OFFICIAL JOURNAL

OF THE

HOUSE OF

REPRESENTATIVES

OF THE

STATE OF LOUISIANA

THIRTY-FOURTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, May 16, 1997

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

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor
Bowler
Bruce
Brun
Brunneau
Carter
Chaisson
Clarkson
Copelin
Crane
Curtis
Damico
Daniel
Deville
DeWitt
Diez
Doerge
Donelon
Dupre
Durand
Farve
Faucheux

Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Holden
Hopkins
Hudson
Hunter
Iles
Jenkins
Jetson
Johns
Kennard
Kenney
Lancaster
Landrieu
LeBlanc
Long
Marionneaux
Martiny
McCain
McCallum
McDonald
McMains
Michot
Mitchell

Pierre
Pinac
Powell
Pratt
Quezaire
Riddle
Romero
Rousselle
Salter
Schneider
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Strain
Theriot
Thomas
Thompson
Thornton
Toomy
Travis
Triche
Vitter
Walshworth
Warner
Welch
Weston
Wiggins

ABSENT

Dimos

The Speaker announced that there were 104 members present
and a quorum.

Prayer

Prayer was offered by Rev. Roy Stubbins.

Pledge of Allegiance

Rep. Walsworth 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. Walsworth, the reading of the Journal was
dispensed with.

On motion of Rep. Holden, the Journal of May 15, 1997, was
adopted.

Suspension of the Rules

On motion of Rep. LeBlanc, 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.

Petitions, Memorials and
Communications

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

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

May 16, 1997

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

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

Senate Concurrent Resolution Nos. 3, 101, and 108

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 15, 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. 74, 117, 781, 879, 934, and 978

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. 74—
BY SENATOR LANDRY
AN ACT
To amend and reenact R.S. 33:103(A) and (B) and 2955(A)(1)(d), relative to municipalities and parishes; to provide relative to investments of such entities; to provide relative to time certificates of deposit; and to provide for related matters.

Read by title.

SENATE BILL NO. 117—
BY SENATOR LANDRY
AN ACT
To amend and reenact R. S. 54:111(1) and 116, relative to warehouses; to provide relative to definitions; to eliminate certain required payments; to provide for authorization of court to require certain payments; to provide for maximum payments under certain conditions; and to provide for related matters.

Read by title.

SENATE BILL NO. 781—
BY SENATOR COX
AN ACT
To amend and reenact the title of Chapter 12-B of Title 33 of the Louisiana Revised Statutes of 1950, R.S. 33:4710.1(1), 4710.2(A)(1), and 4710.3(A)(10) and R.S. 38:2233.2(E)(3), relative to the Chennault Industrial Air Park Authority; to change name of such authority to the Chennault International Airport Authority; and to provide for related matters.

Read by title.

SENATE BILL NO. 879—
BY SENATOR LANDRY
AN ACT
To amend and reenact R. S. 46:1074, relative to hospital service districts; to authorize the hospital service district commission to sell and convey certain immovable property; to provide for certain requirements prior to the sale and conveyance; to provide for exemption; and to provide for related matters.

Read by title.

SENATE BILL NO. 934—
BY SENATORS ELLINGTON AND SCHEDLER
AN ACT
To amend and reenact R.S. 46:1074, relative to hospital service districts; to authorize the hospital service district commission to sell and convey certain immovable property; to provide for certain requirements prior to the sale and conveyance; to provide for exemption; and to provide for related matters.

Read by title.

SENATE BILL NO. 978—
BY SENATORS IRONS, BAJORIE, CASANOVA, HINES, LANDRY AND SCHEDLER AND REPRESENTATIVE WILLARD-LEWIS
AN ACT
To enact Part L of Chapter 5 of Title 40, to be comprised of R.S. 40:1300.111 through 1300.115, relative to health care for Alzheimer's patients; to require facilities that offer to provide or provide a special care program or special unit for persons with Alzheimer's disease or a related disorder to disclose certain information; to provide for definitions; to provide for promulgation of rules and regulations; and to provide for related matters.

Read by title.

Privileged Report of the Legislative Bureau

May 16, 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. 273
Reported without amendments.

Senate Bill No. 536
Reported without amendments.

Senate Bill No. 1152
Reported with amendments.

Senate Bill No. 1285
Reported with amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 175—
BY REPRESENTATIVE DOWNER
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature for a less onerous method of garnishment under a writ of fieri facias with respect to the third party garnishee.

Read by title.

Under the rules, the above resolution was referred to the Committee on Civil Law and Procedure.
HOUSE CONCURRENT RESOLUTION NO. 178—
BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION
To urge and request the State Employees Group Benefits Program (SEGBP) to extend its open enrollment period to July 1, 1997.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR GUIDRY
A CONCURRENT RESOLUTION
To request the State Civil Service Commission and the State Police Commission to implement a plan for pooling employee leave.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR ULLO
A CONCURRENT RESOLUTION
To memorialize Congress to request the Environmental Protection Agency to grant an exemption relative to the painting of the Crescent City Connection which would limit the requirements for the removal and capture of residue from previous paint coatings during the painting procedure.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATORS HAINKEL AND EWING
A CONCURRENT RESOLUTION
To clarify the Louisiana Legislature's intent that Act 761 of the 1985 Regular Session, which added R.S. 47:1580(B)(2) and (3), and Act 245 of the 1991 Regular Session, which added R.S. 47:1623(E)(1) and (2), were enacted to suspend the prescription of income tax solely for the purpose of incorporating federal changes that result from audits by the Internal Revenue Service.

Read by title.

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

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. 530—
BY SENATORS GUIDRY AND BAJORIE
AN ACT
To amend and reenact R.S. 46:460(4) and to enact R.S. 46:460(7) and R.S. 46:460.4, relative to public assistance; to define Temporary Assistance to Needy Families (TANF); to establish individual development accounts; to provide for administration of such accounts; to require earned income disregard for certain transactions; to require Department of Social Services to promulgate rules and regulations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 594—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT
To amend and reenact R.S. 40:600.4(A)(2), relative to the Louisiana Housing Finance Agency; to provide for membership of the board of commissioners; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 599—
BY SENATOR ROMERO
AN ACT
To enact Section 9(f) of the charter of the city of New Iberia, as originally enacted by Act No. 187 of the 1910 Regular Session and as subsequently amended as provided by law, relative to the compensation paid to mayor, mayor pro tem and trustees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 740—
BY SENATORS IRONS, HEITMEIER, DARDENNE AND EWING
AN ACT
To amend and reenact R.S. 40:2010.2, relative to the office of the state long term care ombudsman; to provide relative to funding of such office; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 796—
BY SENATOR BAGNERIS
AN ACT
To amend and reenact R.S. 22:215.1(B), relative to health care services; to provide coverage for ambulatory transportation for a temporarily medically handicapped mother and her newly born infant; to prohibit certain insurance policies from imposing certain limitations on coverage; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 797—
BY SENATORS BAGNERIS AND GUIDRY
AN ACT
To enact R.S. 44:36(E), relative to public records; to provide for retention of certain records by prosecuting agencies; to provide for effective date; and to provide for related matters.
Read by title.

Motion

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

SENATE BILL NO. 936—
BY SENATOR HOLLI$ AN ACT
To amend and reenact R.S. 32:5, relative to the Highway Regulatory Act; to authorize certain law enforcement officers to stop vehicles only while in marked police units; 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. 1475—
BY SENATORS SCHEDLER, COX, GUIDRY AND ULLO AN ACT
To repeal Civil Code Art. 1501, relative to inter vivos donations or those placed in trust and the right to reduce excessive donations.

Read by title.

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

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 RESOLUTION NO. 13—
BY REPRESENTATIVE MCCAIN A RESOLUTION
To create an interim committee to study the problems associated with the solicitation of clients by some attorneys.

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 Resolution No. 13 by Representative McCain

AMENDMENT NO. 1
On page 1, delete line 2, and insert the following:

"To request the House Committee on Administration of Criminal Justice to study the problems associated with the"

AMENDMENT NO. 2
On page 2, line 4, after "RESOLVED" change "by" to "that"

AMENDMENT NO. 3
On page 2, delete lines 5 and 6 and insert the following:

"the Legislature of Louisiana does hereby request the House Committee on Administration of Criminal Justice to study the problems associated with the solicitation of clients by"

AMENDMENT NO. 4
On page 2, delete lines 8 through 15, and insert the following:

"BE IT FURTHER RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby request the House Committee on Administration of Criminal Justice to invite the chief justice of the Louisiana Supreme Court or his designee, the president of the Louisiana State Bar Association or his designee, the chairman of the Advertising Committee of the Louisiana State Bar Association or his designee, the chairman of the Disciplinary Board of the Louisiana Supreme Court or his designee, the Disciplinary Counsel of the Disciplinary Board of the Louisiana Supreme Court, the president of the Louisiana Trial Lawyers Association or his designee, and the president of the Louisiana Association of Defense Counsel or his designee to give testimony and comment to the committee on the issues contained within this Resolution."

AMENDMENT NO. 5
On page 1, line 16, delete "this interim committee" and insert "the House Committee on Administration of Criminal Justice"

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

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

HOUSE RESOLUTION NO. 33—
BY REPRESENTATIVE LEBLANC A RESOLUTION
To amend and readopt House Rule 7.16 of the Rules of Order of the House of Representatives to require a fiscal note on all legislative instruments which will affect the receipt, expenditure, or allocation of state funds or of funds of any political subdivision of the state or which will authorize the issuance of general obligation bonds or other general obligations of the state prior to final passage or adoption.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 74—
BY REPRESENTATIVES HAMMETT AND HEATON A CONCURRENT RESOLUTION
To request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study and make recommendations with respect to the problems of funding and work overloads of Louisiana’s probation and parole officers and to consider the possible transfer of probation supervision to local judicial districts.

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 Concurrent Resolution No. 74 by Representative Hammett

**AMENDMENT NO. 1**

On page 1, delete line 2, and insert the following:

"To request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study"

**AMENDMENT NO. 2**

On page 2, delete lines 18 and 19 and insert the following:

"does hereby request the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study all aspects of probation and parole"

**AMENDMENT NO. 3**

On page 2, delete lines 25 through 27 and on page 3, delete lines 1 and 2

**AMENDMENT NO. 4**

On page 3, line 3, delete "committee created herein" and insert "joint committee"

**AMENDMENT NO. 5**

On page 3, delete lines 8 and 9 and insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby request the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C to invite the head of the probation and parole programs for adults in the Department of Public Safety and Corrections or his designee, an active probation and parole officer, and a former probation and parole officer with more than ten years of experience in probation and parole to give comment and testimony to the joint committee regarding the issues contained within this Concurrent Resolution."

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

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

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**HOUSE CONCURRENT RESOLUTION NO. 157—**

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

**HOUSE CONCURRENT RESOLUTION NO. 160—**

BY REPRESENTATIVE ROUSSELLE

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

**HOUSE CONCURRENT RESOLUTION NO. 161—**

BY REPRESENTATIVE MCCAIN

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

**HOUSE CONCURRENT RESOLUTION NO. 165—**

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To memorialize U.S. Congress to standardize administration and regulation of federal laws on the taking of migratory game birds.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

On motion of Rep. Lancaster, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 803—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To enact R.S. 56:303.8 and to repeal R.S. 56:305(B)(14)(c), relative to fishing and fishing licenses; to provide relative to the effect of such violations on eligibility to hold a commercial fisherman's license and obtain net buy back; to provide certain terms, conditions, and requirements; and to provide for related matters.

