

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

FIFTY-SECOND 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, June 13, 1997

The House of Representatives was called to order at 1045 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	Gautreaux	Perkins
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Alexander, R.—13th	Guillory	Powell
Ansardi	Hammett	Pratt
Barton	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Rousselle
Bruce	Hopkins	Salter
Brun	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Dimos	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston

Faucheux
Flavin
Fontenot
Forster
Frith
Fruge
Total—105

Mitchell
Montgomery
Morrell
Morrish
Murray
Odinet

Wiggins
Wilkerson
Willard-Lewis
Windhorst
Winston
Wright

ABSENT

Total—0

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

Prayer

Prayer was offered by Rep. Salter.

Pledge of Allegiance

Rep. Clarkson 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. Damico, the reading of the Journal was dispensed with.

On motion of Rep. Damico, the Journal of June 12, 1997, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

June 12, 1997

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

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

House Bill No. 111
Returned without amendments.

House Bill No. 117
Returned without amendments.

House Bill No. 267
Returned without amendments.

House Bill No. 306
Returned with amendments.

House Bill No. 311
Returned without amendments.

House Bill No. 329
Returned without amendments.

House Bill No. 338
Returned without amendments.

House Bill No. 373
Returned without amendments.

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House Bill No. 550
Returned with amendments.

House Bill No. 649
Returned without amendments.

House Bill No. 658
Returned without amendments.

House Bill No. 659
Returned without amendments.

House Bill No. 662
Returned without amendments.

House Bill No. 796
Returned without amendments.

House Bill No. 797
Returned with amendments.

House Bill No. 801
Returned without amendments.

House Bill No. 831
Returned with amendments.

House Bill No. 840
Returned with amendments.

House Bill No. 885
Returned without amendments.

House Bill No. 897
Returned without amendments.

House Bill No. 918
Returned with amendments.

House Bill No. 919
Returned with amendments.

House Bill No. 971
Returned without amendments.

House Bill No. 995
Returned without amendments.

House Bill No. 998
Returned without amendments.

House Bill No. 1057
Returned without amendments.

House Bill No. 1058
Returned without amendments.

House Bill No. 1113
Returned with amendments.

House Bill No. 1151
Returned without amendments.

House Bill No. 1152
Returned with amendments.

House Bill No. 1190
Returned with amendments.

House Bill No. 1191
Returned without amendments.

House Bill No. 1284
Returned without amendments.

House Bill No. 1379
Returned without amendments.

House Bill No. 1401
Returned without amendments.

House Bill No. 1481
Returned with amendments.

House Bill No. 1482
Returned with amendments.

House Bill No. 1483
Returned without amendments.

House Bill No. 1484
Returned without amendments.

House Bill No. 1485
Returned without amendments.

House Bill No. 1510
Returned with amendments.

House Bill No. 1859
Returned with amendments.

House Bill No. 2309
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 12, 1997

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

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

Senate Concurrent Resolution No. 149

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

June 12, 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. 818 and 1341

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. DeWitt, 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. 818— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 18:443.2(4) and (6), relative to state central committees; to provide for annual meetings of a state central committee; to provide for vote of committee; to provide for ramification of certain members; and to provide for related matters.

Read by title.

SENATE BILL NO. 1341— BY SENATOR LANDRY

AN ACT

To enact R.S. 22:2004.1 and R.S. 40:2207, relative to health care organizations; to require health maintenance organizations and preferred provider organizations to provide coverage for the expenses of interpreters for hearing impaired enrollees and covered patients; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Commerce

June 13, 1997

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 144, by Cain
Reported favorably. (7-0)

JOHN D. TRAVIS
Chairman

Report of the Committee on House and Governmental Affairs

June 13, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 12, 1997, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 205, by Durand
Reported with amendments. (10-0)

House Concurrent Resolution No. 216, by Weston
Reported favorably. (12-0)

Senate Concurrent Resolution No. 140, by Dardenne
Reported favorably. (11-0)

Senate Bill No. 355, by Greene
Reported with amendments. (11-0) (Regular)

Senate Bill No. 457, by Hines
Reported with amendments. (10-0) (Regular)

Senate Bill No. 706, by Landry
Reported favorably. (8-4) (Regular)

Senate Bill No. 882, by Landry
Reported with amendments. (11-0) (Regular)

Senate Bill No. 896, by Jordan
Reported with amendments. (9-3) (Regular)

Senate Bill No. 947, by Romero C
Reported with amendments. (11-0) (Regular)

Senate Bill No. 1110, by Dardenne
Reported with amendments. (12-0) (Regular)

Senate Bill No. 1140, by Dean
Reported favorably. (9-4) (Regular)

Senate Bill No. 1513, by Greene
Reported with amendments. (13-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

Privileged Report of the Legislative Bureau

June 13, 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. 253
Reported without amendments.

