bill No. 2329, by Pratt
Reported with amendments. (10-0) (Regular)

HOUSE BILL NO. 2413, by Deville
Reported with amendments. (9-0) (Regular) (Duplicate)

HOUSE BILL NO. 2472, by Windhorst
Reported with amendments. (8-0) (Regular)

HOUSE BILL NO. 2495, by Walsworth
Reported favorably. (8-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 100—
BY SENATOR GUIDRY
A CONCURRENT RESOLUTION
To urge and request the immediate reinstatement of Melissa Williamson by the legislative auditor.

Called from the calendar.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

Leave of Absence

Rep. Fontenot - 1/2 day
Rep. Johns - 1/2 day
Adjournment

On motion of Rep. Jetson, at 6:30 P.M., the House agreed to adjourn until Friday, May 9, 1997, at 10:00 A.M.

The Speaker of the House declared the House adjourned until 10:00 A.M., Friday, May 9, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, Emeritus