Reported 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. 803 by Representative Rousselle

AMENDMENT NO. 1
On page 1, line 2, after "To" and before "repeal" insert:
"enact R.S. 56:303.8, and to"

AMENDMENT NO. 2
On page 1, line 2, after "56:305(B)(14)(c)," and before "relative"
"insert:
"relative to fishing and fishing licenses; to provide"

AMENDMENT NO. 3
On page 1, line 5, after "violation" delete the period and insert a semi-colon ";" and the following:
"to provide relative to the effect of such violations on eligibility to hold a commercial fisherman's license and obtain net buy back; to provide certain terms, conditions, and requirements; and to provide for related matters."

AMENDMENT NO. 4
On page 1, between lines 6 and 7, insert the following:
"Section 1. R.S. 56:303.8 is hereby enacted to read as follows:
§303.8. License eligibility; class three or greater violations; prohibitions
A. Notwithstanding any other provision of law to the contrary, after August 15, 1997, any person convicted of a fishery-related class three or greater violation shall not be eligible to hold a commercial fisherman's license for a period of two years from the date of conviction. Upon a second conviction of such person for a fishery-related class three or greater violation, his period of ineligibility to hold a commercial fisherman's license shall be five years from the
date of conviction. Upon a third and subsequent conviction of such person for a fishery-related class three or greater violation, his period of ineligibility to hold a commercial fisherman's license shall be ten years from the date of conviction.

B. Any person who has been ineligible to hold a commercial fisherman's license under the provisions of Subsection A, and who thereafter seeks to obtain a commercial fisherman's license after the period of ineligibility has expired, shall not be eligible for net buy back.

AMENDMENT NO. 5

On page 1, line 7, change "Section 1." to "Section 2."

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. 805—

BY REPRESENTATIVE ROUSSELLE

AN ACT

To enact R.S. 56:432.1, relative to oyster leases; to provide relief for those leases impacted by coastal restoration activities; 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. 805 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 2, after the word and semi-colon "leases;" delete the remainder of the line and insert:

"to provide relative to oyster lease relocation; to provide relief"

AMENDMENT NO. 2

On page 1, line 7, after "§432.1," delete the remainder of the line and insert "Oyster Lease Relocation Program"

AMENDMENT NO. 3

On page 1, line 10, delete "Department of Natural Resources" and insert in lieu there of "Louisiana"

AMENDMENT NO. 4

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

"and offset the potential adverse impact of the coastal restoration efforts on oyster leases issued pursuant to this Subpart. The Department of Natural Resources shall be responsible to the Department of Wildlife and Fisheries for all additional agreed upon costs to the oyster leasing program, and shall pay quarterly into the Louisiana Wildlife and Fisheries Conservation Fund sums sufficient to offset additional agreed upon costs to the oyster leasing program as a result of the Louisiana coastal restoration program.

B. The program shall, at a minimum, include identification of probable impact areas. Leaseholders whose leases may be adversely affected shall have the following options which shall be mutually exclusive for each lease affected:

AMENDMENT NO. 5

On page 2, delete lines 1 through 27 and insert in lieu thereof:

"(1) Exchange. Lease exchanges for acreage available for lease by the department, and acceptable by the leaseholder, shall be "in kind" and shall serve as a continuance of comparable operations for the leaseholder. This exchanged lease shall begin a new term. Procedures for "in kind" exchanges shall require assessment of the current lease value and productive status, as well as assessment of the comparable site outside of the probable impact area.

(2) Relocation. Relocation shall require the replacement of the current lease site with another site or sites outside of the probable impact area. All costs of relocation, including but not limited to applicable state fees, shall be considered a part of the costs of the coastal restoration project and shall be funded from that source. The state, in consultation with the Oyster Task Force, shall determine the relocation costs for each affected lease. All costs shall be reimbursed to the leaseholder for relocation of the affected lease. All costs must be reasonable and allowable as determined by the state of Louisiana.

(3) Retention. The leaseholder may choose to retain the affected lease without compensation. The leaseholder shall thereafter retain the lease which shall contain a clause stipulating that the lease is subservient to any coastal restoration project. The lease shall also contain a clause stipulating that the leaseholder accepts the risks of operating in the affected area. At a later time, the leaseholder may choose from one of the other options.

(4) Purchase. After the state of Louisiana assesses the value of a lease within the affected area, and the purchase of the leasehold is more cost-effective to the state than relocation, the leaseholder may request that the state purchase the lease and any improvements on the lease. The state may purchase the lease and any improvements. Any area so purchased may not be re-leased for oyster cultivation purposes."

AMENDMENT NO. 6

On page 3, delete lines 1 through 11 in their entirety

AMENDMENT NO. 7

On page 3, line 12, change "D." to "C."

AMENDMENT NO. 8

On page 3, line 16, delete "mitigation relief" and insert in lieu thereof "oyster lease relocation"

AMENDMENT NO. 9

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

"D. The Department of Wildlife and Fisheries, in consultation with the Oyster Task Force, shall promulgate rules and regulations under the provisions of the Administrative Procedure Act. Such rules and regulations shall include procedures for assessments and
To amend and reenact R.S. 56:325.4(D)(2) and 333(G)(2), relative to
the Louisiana Gaming Control Board; to provide that the
hearing officer does not have to be a full-time board employee;
and to provide that the board may contract with attorneys to provide
hearing officer services; to provide that certain records of the
board are public records; 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. 1092 by Representative
Windhorst

AMENDMENT NO. 1
On page 1, line 2, after "(B)(1)" insert a comma ",", and delete "and"

AMENDMENT NO. 2
On page 1, line 3, after "27:25(A)(3)," insert "and to repeal R.S.
27:21(A)(2)(c) and (h)."

AMENDMENT NO. 3
On page 1, line 6, after "services;" and before "and" insert "to provide
that certain records of the board are public records;"

AMENDMENT NO. 4
On page 2, line 8, delete "that" and insert "which is required to be
heard under the Administrative Procedure Act shall be heard by the
board, or referred to a hearing officer. The hearing shall be"

AMENDMENT NO. 5
On page 2, delete line 9 in its entirety and on line 10 delete "heard by
a hearing officer in"

AMENDMENT NO. 6
On page 2, between lines 12 and 13 insert the following:

"Section 2. R.S. 27:21(A)(2)(c) and (h) are hereby repealed in
their entirety."

AMENDMENT NO. 7
On page 2, at the beginning of line 13, change "Section 2." to
"Section 3."

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 1124—
BY REPRESENTATIVE WIGGINS
AN ACT
To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 403, relative to gaming; to provide with respect to the advertising of gaming and gambling activities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1125—
BY REPRESENTATIVE WIGGINS
AN ACT
To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 403, relative to gaming; to provide with respect to the advertising of gaming and gambling activities other than the state lottery; 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. 1332—
BY REPRESENTATIVE WIGGINS
AN ACT
To amend and reenact R.S. 37:1171(5), 1360.22(8), 1360.31(A)(1) and (C) and to enact R.S. 37:1270.1(I) and 1360.31(D), relative to physician assistants; to provide for definitions; to provide for request, receive, and distribute professional samples at the direction of the supervising physician; to limit authority to prescribe and dispense to demonstration projects; to provide for the development and implementation of demonstration projects; 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. 1332 by Representative Wiggins

**AMENDMENT NO. 1**

On page 1, line 3, after "R.S." and before "relative" delete "37:1360.31(D)," and insert "37:1270.1(I) and 1360.31(D),"

**AMENDMENT NO. 2**

On page 1, line 10, after "physician;" and before "and to" insert the following:

"to limit authority to prescribe and dispense to demonstration projects; to provide for the development and implementation of demonstration projects;"

**AMENDMENT NO. 3**

On page 1, line 13, after "R.S." and before "hereby" delete "37:1360.31(D) is" and insert "37:1270.1(I) and 1360.31(D) are"

**AMENDMENT NO. 4**

On page 2, between lines 7 and 8, insert the following:

"§1270.1. Physician Assistants Advisory Committee

* * *"

I. In addition to the powers and duties provided in Subsection C of this Section, the committee shall:

(1) Not later than January 1, 1998, recommend to the board for adoption, rules and regulations governing the formulation of demonstration projects using physician assistants-certified (PA-C's) to provide specified prescriptive services under physician direction in certain underserved health care areas and certain areas of demonstrated health care needs in the state as determined by appropriate and scientific criteria, including but not limited to physician to general population ratios. The board shall act upon the committee's recommended rules and regulations within forty-five days from the date of receipt by the chairman of the board. In the event the board does not act upon such recommended rules and regulations within sixty days, such inaction shall constitute approval by the board of the recommended rules and regulations, and the board shall adopt and promulgate such rules and regulations in accordance with the Administrative Procedure Act.

(2) Recommend the location and scope of prescriptive authority under physician direction in the designated areas of need in accordance with rules and regulations recommended by the advisory committee and approved by the board.

(3) Make a written report of its activities to the House and Senate Committees on Health and Welfare prior to the 1999 Regular Session and a written report of its findings, recommendations, and proposed legislation regarding prescriptive authority sixty days prior to the 1999 Regular Session.

* * *

**AMENDMENT NO. 5**

On page 4, between lines 13 and 14, insert the following:

"(5) A physician assistant-certified (PA-C) may only prescribe, dispense, and administer drugs and medical devices if so authorized by the board and to the extent he is authorized to do so in accordance with a demonstration project as provided in rules and regulations adopted pursuant to R.S. 37:1270.1(I).

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. 1386—
BY REPRESENTATIVE MCCAIN
AN ACT
To amend and reenact Code of Criminal Procedure Art. 644(A) and (B), relative to the appointment of a sanity commission in criminal proceedings; to provide for the composition and qualifications of members of a sanity commission; 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. 1447—
BY REPRESENTATIVE DONELON
AN ACT
To amend and reenact R.S. 22:2029(1), relative to dental referral plans; to delete dental care providers from the definition of "dental referral plan"; 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. 1721—
BY REPRESENTATIVE TRICHE
AN ACT
To amend and reenact R.S. 56:305.5(B), 325.3(C)(4), 325.4(B)(4), 333(B)(5), and 406(A)(3)(e) and to repeal R.S. 56:305(B)(4)(b) and (14)(a), relative to fishing; to provide relative to issuance by the Department of Wildlife and Fisheries of certain fishing permits, tags, and licenses; to provide relative to fishing nets and the requirements to obtain certain net tags; to prohibit the Department of Wildlife and Fisheries from issuance of any tag for a mullet or pompano strike net to a person who does not have a social security number; to repeal the requirement for a commercial rod and reel gear license that the applicant hold a gill net license in two of three years; to repeal the requirement for payment of a permit fee when obtaining a permit for traversing state waters to and from the federal exclusive economic zone; 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. 1721 by Representative Triche

AMENDMENT NO. 1
On page 2, at the end of line 8, add the following:

"Prior to application for such permits, the applicant shall have completed a two-year apprenticeship program as provided for by law."

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. 1879—
BY REPRESENTATIVE DONELON
AN ACT
To amend and reenact R.S. 32:865(A) and (B)(1) and (2), relative to criminal penalties for driving without liability insurance or other security; to increase those 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. 1879 by Representative Donelon

AMENDMENT NO. 1
On page 1, line 14, change "one year," to "six months."

AMENDMENT NO. 2
On page 2, line 1, change "one year," to "six months."