Senate Bill No. 257
Reported without amendments.

Senate Bill No. 512
Reported without amendments.

Senate Bill No. 658

Reported without amendments.

Senate Bill No. 660
Reported with amendments.

Senate Bill No. 683
Reported without amendments.

Senate Bill No. 684
Reported without amendments.

Senate Bill No. 685
Reported without amendments.

Senate Bill No. 686
Reported without amendments.

Senate Bill No. 695
Reported without amendments.

Senate Bill No. 856
Reported with amendments.

Senate Bill No. 857
Reported without amendments.

Senate Bill No. 883
Reported without amendments.

Senate Bill No. 1076
Reported without amendments.

Senate Bill No. 1119
Reported without amendments.

Senate Bill No. 1141
Reported without amendments.

Senate Bill No. 1304
Reported without amendments.

Senate Bill No. 1306
Reported without amendments.

Senate Bill No. 1362
Reported without amendments.

Senate Bill No. 1369
Reported with amendments.

Senate Bill No. 1376
Reported without amendments.

Senate Bill No. 1405
Reported without amendments.

Senate Bill No. 1460
Reported without amendments.

Senate Bill No. 1489
Reported without amendments.

Senate Bill No. 1492
Reported without amendments.

Senate Bill No. 1536
Reported without amendments.

Senate Bill No. 1560
Reported with amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 147—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To create and provide with respect to a committee to study and make recommendations with respect to the feasibility of establishing an advisory council on mental health services for the deaf and hearing impaired and to further study the composition of the governing board for the Louisiana School of the Deaf.

Read by title.

Motion

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

SENATE CONCURRENT RESOLUTION NO. 148—
BY SENATOR ROBICHAUX AND REPRESENTATIVES TRICHE AND GAUTREAUX

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to make an annual report to the legislature on the status of red drum and spotted sea trout.

Read by title.

Motion

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 235—
BY REPRESENTATIVE ROUSSELLE AND SENATOR IRONS

A CONCURRENT RESOLUTION

To direct the Orleans Levee Board to return land taken for the Bohemia Spillway to those persons certified by the Department of Natural Resources as rightful heirs.

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 Concurrent Resolution No. 235 by Representative Rousselle

AMENDMENT NO. 1

On page 3, line 11, change "34" to "46" and insert after "36"

AMENDMENT NO. 2

On page 3, line 12, after "179," insert "and" and after "181" change the comma "," to a period "." and delete the remainder of the line and delete line 13 in its entirety

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

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

**Senate Concurrent Resolutions
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Public Safety and Corrections to find ways in which to avoid the expansion of prison facilities through the use of alternative incarceration for persons serving time for nonviolent offenses.

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 Senate Concurrent Resolution No. 38 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, after "Corrections to" delete the remainder of the line and insert "utilize"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "facilities through the use of"

AMENDMENT NO. 3

On page 2, line 6, after "Corrections to" delete the remainder of the line and insert "utilize"

AMENDMENT NO. 4

On page 2, at the beginning of line 7, delete "through the use of"

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

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

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATOR DEAN

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Wildlife and Fisheries to use the mean or average in determining the spawning potential ratio for southern flounder.