AMENDMENT NO. 3
On page 2, line 18, after "dollars," delete the remainder of the line and on line 19, delete "than one year, or both."

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. 1920—
BY REPRESENTATIVE DEWITT AND SENATOR HINES
AN ACT
To enact R.S. 40:2006, relative to the regulation of health care providers by the Department of Health and Hospitals; to require any health care provider to be physically separated from other health care providers; to require any health care provider to be clearly identifiable and distinguishable from other health care providers; to require all health care providers on one premises to comply with local or statewide codes; to provide for exceptions from requirements; to provide for rulemaking; 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. 1920 by Representative DeWitt

**AMENDMENT NO. 1**
On page 1, line 15, after "or," and before "within" insert "if"

**AMENDMENT NO. 2**
On page 2, between lines 11 and 12, insert the following:

"(4) "Appropriate signage" means a display, device, or inscription which is located upon, attached to, or painted on the entrance to the health care provider indicating the legal or trade name and address of the health care provider occupying that building, premises, or physical location.

**AMENDMENT NO. 3**
On page 2, line 16, after "distinguishable" and before "from" insert "by appropriate signage"

**AMENDMENT NO. 4**
On page 2, line 19, after "care" and before "shall" delete "facility" and insert "provider"

**AMENDMENT NO. 5**
On page 2, line 19, after "shall be" delete "contiguous" and at the beginning of line 20, delete "with one another and noncontiguous and"

**AMENDMENT NO. 6**
On page 3, delete lines 1 through 14 and insert the following:

"D. If more than one health care provider occupies the same building, premises, or physical location, each such health care provider shall have its own entrance. This separate entrance shall have appropriate signage and shall be clearly identifiable as belonging to one health care provider. Nothing in this Section shall prohibit a health care provider occupying the same building, premises, or physical location as another health care provider from utilizing the entrance, hallways, stairs, elevators, or escalators of another health care provider to provide access to its separate entrance.

**AMENDMENT NO. 7**
On page 3, delete line 15 through 22 and at the beginning of line 23, delete "F."

**AMENDMENT NO. 8**
On page 3, line 23, after "Subsection" and before "of this Section" delete "G."

**AMENDMENT NO. 9**
On page 3, line 25, after "department" and before "or having" delete "secretary."

**AMENDMENT NO. 10**
On page 4, delete 1 in its entirety

**AMENDMENT NO. 11**
On page 4, at the beginning of line 2, delete "(2)" and insert "(1)"

**AMENDMENT NO. 12**
On page 4, at the end of line 3, delete the period "." and add the following:

"for reasons other than as set forth in Subsection H of this Section."

**AMENDMENT NO. 13**
On page 4, at the beginning of line 4, delete "(3)" and insert "(2)"

**AMENDMENT NO. 14**
On page 4, at the end of line 7, add the following:

"This provision shall not apply to situations in which a Louisiana Medicaid provider agreement is terminated solely because of the sale of a health care provider."

**AMENDMENT NO. 15**
On page 4, at the beginning of line 8, delete "(4)" and insert "(3)"

**AMENDMENT NO. 16**
On page 4, line 9, after "building" delete the comma "," and the remainder of the line and delete line 10 in its entirety and insert "or premises."

**AMENDMENT NO. 17**
On page 4, at the beginning of line 11, delete "G."

**AMENDMENT NO. 18**
On page 4, line 13, after "Subsection" and before "of this Section" delete "F."

**AMENDMENT NO. 19**
On page 4, at the end of line 14, change the period "." to a comma "," and insert the following:

"except under any one or more of the following circumstances:

(1) A construction contract for the construction of a branch or off-site campus of a health care provider is signed on or before the effective date of this Section.

(2) A contract for renovations to a branch or off-site campus of a health care provider is signed on or before the effective date of this Section.

(3) A contract to lease a branch or off-site campus of a health care provider is signed on or before the effective date of this Section."
AMENDMENT NO. 20
On page 4, at the beginning of line 15, delete "H." and insert "G.(1)"

AMENDMENT NO. 21
On page 4, line 15, after "provisions of" and before "Section" delete "the" and insert "this"

AMENDMENT NO. 22
On page 4, at the beginning of line 16, delete "of physicians" and insert "of any physician"

AMENDMENT NO. 23
On page 4, line 16, after "operation of the" and before "office" insert "physician's"

AMENDMENT NO. 24
On page 4, between lines 19 and 20, insert the following:

"(2) Nothing in this Section shall be construed to:

(a) Prohibit the location of an adult day health care center in the same building, premises, or physical location as a nursing home.

(b) Prohibit a hospital, as defined in the applicable hospital licensing standards or statutes, of sixty beds or less from leasing beds to Louisiana State University or the Louisiana Health Care Authority.

(c) Prohibit a health care provider from occupying or sharing premises, facilities, treatment areas, or administrative areas, whether contiguous or not, with another entity or health care provider occupying or sharing premises, facilities, treatment areas, or administrative areas, whether contiguous or not, with another entity or health care provider may apply to each entity or health care provider if the health care providers or entities are recognized as related parties by the United States Department of Health and Human Services, Health Care Financing Administration, or its successors, under Medicare regulations at 42 CFR 413.17."

AMENDMENT NO. 25
On page 4, at the beginning of line 20, delete "L." and insert "H."

AMENDMENT NO. 26
On page 5, at the beginning of line 1, delete "J." and insert "I."

AMENDMENT NO. 27
On page 5, at the beginning of line 8, delete "K." and insert "J."

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

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. 1985—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 56:332(I) and 801(15) and to codify as R.S. 56:409 and amend and reenact Act No. 476 of 1954, as amended by Act No. 352 of 1956 and Act No. 515 of 1960, all relative to fishing; to provide relative to the Lake Catherine and Lake Pontchartrain Sanctuary; to establish boundaries; to provide relative to authorized activities, prohibitions, violations, and penalties; 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. 1985 by Representative DeWitt

AMENDMENT NO. 1
On page 4, delete lines 20 and 21 in their entirety and insert in lieu thereof the following:

"Any person or persons apprehended in either Lake Catherine or Lake Pontchartrain in the area described above as a Sanctuary, including its Passes, taking shrimp, fish, or crabs by the use of shrimp trawls, seines, or other netting prohibited by this Section, shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment for not less than thirty days nor more than six months, and in addition the court shall decree the forfeiture of such a violator's catch, as well as the trawl, seines, or other equipment, not including boats and motors, used in the illegal taking which shall be sold and the proceeds disposed of in accordance with R.S. 56:386."

AMENDMENT NO. 2
On page 6, after line 4, add the following:

"Section 3. Prior to the issuance of any citations for violations under the provisions of this Act, the Department of Wildlife and Fisheries shall mark the boundaries of the Lake Catherine and Lake Pontchartrain Sanctuary."

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. 1999—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 56:307(A) and 307.6, relative to the transport license; to provide relative to those persons required to have such license; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Natural Resources.

The substitute was read by title as follows:

The rules, placed on the regular calendar.
HOUSE BILL NO. 2518 (Substitute for House Bill No. 1999 by Representative DeWitt)—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 56:307.6 and 307.7(A), relative to the interstate transportation of seafood; to provide for those required to have a transport license; to provide relative to information which must be retained by a person transporting seafood; and to provide for related matters.

Read by title.

On motion of Rep. John Smith, the substitute was adopted and became House Bill No. 2518 by Rep. DeWitt, on behalf of the Committee on Natural Resources, as a substitute for House Bill No. 1999 by Rep. DeWitt.

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

HOUSE BILL NO. 2114—
BY REPRESENTATIVE HUNTER
AN ACT
To amend and reenact R.S. 32:865(A) and to enact R.S. 32:865(C), relative to penalties and prosecution for the failure to comply with the motor vehicle security law; to impose criminal penalties of fines, probation, or imprisonment under certain conditions; to prohibit the prosecution of persons providing proof of insurance to the office of motor vehicles; 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. 2114 by Representative Hunter

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 32:865(A)" and before the comma "," and "relative" insert "and to enact R.S. 32:865(C), relative to penalties and prosecution for the failure to comply with the motor vehicle security law; to impose criminal penalties of fines, probation, or imprisonment under certain conditions, to prohibit the prosecution of persons providing proof of insurance to the office of motor vehicles; and to provide for related matters."

AMENDMENT NO. 2
On page 1, at the end of line 4, insert "to prohibit the prosecution of persons providing proof of insurance to the office of motor vehicles;"

AMENDMENT NO. 3
On page 1, line 7, after "reenacted" and before "to read" insert "and after "penalties" and before "for the failure" insert "and prosecution"

AMENDMENT NO. 4
On page 4, after line 6, insert the following:

"C. No person who has been charged with a violation of Subsection A of this Section, but who provides proof of insurance coverage or security to the office of motor vehicles in accordance with the provisions of R.S. 32:863.1(C)(1)(b) shall be subject to prosecution for that offense."

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. 2171—
BY REPRESENTATIVE THORNHILL
AN ACT
To enact R.S. 40:2116.1, relative to Medicaid certified beds for community and group homes for the mentally retarded; to require persons or facilities which participate in the Medicaid program to obtain the approval of the Department of Health and Hospitals prior to the sale or purchase of a Medicaid certified bed of a community or group home for the mentally retarded; to require the department to promulgate rules and regulations; 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. 2171 by Representative Thornhill

AMENDMENT NO. 1
On page 1, line 3, after "for the" and before "to require" delete "mentally retarded;" and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 2
On page 1, line 5, after "Hospitals" and before "prior" insert "through the office for citizens with developmental disabilities"

AMENDMENT NO. 3
On page 1, line 5, after "to the" delete the remainder of the line and at the beginning of line 6, delete "purchase" and insert in lieu thereof "sale, purchase, transfer, or relocation"

AMENDMENT NO. 4
On page 1, at the beginning of line 7, after "the" delete "mentally retarded;" and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 5
On page 1, line 7, after the semicolon ";" and before "to" insert the following:

"to require the provider to notify the residents or the guardians or curators of residents of the request to sell, purchase, transfer, or relocate certificates of need at the time the provider requests approval of the office for citizens with developmental disabilities; to require that the department afford an opportunity to residents who desire to continue to reside in the community or neighborhood of the current location of the community or group home to continue to reside in such community or neighborhood in circumstances where the sale, purchase, or transfer will result in the relocation of such residents;"
AMENDMENT NO. 6
On page 1, line 11, after "for the" and before "sale" delete "mentally retarded;" and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 7
On page 1, line 12, after "purchase" insert a semicolon ";" and "transfer; relocation"

AMENDMENT NO. 8
On page 1, at the beginning of line 13, change "A." to "A.(1)"

AMENDMENT NO. 9
On page 1, at the beginning of line 16, after "the" delete "mentally retarded," and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 10
On page 2, at the beginning of line 2, after "shall" and before "any" delete "sell or buy" and insert in lieu thereof "sell, purchase, transfer, or relocate"

AMENDMENT NO. 11
On page 2, line 3, after "group home" delete the remainder of the line, delete lines 4 and 5 in their entirety, and insert in lieu thereof the following:

unless the Department of Health and Hospitals through the office for citizens with developmental disabilities approves such sale, purchase, transfer, or relocation.

(2) At the time the provider requests the approval of the office for citizens with developmental disabilities to approve such a sale, purchase, transfer, or relocation of certificates of need, the provider shall notify the residents or the guardians or curators of the residents of the request to sell, purchase, transfer, or relocate. Prior to the sale, purchase, or transfer of community or group home certificates of need that would result in the relocation of the residents of the community or group home from the current location, the Department of Health and Hospitals through the office for citizens with developmental disabilities shall afford an opportunity to those residents desiring to continue to reside in the community or neighborhood of the current location of the community or group home to do so with the same or a different provider.

AMENDMENT NO. 12
On page 2, line 6, after "and" and before "shall" change "Hospital" to "Hospitals"

AMENDMENT NO. 13
On page 2, at the beginning of line 9, after "disapprove a" and before "of" delete "sale or purchase" and insert in lieu thereof "sale, purchase, transfer, or relocation"

AMENDMENT NO. 14
On page 2, line 10, after "for the" and before "shall" delete "mentally retarded" and insert in lieu thereof "mentally retarded/developmentally disabled"

AMENDMENT NO. 15
On page 2, delete line 14 and insert in lieu thereof "sell, purchase, transfer, or relocate such beds;"

AMENDMENT NO. 16
On page 2, after line 14, insert the following:

"C. For purposes of this Section, "transfer" shall mean the exchange of the certificate of need from one entity to another with or without financial or other form of consideration. Further, "relocate" shall mean the change by a provider of a community or group home of the physical site at which the residential services are being provided."

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. 2229—
BY REPRESENTATIVE TRAVIS
AN ACT
To amend and reenact R.S. 28:22.7(B), R.S. 36:259(C)(23), and R.S. 40:2002.4 and 2142, relative to state institutions; to change the name of Villa Feliciana Chronic Disease Hospital and Rehabilitation Center to Villa Feliciana Medical Complex; to provide that all laws and documents which refer to Villa Feliciana Chronic Disease Hospital and Rehabilitation Center shall be deemed to refer to Villa Feliciana Medical Complex; 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. 2325—
BY REPRESENTATIVE TOOMY
AN ACT
To amend and reenact Code of Criminal Procedure Art. 881.1(B), (C), and (D) and R.S. 46:1844(A)(2), (C)(2), (H), (K)(2)(a) and (3)(b), (M)(1), and (Y) and to enact Code of Criminal Procedure Art. 881.1(E), relative to a motion to reconsider sentence and crime victims; to provide for new grounds for a motion to reconsider sentence; to provide for rights of victims; to provide for the establishment of a crime victim's assistance information phone line; 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. 2325 by Representative Toomy
AMENDMENT NO. 1
On page 1, line 7, after "victims;" and before "and to" insert "to provide for the establishment of a crime victim's assistance information phone line;"

AMENDMENT NO. 2
On page 1, line 14, after "Within" and before "days" change "forty-five" to "thirty"

AMENDMENT NO. 3
On page 4, line 2, after "comment" and before "upon" insert "to the district attorney and to the court"

AMENDMENT NO. 4
On page 4, line 4, after "victim" and before the period "." insert "and review and comment to the Department of Public Safety and Corrections upon such information in the case of post sentence reports;"

AMENDMENT NO. 5
On page 4, at the beginning of line 25, change "forty-five" to "thirty"

AMENDMENT NO. 6
On page 5, line 21, after "assistance" change "hotline." to "information phone line." and delete the remainder of the line and delete lines 22 through 27 and insert the following:

"A statewide crime victim's assistance information phone line shall be established by the Department of Public Safety and Corrections;"

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. 2340—
BY REPRESENTATIVE MARTINY

AN ACT
To amend and reenact R.S. 33:4861.27(C), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for changes in the specifications for electronic pull-tab devices; 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. 2414—
BY REPRESENTATIVE DEVILLE

AN ACT
To enact R.S. 3:503, relative to crawfish; to provide for the sale of crawfish by restaurants; to provide for identification as to foreign products; to provide for notice to the customer; to provide for display of information; 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. 2438—
BY REPRESENTATIVE VITTER

AN ACT
To amend and reenact R.S. 46:56(F)(4)(c) and to enact R.S. 46:1425, relative to child care facilities; to require the Department of Social Services to provide certain information related to child care facilities; to provide for the release of confidential information pertaining to child abuse investigations; 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. 2466—
BY REPRESENTATIVE CLARKSON

AN ACT
To amend and reenact Code of Criminal Procedure Arts. 871(B) and (C), relative to the affixing of fingerprints to the bill of indictment; to require that the fingerprints of persons convicted of certain misdemeanor crimes must be affixed to the bill of indictment; 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. 2466 by Representative Clarkson

**AMENDMENT NO. 1**

On page 2, line 4, after "who" delete "may be placed" and insert "has applied for placement"

**AMENDMENT NO. 2**

On page 2, line 15, after "request" delete the comma "," and the remainder of the line and delete lines 16 and 17 in their entirety and insert the following:

"of a parent or guardian of any child who has applied for placement in a day care center licensed by the department, the following information relative to such day care center;"

**AMENDMENT NO. 3**

On page 2, line 16, after "is hereby enacted to read"

**AMENDMENT NO. 4**

On page 2, delete lines 1 through 8 in their entirety

**AMENDMENT NO. 5**

On page 2, at the end of line 19, change "$75.00" to "$25.00"

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. 2471—**

**BY REPRESENTATIVE POWELL**

**AN ACT**

To amend and reenact R.S. 37:2809(A)(2) and (8), to enact R.S. 37:21(B)(7) and 2809(A)(11), and to repeal Part II of Chapter 36 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2830.1 through 2830.7, relative to the Louisiana Board of Chiropractic Examiners; to exempt the Louisiana Board of Chiropractic Examiners from certain provisions which limit disciplinary proceedings by professional or occupational boards and commissions; to increase maximum fees for a certificate of internship and a certificate of chiropractic assistant to perform chiropractic X-rays; to add a fee for annual X-ray certificate registration; to repeal provisions relative to chiropractic management consultants; 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. 2471 by Representative Powell

**AMENDMENT NO. 1**

On page 1, at the end of line 2, delete "R.S. 37:21(B)(7)" and at the beginning of line 2, delete "and 2809(A)(11)," and insert in lieu thereof "R.S. 37:2809(A)(11),"

**AMENDMENT NO. 2**

On page 1, line 6, after the semicolon ";" delete the remainder of the line and insert in lieu thereof "to increase"

**AMENDMENT NO. 3**

On page 1, line 16, after "reenacted" delete the remainder of the line and insert in lieu thereof "and R.S. 37:2809(A)(11) is hereby enacted to read"

**AMENDMENT NO. 4**

On page 2, delete lines 1 through 8 in their entirety

**AMENDMENT NO. 5**

On page 2, at the end of line 19, change "$75.00" to "$25.00"

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. 2480—**

**BY REPRESENTATIVE PERKINS**

**AN ACT**

To enact R.S. 14:90.3, relative to offenses affecting general morality; to create the crime of gambling by computer; to provide definitions; to provide 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. 2480 by Representative Perkins

**AMENDMENT NO. 1**

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

**AMENDMENT NO. 2**

On page 5, after line 3, insert the following:
"F. The conducting or assisting in the conducting of gaming activities or operations upon a riverboat, at the official gaming establishment, or by operating an electronic video draw poker device, which is licensed for operation and regulated under the provisions of Chapters 4, 5, and 6 of Title 27 of the Louisiana Revised Statutes of 1950, shall not be considered gambling by computer for the purposes of this Section."

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. 2490—**

**BY REPRESENTATIVE WILLARD-LEWIS**

**AN ACT**

To enact R.S. 46:460.4, relative to Temporary Assistance for Needy Families Block Grant benefits; to require the Department of Social Services to provide for a six-month income disregard for recipients of Temporary Assistance for Needy Families Block Grant benefits; to provide for the inapplicability, to the extent possible, of such six-month period for purposes of the time limitation on the receipt of benefits; to provide relative to exceptions to the state time limitations imposed upon the receipt of TANF benefits; 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. 2490 by Representative Willard-Lewis

**AMENDMENT NO. 1**

On page 1, line 5, after the semicolon ";" delete the remainder of the line, delete lines 6 and 7 in their entirety and insert in lieu thereof "to require the department to promulgate rules and regulations relative to the earned income disregard program; to provide"  

**AMENDMENT NO. 2**

On page 1, line 15, after "up to" and before "dollars" change "one thousand five hundred" to "nine hundred"

**AMENDMENT NO. 3**

On page 2, delete lines 3 through 9 in their entirety and insert in lieu thereof the following:

"B. The department shall promulgate rules and regulations to implement the provisions of the earned income disregard program provided for in Subsection A of this Section in accordance with the Administrative Procedure Act."

**AMENDMENT NO. 4**

On page 2, line 11, after "federal" and before the comma "," change "appropriations" to "law"

On page 2, delete lines 16 and 17 in their entirety

**AMENDMENT NO. 5**

On page 2, at the beginning of line 18, change "(b)" to "(a)"

**AMENDMENT NO. 6**

On page 2, at the beginning of line 20, change "(c)" to "(b)"

**AMENDMENT NO. 7**

On page 2, at the beginning of line 22, change "(d)" to "(c)"

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. 2492—**

**BY REPRESENTATIVE WINSTON**

**AN ACT**

To enact R.S. 37:1285.2, relative to the practice of medicine; to provide for the prescribing and administering of controlled dangerous substances by physicians for intractable pain; to provide definitions; to provide exceptions; 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. 2492 by Representative Winston

**AMENDMENT NO. 1**

On page 3, after line 23, insert the following:

"G. The provisions of this Section shall not become operative if the Louisiana State Board of Medical Examiners publishes a notice of intent by September 20, 1997, to adopt rules and regulations to provide for the prescription and administration of controlled dangerous substances by a physician for intractable pain."

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. 2514  (Substitute for House Bill No. 709 by Representative Barton)—**

**BY REPRESENTATIVE BARTON**

**A JOINT RESOLUTION**

Proposing to amend Article VIII, Section 13(B) of the Constitution of Louisiana, to provide with respect to the minimum
foundation program of education in all public elementary and secondary schools, including the program formula and the allocation of funds; to establish and provide for the membership of the Minimum Foundation Program Authority; to provide that the State Board of Elementary and Secondary Education annually shall develop and recommend to the authority a minimum foundation program formula and that the authority shall annually adopt and submit such a formula to the legislature; to permit the legislature, prior to formula approval, to return the adopted formula to the authority and recommend an amended formula; and to provide that the last legislatively approved formula shall be used for cost determinations and for the allocation of funds; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2515 (Substitute for House Bill No. 2079 by Representatives Jetson and Dewitt)—
BY REPRESENTATIVES JETSON AND DEWITT

AN ACT
To amend and reenact R.S. 37:3372, 3373(B), 3375, 3376(A), (C)(1) through (5) and (8)(a), (b), and (c), and (D), 3376.1, 3378(A), 3379(A)(introductory paragraph), (5), (7), and (11), 3381(C), 3382, and 3384 (introductory paragraph), (2), and (4), to enact R.S. 37:3374(15) and (16) and 3376(C)(9), (F), (G), and (H), and to repeal R.S. 37:3376(C)(6), (7), and (8)(d) and (e), relative to the Louisiana State Board of Certification for Substance Abuse Counselors; to provide for the regulation and certification of counselors who offer services and counseling to persons affected by compulsive behavior and those at risk; to provide for compulsive gambling and prevention counselor certification; to define terms; to provide for the registration of counselors in training; to provide for standards for certification; and to provide for related matters.

Read by title.