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 Engrossed Senate Concurrent Resolution No. 107 by Senator Dean

AMENDMENT NO. 1

On page 1, line 2, delete "urge and request" and insert "direct"

AMENDMENT NO. 2

On page 2, line 13, delete "urges and requests" and insert "directs"

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

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

SENATE CONCURRENT RESOLUTION NO. 133—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To approve amendments to the wetlands conservation and restoration plan prepared annually by the Wetlands Conservation and Restoration Authority.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

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

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

HOUSE BILL NO. 2408—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 27:318(A), relative to certain video draw poker device revenues; to provide with respect to the distribution of device revenues at particular licensed establishments; 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

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Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2408 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, change "27:312(B)(2)(b)" to "27:318(A)," and delete the remainder of the line and on line 3, delete "and 323.1,"

AMENDMENT NO. 2

On page 1, delete lines 4 through 6 in their entirety and insert in lieu thereof the following:

"provide with respect to the distribution of device revenues at particular licensed establishments; and to provide"

AMENDMENT NO. 3

On page 1, line 9, change "27:312(B)(2)(b)" to "27:318(A)" and at the end of the line delete "and" insert "to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 10 through 18 in their entirety and delete page 2 in its entirety and on page 3 delete lines 1 through 14 in their entirety and insert in lieu thereof the following:

"§318. Distribution of device revenues; particular licensed establishments; pari-mutuel wagering facilities

A.(1) When the owner of the licensed establishment is not the licensed device owner of the devices placed in or on his premises, ~~one-half not less than twenty-five percent~~ of the monthly net device revenues received by the establishment owner, after deduction of one-twelfth the estimated total of the annual establishment fees plus one hundred dollars per device per month and any fee or tax levied by the local governing authority, shall be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.

(2) When the owner of the licensed establishment is the licensed device owner of the devices placed in or on his premises, ~~one-half not less than twenty-five percent~~ of the monthly net device revenues received by the establishment owner in excess of five hundred dollars shall be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.

* * *

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.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 83—

BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 47:1 and R.S. 56:10(B)(6) and to enact R.S. 47:463.46, relative to revenue and taxation; to provide relative to license plates; to establish the Louisiana quail unlimited license plate; to provide for a fee; to provide relative to the "natural heritage account"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 204—

BY SENATOR HEITMEIER AND REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(2)(a) and 1299.47(A)(2)(a); relative to prescription in medical malpractice claims; to specify the proper party to be served; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 290—

BY SENATORS HEITMEIER AND SMITH AND REPRESENTATIVE DEWITT

A JOINT RESOLUTION

Proposing to amend Article VII, Section 1 of the Constitution of Louisiana, relative to the power to tax; to prohibit the exercise of the power to tax by any state court; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 295—

BY SENATOR JORDAN

A JOINT RESOLUTION

Proposing to add Article I, Section 25 of the Constitution of Louisiana, relative to state sovereignty; to provide that the people of this state shall have the right to govern themselves as a sovereign state; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 320—

BY SENATORS LENTINI, SCHEDLER, BARHAM, BEAN, CAIN, CAMPBELL, CASANOVA, COX, DARDENNE, DEAN, DYESS, ELLINGTON, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, JONES, JORDAN, LAMBERT, LANDRY, MALONE, ROBICHAUX, ROMERO, SHORT, SMITH, TARVER, AND ULLO

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(A) and to add Article VII, Section 18(G) of the Constitution of Louisiana, relative to creating a special assessment level for homestead exempt property of persons sixty-five years of age or older; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 320 by Senator Lentini

AMENDMENT NO. 1

On page 4, line 3, change "ceiling" to "limitation"

AMENDMENT NO. 2

On page 4, line 4, change "ceiling" to "limitation"

AMENDMENT NO. 3

On page 4, line 5, after "which" delete the remainder of the line and add "certain homeowners reach the"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 321—

BY SENATOR MALONE AND REPRESENTATIVE BRUN

A JOINT RESOLUTION

Proposing to amend Article I, Section 10 of the Constitution of Louisiana, relative to the right to vote; to prohibit convicted felons from seeking or holding public office; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 321 by Senator Malone

AMENDMENT NO. 1

In House Committee Amendment No. 9, proposed by the House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 321 by Senator Malone on line 24, at the end of the line delete "persons"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 351—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 39:71(C) and 72, relative to budget allotments; to require the division of administration to adjust certain allotments under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 411—

BY SENATOR DEAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1425(3) and 1457(A), relative to interrogatories; to require witnesses or persons other than parties to a suit to answer interrogatories; to provide relative to the rate chargeable by experts for giving a deposition; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 411 by Senator Dean

AMENDMENT NO. 1

On page 1, line 2, change "1425(3)" to "1425(1) and (3)"

AMENDMENT NO. 2

On page 1, line 4, after "provide" delete the remainder of the line and insert "for the payment of fees of"

AMENDMENT NO. 3

On page 1, line 5, delete "chargeable by"

AMENDMENT NO. 4

On page 1, line 8, change "1425(3)" to "1425(1) and (3)"

AMENDMENT NO. 5

On page 1, between lines 13 and 14, insert the following:

"(1)(a) A party may through interrogatories or by deposition require any other party to identify each person whom the other party expects to call as an expert witness at trial, to state the subject matter on which the expert is expected to testify, and to state the substance of the facts to which the expert is expected to testify.