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. 2516 (Substitute for House Bill No. 2469 by Representative Theriot)—
BY REPRESENTATIVE THERIOT

AN ACT
To amend and reenact R.S. 22:1406.5 and 1435, relative to the COASTAL and FAIR plans; to increase their membership; to include certain public officials or designees and other representatives; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2517 (Substitute for House Bill No. 2501 by Representatives Hudson, Durand, Guillory, and Pierre and Senators Cravins and Romero)—
BY REPRESENTATIVES HUDSON, DURAND, GUILLORY, AND PIERRE AND SENATORS CRAVINS AND ROMERO

AN ACT
To enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, relative to public community colleges; to create and establish the Gulf Coast Community and Technical College; to provide for administration, management, and supervision of the institution; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education; to provide for the duties and responsibilities of the Board of Trustees for State Colleges and Universities; to provide for the operation of the institution in accordance with certain guidelines and procedures; to provide for implementation; to provide for effectiveness; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 646—
BY REPRESENTATIVE FONTENOT

AN ACT
To enact R.S. 42:1116.1 and 1141(B)(3), relative to the ethics code; to provide for random drug testing of elected officials; to provide for the development, administration, and enforcement of the drug testing program for elected officials by the Board of Ethics; to declare the intention and policy of the legislature; to provide for certain assistance by the legislative auditor, commissioner of administration, and the secretary of the Department of Health and Hospitals; to require payment of costs of the program by the Board of Ethics; to provide that testing positive for illegal drugs is prohibited; to provide that failure to submit to a drug test required under the program is prohibited; to provide for penalties; to provide for definitions; to provide for implementation of the program; 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. 646 by Representative Fontenot

AMENDMENT NO. 1

On page 1, line 6, after "legislature," and before "to provide" insert "to provide for certain assistance by the legislative auditor, commissioner of administration, and the secretary of the Department of Health and Hospitals; to require payment of costs of the program by the Board of Ethics;"

AMENDMENT NO. 2

On page 2, line 5, after "B." and before "The" insert "(1)"
AMENDMENT NO. 3
On page 2, between lines 10 and 11 insert the following:

"(2) The program designed by the board shall require that the legislative auditor select those elected officials required to be tested for the use of illegal drugs.

(3) The board shall develop the random drug testing program in a manner that will be effective in detecting and deterring illegal drug use by elected officials. The commissioner of administration and the secretary of the Department of Health and Hospitals shall, at the request of the board, provide assistance in the development, design, and implementation of the random drug testing program.

(4) The board shall adopt such rules and regulations as are necessary for the implementation of the random drug testing program in accordance with the Administrative Procedure Act."

AMENDMENT NO. 4
On page 2, at the end of line 16, after "board." insert "The board shall pay the cost of any confirmatory test requested by an elected official."

AMENDMENT NO. 5
On page 2 at the end of line 26, after "Chapter." insert "However, the board shall not impose any penalty on an elected official for testing positive for illegal drugs unless he has tested positive for illegal drugs on two separate occasions."

AMENDMENT NO. 6
On page 3, between lines 13 and 14 insert the following:

"Section 3. Sections 1 and 2 of this Act shall become effective if and when funds are allocated for the design and implementation of the random drug testing program for elected officials."

AMENDMENT NO. 7
On page 3, at the beginning of line 14 delete "Section 3. This" and insert "Section 4. Sections 3 and 4 of this"

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

Rep. Fontenot moved the bill, as amended, be engrossed and passed to its third reading.

As a substitute motion, Rep. Green moved that the bill be recommitted to the Committee on House and Governmental Affairs.


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


By a vote of 59 yeas and 28 nays, the House agreed to order the previous question on the entire subject matter.

The vote recurred on the substitute motion.

ROLL CALL
The roll was called with the following result:

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<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
<td>Barton</td>
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<td>Faucheaux</td>
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The House refused to recommit the bill to the Committee on House and Governmental Affairs.

Rep. Fontenot insisted on his motion that the bill be ordered engrossed and passed to its third reading.

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

ROLL CALL
The roll was called with the following result:

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<td>Thomas</td>
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<td>DeWitt</td>
<td>Thompson</td>
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</table>
The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 8**

BY SENATOR BARHAM

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

Read by title.

Reported favorably by the Committee on Insurance.

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. 405**

BY SENATORS DARDEENNE, BARHAM, BEAN, GUIDRY, LENTINI, SHORT, BAJOIE, CASANOVA, HINES, ROBICHAUX AND SCHEDLER

AN ACT

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

Read by title.

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 Reengrossed Senate Bill No. 405 by Senator Dardenne

**AMENDMENT NO. 1**

On page 2, line 3, delete "or medical assistance provided"

**AMENDMENT NO. 2**

On page 2, line 4, delete "under 42 U.S.C. 1376, et seq"

**AMENDMENT NO. 3**

On page 3, at the end of line 15, add the following:

"E. The provisions of this Section shall not apply to medical benefit plans that are established under and regulated by the Employee Retirement Income Security Act (ERISA) of 1974."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 722**

BY SENATORS CASANOVA, CRAVINS AND LAMBERT

AN ACT

To enact R.S. 22:215.18, relative to insurance coverage; to provide for coverage for off-label drugs in treatment of cancer; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 722 by Senator Casanova

**AMENDMENT NO. 1**

On page 1, line 16, delete "(a)" and on page 2, line 1, change "; or (b)" to "; or"
On motion of Rep. Donelon, the amendments were adopted.

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. 1064—
BY SENATORS DARDENNE, BARIHAM, BEAN, SHORT, HOLLIS, MALONE, SCHEDLER, ULLIO, BRANCH, CAIN, CASANOVA, DYESS, ELLINGTON, EWING, HINES, JOHNSON, LENTINI, ROBICHAUX, ROMERO, SIRACUSA, TARVER AND THEUNISSEN

AMENDMENT NO. 1

To amend and reenact R.S. 32:863.1(C) and (D), relative to motor vehicles; to provide relative to compulsory motor vehicle security; to provide relative to revocation of registration for lack of proof of insurance; to require impoundment of motor vehicles under such circumstances; to provide for the issuance and usage of stickers as an additional form of proof of insurance; to provide for administrative hearings in determining compliance with motor vehicle security requirements 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 Reengrossed Senate Bill No. 1064 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 2, after "(D)" insert "and to enact R.S. 32:863.1(F)"

AMENDMENT NO. 2

On page 1, line 12, after "reenacted" insert "and R.S. 32:863.1(F) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete line 16 in its entirety and on page 2, delete lines 1 through 10 in their entirety and insert the following:

"C.4.(a) If the operator of a motor vehicle is unable to show compliance with the provisions of this Part by displaying the required document when requested to do so, the operator shall be issued a notice of noncompliance with the provisions of this Part on a form to be provided by the department. The notice of noncompliance shall serve as notice of administrative hearing rights. In addition, the law enforcement officer shall remove the license plate from the vehicle. The law enforcement officer shall deliver the vehicle license plate to the chief of the agency which employs the officer, or to a person in that agency designated to receive such license plates. A copy of the notice of noncompliance shall be delivered to the vehicle owner.

(b) The owner of the vehicle shall have ten working days from the date that the notice of noncompliance was issued to present to the office of motor vehicles proof of insurance coverage or security in effect at the time of the issuance of the notice of noncompliance. If the vehicle was properly insured at the time the notice was issued, any valid license plate shall be returned within forty-eight hours exclusive of legal holidays, to the owner of the vehicle at no cost to the owner. However, if the owner fails to provide proof of the fact that the vehicle was properly insured at the time the notice of noncompliance was issued, the chief administrative officer of the office of motor vehicles shall destroy, or shall cause to be destroyed, the license plate removed from that owner's vehicle and shall notify the secretary that the owner of the vehicle is not in compliance with the compulsory liability law. Upon receipt of such notification, the secretary shall revoke the registration of such vehicle for thirty days.

(e) For a first offense there shall be a reinstatement fee of fifty dollars, for a second offense there shall be a reinstatement fee of one hundred fifty dollars, and for any subsequent offense there shall be a reinstatement fee of five hundred dollars. The reinstatement fee contained herein shall be in addition to other appropriate registration fees allowed by law and reinstatement shall depend upon proof of compliance with the compulsory liability law.

(2) Any law enforcement officer who removes and takes a license plate pursuant to the provisions of this Section shall file for attachment to the rear end of the vehicle a temporary sticker denoting its use in lieu of an official license plate. The sticker shall bear the date upon which it was issued in written or stamped numerals not less than three inches in height. This temporary sticker shall only be effective for a period of ten working days beginning from the day on which the license plate is taken.

(3) The temporary stickers required by Paragraph (2) of this Subsection shall be designed and produced by the Department of Public Safety and Corrections, and the department shall supply such stickers, at no cost, to all law enforcement agencies authorized by law to enforce traffic laws.

(4) The Department of Public Safety and Corrections shall formulate and promulgate rules and regulations for the implementation of the provisions of this Section. To this end, no license shall be taken or destroyed pursuant to the authority granted in Paragraph (1) of this Subsection until such rules are properly promulgated in accordance with law. However, this limitation shall not be construed so as to otherwise limit the enforcement of laws relative to operating a vehicle without proper insurance or security.

AMENDMENT NO. 4

On page 3, at the beginning of line 2, change "shall" to "may" and after "impounded" delete "immediately" and insert in lieu thereof "pursuant to the rules and regulations promulgated by the Department of Public Safety and Corrections and the Department of Insurance."

AMENDMENT NO. 5

On page 3, line 4, after "insurance" delete "in place" and insert "or is self-insured"

AMENDMENT NO. 6

On page 3, line 9, after "insurance" insert "or proof that he is self-insured pursuant to this Chapter"

AMENDMENT NO. 7

On page 3, line 21, after "insurance" insert "or was self-insured pursuant to this Chapter" and after "violation" insert the following:

"The owner or operator may subpoena any witness to appear at the hearing, including the officer issuing the violation, to establish that the owner or operator was in compliance with the law at the time of the alleged violation."
AMENDMENT NO. 8
On page 3, line 24, after "insurance" insert "or was self-insured pursuant to this Chapter"

AMENDMENT NO. 9
On page 4, at the end of line 24, insert the following:

"No impoundment fee shall exceed five dollars per calendar day under this Subsection. No towing fee shall exceed fifty dollars under this Subsection."

AMENDMENT NO. 10
On page 5, line 5, after "handicapped" insert "or if the law enforcement officer determines that the records of the Office of Motor Vehicles show that the driver of the stopped vehicle does comply with R.S. 32:861."

AMENDMENT NO. 11
On page 5, after line 14, insert the following:

"F. In the case where the driver is a minor child, the owner of the vehicle shall be responsible under this Section. If the owner of the vehicle is the minor child, the parents of the minor child shall be jointly subject to the provisions of this Section along with the minor child, unless the minor has been adjudicated emancipated or is in the sole custody of another or only one parent under the law. If the minor is in the sole custody of another or only one parent under the law the person or parent in whose sole custody the child has been placed will be jointly responsible with the minor child under this Section.

*          *          *

Section 2. The provisions of this Act shall become effective on January 1, 1998."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1064 by Senator Dardenne

AMENDMENT NO. 1
In House Committee Amendment No. 10 proposed by the House Committee on Insurance to Reengrossed Senate Bill No. 1064 by Senator Dardenne, on line 16, following "32:861" change the period "." to a comma ",".

AMENDMENT NO. 2
On page 5, line 8, following "drive" insert "the"

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

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

Under the rules, placed on the regular calendar.
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1908—
BY REPRESENTATIVE DANIEL
AN ACT
To amend and reenact R.S. 33:4574.1-(A)(1)(f) and R.S. 47:332.2(B) and to enact R.S. 33:4754.1-(A)(G), relative to funding for the East Baton Rouge Parish Riverside Centroplex Arena and Exhibition Center and other riverfront projects; to authorize the Baton Rouge Area Convention and Visitors Commission to levy an additional hotel occupancy tax and to provide that the proceeds of such additional tax shall be used for capital improvements and expansion of the center; to provide limitations; to provide for uses of monies in the East Baton Rouge Parish Riverside Centroplex Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gautreaux Quezaire
Alexander, A.—93rd Glover Riddle
Alexander, R.—13th Green Romero
Ansardi Guillory Roussel
Barton Hammett Saltier
Baudoin Heaton Scalise
Baylor Hebert Schneider
Bowler Hill Shaw
Bruce Holden Smith, J.D.—50th
Brun Hopkins Stelly
Brouneaux Hunter Theriot
Carter Johns Theriot
Chaison Kenney Thomas
Clarkson Kenney Thomas
Copelin Landrieu Thompson
Crane LeBlanc Thomhill
Curtis Long Toomy
Damico Marionneaux Travis
Daniel Martiny Triche
Deville McCain Vitter
DeWitt McCallum Walsworth
Diez McDonald Warner
Doerge McMains Welch
Donelon Michot Wiggins
Dupre Montgomery Wiggins
Durand Morrish Wilkerson
Farve Murray Willard-Lewis
Forster Odinet Winston
Frith Pierre Wright
Fruege Pratt

Total—94

NAYS

Jenkins

Total—1

ABSENT

Alario Iles Morrell
Dimos Jetson Perkins
Faucheux Lancaster Smith, J.D.—50th
Hudson Mitchell

Total—10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Daniel 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. 1912—
BY REPRESENTATIVE HUNTER
AN ACT
To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gautreaux Powell
Alario Glover Pratt
Alexander, A.—93rd Green Quezaire
Alexander, R.—13th Guillory Riddle
Ansardi Hammitt Romero
Barton Heaton Roussel
Baudoin Hebert Salier
Baylor Holden Scalise
Bowler Hopkins Schneider
Bruce Hudson Shaw
Brun Hunter Smith, J.D.—50th
The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Weston 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. 161—
BY REPRESENTATIVE MCCAIN
AN ACT
To amend and reenact Code of Civil Procedure Art. 4843(E)(1) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in dispute for civil jurisdiction of the city court in Plaquemine; and to provide for related matters.

Read by title.

Rep. McCain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Gautreaux
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor

Mr. Speaker
Gautreaux
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor

Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill

Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill

Pinac
Powell
Pratt
Quezaire
Riddle
Romero
Rousselle

Pinac
Powell
Pratt
Quezaire
Riddle
Romero
Rousselle

Total—96
NAYS

Farve

Total—1
ABSENT

Diez

Total—8

Dios

Total—3
ABSENT

Dimos

Lancaster

Mitchell

1748
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1152—**

**BY REPRESENTATIVE JACK SMITH**

**AN ACT**

To require the Department of Transportation and Development to erect directional signs on U.S. Highway 90 at the intersection of U.S. Highway 90 and Veterans Boulevard in Patterson, Louisiana; and to provide for related matters.

Read by title.

**Motion**

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

**Regular Calendar**

**HOUSE BILL NO. 1152—**

**BY REPRESENTATIVE JACK SMITH**

**AN ACT**

To require the Department of Transportation and Development to erect directional signs on U.S. Highway 90 at the intersection of U.S. Highway 90 and Veterans Boulevard in Patterson, Louisiana; and to provide for related matters.
be implemented in all other department districts, adding one district to the program per fiscal year in the following order: District 4, 5, 8, 38, 7, 61, 62, and 2.

E. The governing authority of each parish shall adopt a resolution to undertake the responsibility of maintaining its state highways, and a majority of the legislative delegation from that parish shall agree in writing with the resolution, before the function of maintaining state highways shall be transferred from the department to the parishes.

Section 3. The provisions of Section 2 of this Act shall become effective on January 1, 1998, but only in the event that the department fails to begin the implementation of the projects contained in this Act by January 1, 1998."

Rep. Jack Smith moved the adoption of the amendments.

Rep. Riddle objected.

By a vote of 58 yeas and 33 nays, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Weston to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, at the end of line 12, insert the following:

"Section 2. R.S. 48:261.1 is hereby enacted to read as follows:

§261.1. Highway Maintenance Program

A. The Highway Maintenance Program is hereby established for the purpose of transferring the function of maintaining state highways and the funding for such from the Department of Transportation and Development to the parishes of the nine districts of the Department of Transportation and Development.

B. A pilot program shall be established in the department's District 3 to determine the feasibility and efficiency of the parishes in maintaining the state highways in their parishes. For the period beginning on July 1, 1998, and ending on June 30, 1999, the parishes in the department's District 3 shall maintain all state highways within District 3.

C. The department shall immediately upon receipt transfer all monies that would otherwise be spent on maintenance of state highways in the department's districts to the governing authorities of the parishes in those districts in which the program is in effect for that fiscal year for the purpose of maintaining the state highways. The amount of funds to be transferred each year to the governing authorities shall be equal to the amount that the department would have spent on such maintenance in that parish had the department provided the maintenance and shall be based on that parish's total miles of state highways in proportion to the total miles of state highways in that district. In no case shall the amount transferred to each parish be less than the amount spent on maintenance in that parish for the preceding fiscal year.

D. Notwithstanding any other provision of law to the contrary, this Section shall be in effect for the period beginning with July 1, 1998, and ending on June 30, 1999, and thereafter, shall be inapplicable, inoperable, and of no effect unless reenacted by the legislature following hearings held by the House and Senate Committees on Transportation, Highways and Public Works on the efficiency, effectiveness, and fiscal impact of the program. If reenacted by the legislature, the Highway Maintenance Program shall

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**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, at the end of line 12 insert the following:

"The Department of Transportation and Development shall also erect a sign identifying the location of the "Opportunities Industrialization Center" two-tenths of a mile north of the intersection of U.S. Highway 165 Bypass and Richwood Road No. 1 and a sign two-tenths of a mile south of the intersection of U.S. 165 Bypass and Richwood Road No. 2."

On motion of Rep. Weston, 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. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, at the end of line 12 insert the following:

"The Department of Transportation and Development shall also erect a sign identifying the location of the "Opportunities Industrialization Center" two-tenths of a mile north of the intersection of U.S. Highway 165 Bypass and Richwood Road No. 1 and a sign two-tenths of a mile south of the intersection of U.S. 165 Bypass and Richwood Road No. 2."

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**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Heaton to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, after "To" and before "require" insert "enact R.S. 48:261.1 and to"

AMENDMENT NO. 2

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

"to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program;"

AMENDMENT NO. 3

On page 1, after line 12, insert the following:

"Section 2. R.S. 48:261.1 is hereby enacted to read as follows:

§261.1. Highway Maintenance Program

A. The Highway Maintenance Program is hereby established for the purpose of transferring the function of maintaining state highways and the funding for such from the Department of Transportation and Development to the parishes of the nine districts of the Department of Transportation and Development.

B. A pilot program shall be established in the department's District 3 to determine the feasibility and efficiency of the parishes in maintaining the state highways in their parishes. For the period beginning on July 1, 1998, and ending on June 30, 1999, the parishes in the department's District 3 shall maintain all state highways within District 3.

C. The department shall immediately upon receipt transfer all monies that would otherwise be spent on maintenance of state highways in the department's districts to the governing authorities of the parishes in those districts in which the program is in effect for that fiscal year for the purpose of maintaining the state highways. The amount of funds to be transferred each year to the governing authorities shall be equal to the amount that the department would have spent on such maintenance in that parish had the department provided the maintenance and shall be based on that parish's total miles of state highways in proportion to the total miles of state highways in that district. In no case shall the amount transferred to each parish be less than the amount spent on maintenance in that parish for the preceding fiscal year.

D. Notwithstanding any other provision of law to the contrary, this Section shall be in effect for the period beginning with July 1, 1998, and ending on June 30, 1999, and thereafter, shall be inapplicable, inoperable, and of no effect unless reenacted by the legislature following hearings held by the House and Senate Committees on Transportation, Highways and Public Works on the efficiency, effectiveness, and fiscal impact of the program. If reenacted by the legislature, the Highway Maintenance Program shall

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**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Heaton to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, after "To" and before "require" insert "enact R.S. 48:261.1 and to"

AMENDMENT NO. 2

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

"to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program;"

AMENDMENT NO. 3

On page 1, after line 12, insert the following:

"Section 2. R.S. 48:261.1 is hereby enacted to read as follows:

§261.1. Highway Maintenance Program

A. The Highway Maintenance Program is hereby established for the purpose of transferring the function of maintaining state highways and the funding for such from the Department of Transportation and Development to the parishes of the nine districts of the Department of Transportation and Development.

B. A pilot program shall be established in the department's District 3 to determine the feasibility and efficiency of the parishes in maintaining the state highways in their parishes. For the period beginning on July 1, 1998, and ending on June 30, 1999, the parishes in the department's District 3 shall maintain all state highways within District 3.

C. The department shall immediately upon receipt transfer all monies that would otherwise be spent on maintenance of state highways in the department's districts to the governing authorities of the parishes in those districts in which the program is in effect for that fiscal year for the purpose of maintaining the state highways. The amount of funds to be transferred each year to the governing authorities shall be equal to the amount that the department would have spent on such maintenance in that parish had the department provided the maintenance and shall be based on that parish's total miles of state highways in proportion to the total miles of state highways in that district. In no case shall the amount transferred to each parish be less than the amount spent on maintenance in that parish for the preceding fiscal year.

D. Notwithstanding any other provision of law to the contrary, this Section shall be in effect for the period beginning with July 1, 1998, and ending on June 30, 1999, and thereafter, shall be inapplicable, inoperable, and of no effect unless reenacted by the legislature following hearings held by the House and Senate Committees on Transportation, Highways and Public Works on the efficiency, effectiveness, and fiscal impact of the program. If reenacted by the legislature, the Highway Maintenance Program shall

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AMENDMENT NO. 1
On page 1, at the end of line 12 insert the following:
"The Department of Transportation and Development shall also construct a left turn lane and install a traffic signal at the intersection of South Carrollton Avenue and Tulane Avenue in Orleans Parish."

Rep. Heaton moved the adoption of the amendments.

By a vote of 64 yeas and 19 nays, the amendments were adopted.

Rep. Willard-Lewis sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Willard-Lewis to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1
On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof "various signs and lights, to generally improve the conditions of various highways and intersections in the state and to notify the motoring public of certain areas; and to"

AMENDMENT NO. 2
On page 1, at the end of line 12, insert the following:
"The department shall also: install a sign north and southbound on Interstate 510 before exit 247 directing traffic to the "New Orleans Truck Plaza - Exit 247"; replace the signs on LA Highways 428 and 407 which indicate the location of "Holy Cross College" at the intersection of Woodland Drive and DeGaulle Drive in the Parish of Orleans; install signs on Interstate 10 westbound between Power Boulevard and Williams Boulevard stating "Kenner - next two exits".

Section 2. The Department of Transportation and Development shall install the appropriate size and number of traffic signal lights at the following intersections:
A. Haynes and Bullard Road in the parish of Orleans.
B. Perkins Road at an appropriate location between Siegen Lane and Bluebonnet Drive in East Baton Rouge Parish.
C. LA Highway 353 at Parish Road 7 in St. Martin Parish.
D. Plank Road and Comite Drive in East Baton Rouge Parish.
E. Jefferson Highway and Wrenwood Boulevard in the parish of East Baton Rouge.
F. LA Highway 16 and Louisiana Highway 1025 in the parish of Livingston.
G. U.S. Highway 65 East and Edwin Street in Morehouse Parish.
H. LA Highway 660 and Bayou Gardens Boulevard in the parish of Terrebonne.
I. Windsor and Wyngate in the parish of Caddo.
J. Foster Drive and Greenwell Springs Road in the parish of East Baton Rouge.

Section 3. The Department of Transportation and Development shall install turning signal lights at the following existing traffic signal lights at the following intersections:
A. LA Highway 3089 and LA Highway 308, by adding a left turn signal on the existing traffic light in the parish of Ascension.
B. LA Highway 616 at Kirol Road southbound direction only in the parish of Ouachita.

Section 4. The Department of Transportation and Development shall install flashing caution lights at the following locations:
A. In front of Stanley High School on Highway 84 West in the parish of DeSoto.
B. Intersection of Old Hammond Highway and Chevelle in the parish of East Baton Rouge.
C. I-10 East exit from the Crescent City Connection in the parish of Orleans.
D. Tupelo Street at St. Claude Avenue in the parish of Orleans.
E. LA Highway 115-107 in Ward One, across from the Post Office in Avoyelles Parish.
F. At 8508 Greenwell Springs Road in the parish of East Baton Rouge.
G. On Highway 1207, at a distance between 150 and 700 feet on both the northbound and southbound sides thereof, near Buckeye Elementary, Hayden R. Lawrence Middle School, and Buckeye High School in the parish of Rapides.

Section 5. The Department of Transportation and Development shall restripe Highway 90 from Alelia to Houma.

Section 6. The Department of Transportation and Development shall construct the following turn lanes:
A. A right turn lane at the intersections on Jefferson Highway at Corporate Blvd. and on Jefferson Highway at Old Hammond Highway in the parish of East Baton Rouge.
B. A left turn lane for the southbound traffic on LA Highway 1 at its intersection with Matthews Bridge in Matthews, Louisiana.
C. Left turn lanes at the intersection of LA Highway 757 and U.S. Highway 190 in the city of Eunice in the parish of St. Landry.

Section 7. The Department of Transportation and Development shall reduce the speed limit as follows:
A. To 35 mph in the area of Gibson Community Center on Highway 90 in the parish of Terrebonne.
B. To 30 mph on LA Highway 13 in the village of Pine Prairie.
C. To 20 mph on LA Highway 755 at Louisiana State University at Eunice during the time period of 8:00 a.m. to 10:00 a.m. and 11:00 a.m. to 2:00 p.m. and install appropriate flashing warning lights to notify motorists of such reduction in the speed limit.

Section 8. The Department of Transportation and Development shall four-lane Highway 8 West, beginning at the junction of
Highway 171 and Highway 8 West and proceeding to the Louisiana/Texas state line.

Section 9. The Department of Transportation and Development shall install appropriate lighting and markings at the intersection of LA Highways 406 and 407.

Section 10. The Department of Transportation and Development shall construct the following crossovers and turn lanes:

A. In the median at the intersection of LA Highway 3125 and Wilfred Duet Street in Golden Meadow, Louisiana.

B. On U.S. Highway 190 at the entrance to Three Mile Lake in St. Landry Parish.

Section 11. The Department of Transportation and Development shall designate the following areas as “no-passing” zones:

A. On LA Highway 13 through the village of Pine Prairie in the parish of Evangeline.

B. For a distance of seven-tenths of a mile of LA Highway 10 beginning two-tenths of a mile east of its intersection with LA Highway 13 in the parish of Evangeline."

On motion of Rep. Willard-Lewis, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Kenney to Engrossed House Bill No. 1152 by Representative Jack Smith

**AMENDMENT NO. 1**

On page 1, at the end of line 12, insert the following:

"The Department of Transportation and Development shall install flashing caution lights in front of Winnsboro Junior High School on Highway 4 in Franklin Parish."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Weston to Engrossed House Bill No. 1152 by Representative Jack Smith

**AMENDMENT NO. 1**

On page 1, after line 12, insert the following:

"Section 2. The Department of Transportation and Development shall install a "Traffic signal" at the intersection of LA 127 and Southern Avenue."

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

Rep. Jack Smith 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>
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</thead>
<tbody>
<tr>
<td>Alario</td>
</tr>
<tr>
<td>Alexander, A.—93rd</td>
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<tr>
<td>Ansardi</td>
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<tr>
<td>Barton</td>
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<td>Bowler</td>
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<td>Bruneau</td>
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<td>Carter</td>
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<td>Clarkson</td>
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<td>Damico</td>
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<td>Daniel</td>
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<td>DeWitt</td>
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<td>Donelon</td>
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<td>Dupre</td>
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<td>Durand</td>
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<td>Farve</td>
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<td>Faucheux</td>
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<td>Forster</td>
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<td>Frith</td>
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<td>Fruge</td>
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<td>Glover</td>
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<table>
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<td>Chaissen</td>
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<tr>
<td>Diez</td>
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</table>

<table>
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<tr>
<th>ABSENT</th>
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</thead>
<tbody>
<tr>
<td>Mr. Speaker</td>
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<tr>
<td>Alexander, R.—13th</td>
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<tr>
<td>Baylor</td>
</tr>
<tr>
<td>Bruce</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. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Consent Calendar

HOUSE BILL NO. 2379—
BY REPRESENTATIVE DURAND
AN ACT
To enact R.S. 51:1265, relative to the office of tourism; to provide for the creation and establishment of a logo to indicate authentic Cajun-Creole cooking; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker         Green          Pratt
Alario             Guilory        Quezaire
Alexander, A.—93rd  Hammett       Riddle
Alexander, R.—13th  Heaton         Romero
Ansardi            Hebert          Rousselle
Barton             Holden         Salter
Baudoin            Hopkins        Scalice
Bruce              Hudson         Schneider
Bruneau            Hunter         Shaw
Carter             Iles            Smith, J.D.—50th
Chaisson           Jenkins        Smith, J.R.—30th
Clarkson           Jetson         Strain
Copelin            Johns          Theriot
Crane              Kennard        Thomas
Curtis             Kenney         Thompso
Damico             Landrieu       Thornhill
Daniel             LeBlanc        Toomy
DeWitt             Martiny        Travis
Diez               McCain         Triche
Doerge             McCullum       Vitter
Donelon            McDonald       Walsworth
Dupre              McManus        Warner
Durand             Michot         Welch
Farve              Montgomery      Weston
Flavin             Morrell        Wiggins
Fontenot           Morrish        Wilkerson
Forster            Odinet         Willard-Lewis
Frith              Perkins        Windhorst
Fruge              Pierre         Wright
Gautreaux          Pinac         
Glover             Powell         
Total—94

NAYS

Bowler             Murray         Winston
Total—3

ABSENT

Baylor             Faucheux       Marionneaux
Brun               Hill            Mitchell
Dimos             Lancaster       
Total—33

The title of the above bill was read and adopted.

Rep. Durand 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.

Regular Calendar

HOUSE BILL NO. 8—
BY REPRESENTATIVE BRUNEAU
AN ACT
To enact R.S. 32:667.1, relative to motor vehicles and traffic regulation; to provide for an identification sticker to be placed upon all vehicles registered to a person convicted of the offense of operating a motor vehicle while intoxicated; to provide for exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 8 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 4, after "convicted of the" and before "offense", insert "third"

AMENDMENT NO. 2

On page 1, line 10, after "Following a" and before "conviction", insert "third"

Rep. Jack Smith moved the adoption of the amendments.


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

ROLL CALL

The roll was called with the following result:

YEAS

Bruce              Hunter         Rousselle
Carter             Iles            Smith, J.D.—50th
Chaisson           Jenkins        Smith, J.R.—30th
Curtis             Kenney         Thomas
Doerge             Marionneaux     Thornhill
Fruge              Michot         Welch
Glover             Morrish        Weston
Guillory           Murray         Wilkerson
Hammett            Pinac          Willard-Lewis
Holden             Quezaire       Winston
Hudson             Riddle         Wright
Total—33

NAYS

Alario             Faucheux       Montgomery
Alexander, A.—93rd  Flavin        Odinet

1753
The amendments were rejected.

Motion

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


By a vote of 57 yeas and 23 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker — Frith
Alexander, A.—93rd — Flavin
Alexander, R.—13th — Faucheux
Ansardi — Gautreaux
Baudoin — Heaton
Bowler — Hebert
Bruneau — Iles
Clarkson — Johns
Copelin — LeBlanc
Crane — McCalm
Dupre — McDonald
Durand — McMain
Farve — Montgomery
Forster — Perkins
Frisch — Powell
Total—41

NAYS

Alario — Glover
Barton — Guirly
Baudoin — Hammett
Bowler — Holden
Bruce — Hudson
Copelin — Hunter
Curtis — Jenkins
Damico — Kennard
Daniel — Kenney
Deville — Landrieu
DeWitt — Marionnaux
Doerge — Michot
Faucheux — Morrise
Fontenot — Murray
Fruge — Odinet
Total—47

ABSENT

Baylor — Jetson
Brun — Lancaster
Carter — Long
Dimos — Martiny
Donelon — Mitchell
Hopkins — Morrell
Total—17

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Rep. Jack Smith 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.

HOUSE BILL NO. 42—

BY REPRESENTATIVES STELLY AND FAUCHEUX

AN ACT

To enact R.S. 9:307, relative to child support; to require under certain circumstances an accounting of the expenses of the child; to provide terms, procedures, and requirements; and to provide for related matters.

Read by title.

Motion

Rep. Stelly moved that House Bill No. 42 be designated as a duplicate of Senate Bill No. 144.

Which motion was agreed to.

Motion

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

Suspension of the Rules

On motion of Rep. Travis, the rules were suspended in order to take up House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments were taken up and acted upon as follows:

HOUSE BILL NO. 198—

BY REPRESENTATIVES TRAVIS, R. ALEXANDER, CLARKSON, DEVILLE, DEWITT, FLAVIN, MICHOT, PERKINS, PINAC, JACK SMITH, THOMPSON, AND WIGGINS AND SENATORS BEAN AND SHORT

AN ACT

To enact Chapter IV of Code Title XV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3889 through 3897, relative to real estate transactions; to provide relative to dual agents; to provide definitions; and to provide for related matters.
Read by title.
The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS
Conforming Amendments proposed by Senator Short to Engrossed House Bill No. 198 by Representative Travis. (Duplicate of Senate Bill No. 224)

AMENDMENT NO. 1
On page 1, line 2, change "IV" to "4"

AMENDMENT NO. 2
On page 1, line 3, change "9:3889 through 3897" to "9:3891 through 3899"

AMENDMENT NO. 3
On page 1, line 4, after "relative" delete the remainder of the line in its entirety, on line 5, delete "definitions;" and insert in lieu thereof the following:
"various agency relationships in real estate transactions; to provide for duties and liabilities between agents, clients, and other people;"

AMENDMENT NO. 4
On page 1, line 7, change "IV" to "4"

AMENDMENT NO. 5
On page 1, line 8, change "9:3889 through 3897," to "9:3891 through 3899,"

AMENDMENT NO. 6
On page 1, delete line 10 in its entirety and insert in lieu thereof the following:
"CHAPTER 4. AGENCY RELATIONS IN REAL ESTATE TRANSACTIONS"

AMENDMENT NO. 7
On page 1, line 11, change "§3889." to "§3891."

AMENDMENT NO. 8
On page 2, line 9, after "client" change the semicolon ";" to a comma "," and between "time" and the colon ":" insert "any of the following occurs"

AMENDMENT NO. 9
On page 2, line 10, after "conduct" change the semicolon ";" to a period "."

AMENDMENT NO. 10
On page 2, line 11, after "law" change the semicolon ";" to a period "." and delete the remainder of the line.

AMENDMENT NO. 11
On page 3, line 3, after "transaction." delete the remainder of the line and delete lines 4 and 5 in their entirety.

AMENDMENT NO. 12
On page 4, line 1, change "client" to "person"

AMENDMENT NO. 13
On page 4, line 7, change "§3890." to "§3892."

AMENDMENT NO. 14
On page 4, line 15, change "§3891." to "§3893."

AMENDMENT NO. 15
On page 5, line 18, change "§3892." to "§3894."

AMENDMENT NO. 16
On page 6, line 5, change "§3893." to "§3895."

AMENDMENT NO. 17
On page 6, line 13, change "§3894." to "§3896."

AMENDMENT NO. 18
On page 6, line 17, change "§3895." to "§3897."

AMENDMENT NO. 19
On page 7, line 21, change "must" to "shall"

AMENDMENT NO. 20
On page 8, line 16, change "§3896." to "§3898."

AMENDMENT NO. 21
On page 8, line 21, change "§3897." to "§3899."

LEGISLATIVE BUREAU AMENDMENTS
Amendments proposed by Legislative Bureau to Engrossed House Bill No. 198 by Representative Travis

AMENDMENT NO. 1
In Senate Floor Amendment No. 3 proposed by Senator Short and adopted by the Senate on May 6, 1997, on page 1, line 8, before "various" insert "to"

AMENDMENT NO. 2
On page 2, line 17, following "to" and before "broker" change "their" to "his"

AMENDMENT NO. 3
On page 3, line 19, following "questions" and before "persons" change "of" to "from"

AMENDMENT NO. 4
On page 4, line 11, following "whom" and before "working" change "they are" to "he is"

AMENDMENT NO. 5
On page 8, line 19, following "the" and before "in" change "brokers" to "broker"
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed House Bill No. 198 by Representative Travis

AMENDMENT NO. 1

On page 2, line 11, after "law" insert "or would reveal serious defect"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 198 by Representative Travis

AMENDMENT NO. 1

On page 5, line 13, after "knew" insert "or should have known"

Rep. Travis moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frige Pierre
Alario Gautreaux Pinac
Alexander, A.—93rd Glover Powell
Alexander, R.—13th Green Pratt
Ansardi Guillory Quezaire
Barton Hammett Riddle
Baudoin Hebert Rousselle
Baylor Hill Saller
Bowler Holden Scalise
Bruce Hopkins Schneider
Brun Hudson Shaw
Bruneau Hunter Smith, J.D.—50th
Carter Iles Stelly
Chaisson Jenkins Strain
Clarkson Jetson Theriot
Copelin Johns Thomas
Crane Kennard Thompson
Curtis Kenney Thornhill
Dumico Landrieu Toomy
Daniel LeBlanc Travis
Deville Long Triche
DeWitt Marionneaux Vitter
Diez Martiny Walsworth
Doerge McCain Warner
Donelon McCallum Welch
Dupre McDaniel Weston
Durand McMains Wiggins
Farve Michot Wilkerson
Faucheux Montgomery Willard-Lewis
Flavin Morrish Windhorst
Fontenot Murray Winston
Forster Odinet Wright
Frith Perkins
Total—99

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 200——
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:1455(A)(21) and 1467, relative to real estate agency disclosure; to provide that licensees shall provide parties to a real estate transaction with an agency disclosure form or pamphlet; to provide that the Louisiana Real Estate Commission may prescribe such forms or pamphlets; to provide for causes for censure, suspension, or revocation of license, registration, or certification; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Short to Engrossed House Bill No. 200 by Representative Travis (Duplicate of Senate Bill No. 849)

AMENDMENT NO. 1

On page 1, line 3, after "to" delete the remainder of the line, delete lines 4 through 7 in their entirety and insert in lieu thereof the following:

"delete the requirement that a licensed real estate agent is the agent or subagent of the seller unless there is a disclosure agreement to the contrary; to provide for agency disclosure informational pamphlets and other disclosure forms; and to provide for"

AMENDMENT NO. 2

On page 2, line 9, delete "disclosure"

AMENDMENT NO. 3

On page 2, line 19, before "Licensees" insert "A."

AMENDMENT NO. 4

On page 2, delete line 21 in its entirety and insert in lieu thereof the following:

"applicable, a dual agency disclosure form as mandated under R.S. 9:3895."

B. The"

Rep. Travis moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Glover Pratt
Alario Green Quezaire
Alexander, A.—93rd Guillory Rousselle
Alexander, R.—13th Hammett Romero
Ansardi Heaton
Total—99

The above bill was taken up with the amendments proposed by the Senate.
The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1437**

*By Representatives Alario and Dewitt*

**AN ACT**

To enact R.S. 47:296.1, relative to the individual income tax; to authorize the secretary of the Department of Revenue and Taxation to simplify the income tax filing requirements for certain resident individual taxpayers by providing a no-return option; to require employers to withhold income taxes at special rates from employees that properly elect a no-return option; to authorize the promulgation of rules and regulations, subject to legislative oversight; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1437 by Representative Alario

**AMENDMENT NO. 1**

On page 2, line 2, following "their" and before "withholding" change "employer" to "employer's".

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker Fruge Pinac
Alario Glover Powell
Alexander, A.—93rd Green Pratt
Ansardi Guillory Quezaire
Barton Hammett Riddle
Baudoin Hebert Rousselle
Baylor Hill Salter
Bowler Holden Scale
Bruce Hopkins Schneider
Brun Hudson Shaw
Bunny Hunter Smith, J.R.—30th
Carter Jenkins Stelly
Chaisson Jenkins Strain
Clarkson Johns Thomas
Copelin Johns Thompson
Crane Kenney Thornhill
Dampico LeBlanc Travis
DeWitt LeBlanc Triche
Dorsey McCallum Warner
Donelon Michot West
Dupre Montgomery Wiggins
Durand Morrell Wilkerson
Faucheux Morish Willard-Lewis
Flavin Odinet Windhorst
Fontenot Perkins Winton
Forster Pierre Wright
Frith Pinac

Total—97

**NAYS**

Farve Murray

Total—2

**ABSENT**

Dimos Lancaster McDonald
Gautreaux Long Mitchell

Total—6

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 1821 (Duplicate of Senate Bill No. 1199)**

*By Representative McCain and Senator Guidry and coauthored by Senator Dardenne*

**AN ACT**

To amend and reenact Civil Code Art. 2375(A) and (C) and R.S. 9:2801(1)(a) and (2) and to enact R.S. 13:1415, relative to community property; to provide retroactive effect of termination of the community property regime to the date of filing of the original petition in certain cases; to clarify the time within which a party must file or traverse a sworn detailed descriptive list; to provide family courts with exclusive jurisdiction over actions for partition of property acquired pursuant to a matrimonial regime, actions seeking a termination or modification of a matrimonial regime, and actions for the settlement and enforcement of claims and for enforcement of judicial or
contractual settlements related to matrimonial regimes; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Guidry to Reengrossed House Bill No. 1821 by Representative McCain (Duplicate of Senate Bill No. 1199)

AMENDMENT NO. 1

On page 1, line 3, after "relative to" delete the remainder of the line, delete lines 4 through 12, and insert the following:

"civil jurisdiction and procedure; to provide for jurisdiction over certain property of a community; to provide for the time in which to file motions relative to settlement of co-ownership of community property; and to provide for related matters."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guidry to Engrossed House Bill No. 1821 by Representative McCain

AMENDMENT NO. 1

In Amendment No. 1 proposed by Senator Guidry and adopted by the Senate on May 7, 1997, on line 6 thereof, between "property;" and "and" insert "to provide exclusive jurisdiction in family courts in certain matters relating to matrimonial regimes;"

Rep. McCain moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—97

ABSENT

Total—0

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 55—

BY REPRESENTATIVE COPELIN

A RESOLUTION

To amend and readopt House Rule 14.13 of the Rules of Order of the House of Representatives to require a favorable vote of two-thirds of the total membership of a committee in order to reschedule a legislative instrument which has been deferred by the committee over objection; to provide relative to the scheduling of such an instrument; to provide that a motion to suspend such provision is debatable; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To recognize and commend the Rapides High School Lady Mustangs for their outstanding basketball season and their performance in the Sweet Sixteen State Championship.

Read by title.

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

Ordered to the Senate.
HOUSE CONCURRENT RESOLUTION NO. 180—
BY REPRESENTATIVES R. ALEXANDER, HUNTER, MORRELL, MURRAY, QUEZIAIRE, JETSON, LANDRIEU, MONTGOMERY, RIDDLE, CLARKSON, GLOVER, WESTON, PRATT, AND GUILLORY

A CONCURRENT RESOLUTION
To authorize the Department of Social Services to proceed with the implementation of the Electronic Benefit Transfer Program for the issuance of benefits in the Food Stamp Program and the Family Independence Temporary Assistance Program statewide.

Read by title.
Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Agriculture
May 16, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 2459, by Montgomery
Reported with amendments. (12-0) (Regular)

Senate Bill No. 550, by Hainkel
Reported favorably. (15-0) (Regular)

Senate Bill No. 1458, by Theunissen
Reported favorably. (16-0) (Regular)

R.H. "BILL" STRAIN
Chairman

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

Report of the Committee on Labor and Industrial Relations
May 16, 1997

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 922, by Dardenne
Reported favorably. (8-5-1) (Regular)

GAREY FORSTER
Chairman

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

Report of the Committee on Judiciary
May 16, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 71, by Faucheux
Reported with amendments. (10-0-1) (Regular)

House Bill No. 75, by Faucheux
Reported with amendments. (10-0-1) (Regular)

House Bill No. 189, by Faucheux
Reported favorably. (10-0-1) (Regular)

House Bill No. 341, by Toomy
Reported with amendments. (9-0-1) (Regular)

House Bill No. 466, by Faucheux
Reported favorably. (10-0-1) (Regular)

House Bill No. 2251, by Hebert
Reported with amendments. (7-3-1) (Regular)

House Bill No. 2369, by Deville
Reported favorably. (8-0-1) (Regular)

House Bill No. 2410, by Marionneaux
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 471, by Cox
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 475, by Jordan
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 891, by Jordan
Reported favorably. (10-0-1) (Regular)

Senate Bill No. 1547, by Ullo
Reported with amendments. (9-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

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

Leave of Absence

Rep. Dimos - 1 day

Adjournment

On motion of Rep. LeBlanc, at 12:45 P.M., the House agreed to adjourn until Monday, May 19, 1996, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Monday, May 19, 1996.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, Emeritus