(b) Upon motion, the court may order further discovery by other means, subject to such restrictions as to scope as the court may deem appropriate and such subject to the provisions, pursuant to Paragraph (3) of this Article, concerning the payment of fees and expenses as the court may deem appropriate pursuant to Paragraph (3) of this Article."

AMENDMENT NO. 6

On page 2, line 1, change "one" to "three"

AMENDMENT NO. 7

On page 2, line 2, delete "fifty"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 529—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 17:350.21(B), relative to funding of laboratory schools; to increase state funding for the university laboratory schools operated by Louisiana State University and Agricultural and Mechanical College and by Southern University and Agricultural and Mechanical College; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 751—
BY SENATORS GUIDRY AND DEAN
AN ACT

To enact Chapter 4 of Code Title V of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.70 through 2800.83, and Civil Code Art. 2315.8, relative to liability for certain damages; to provide for the "Drug Dealer Liability Act"; to provide for definitions; to provide for civil liability; to provide for recovery of damages; to provide for limited recovery of damages; to provide for third party suits; to provide for the targeting of an illegal drug market; to provide for joinder of parties; to provide for comparative fault; to provide for contribution among and recovery from multiple defendants; to provide for a standard of proof; to provide for prejudgment attachment and execution of judgments; to provide for prescription; to provide for a stay of action; to provide for exemplary damages; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 751 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 3, change "9:2800.70" to "9:2800.61"

AMENDMENT NO. 2

On page 1, delete line 4, and insert "through 2800.76, relative to liability for"

AMENDMENT NO. 3

On page 2, line 1, change "9:2800.70" to "9:2800.61"

AMENDMENT NO. 4

On page 2, line 2, change "2800.83 are" to "2800.76, is"

AMENDMENT NO. 5

On page 2, line 3, after "CHAPTER 4." and before "DRUG" insert "LOUISIANA"

AMENDMENT NO. 6

On page 2, delete lines 4 through 27, and delete pages 3 through 12, and on page 13, delete lines 1 through 19 and insert the following:

"§2800.61. Title; legislative intent

A. This Chapter shall be known and may be cited as the "Louisiana Drug Dealer Liability Act".

B. The purpose of this Chapter is to provide a civil remedy for damages to persons in a community injured by an individual's use of illegal controlled substances. It establishes a cause of action against drug dealers for damages for monetary, noneconomic, and physical losses incurred as a result of an individual's use of an illegal controlled substance. This Chapter will shift the cost of the damage caused by the marketing of illegal drugs to those who illegally profit from that market, as well as deter others from entering the illegal drug market by subjecting them to substantial monetary loss. This Chapter will also provide an incentive for individual users to identify illegal drug marketers and recover from them the costs of their own drug treatment.

§2800.62. Definitions

As used in this Chapter, unless the context requires otherwise:

(1) "Controlled substance" means a controlled dangerous substance as defined and covered by the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

(2) "Illegal controlled substance" means cocaine, phencyclidine, heroin, or methamphetamine and any other illegal controlled dangerous substance the possession or distribution of which is a violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

(3) "Individual user" means the individual whose use of an illegal controlled substance, that is not obtained directly from or pursuant to a valid prescription or order of a licensed physician or practitioner which is the basis of an action brought under this Chapter.

(4) "Level one offense" means the illegal possession with intent to distribute less than four ounces or the illegal distribution of less than one ounce of an illegal controlled substance.

(5) "Level two offense" means the illegal possession with intent to distribute four ounces or more but less than eight ounces, or the illegal distribution of one ounce or more, but less than two ounces, of an illegal controlled substance.

(6) "Level three offense" means the illegal possession with intent to distribute eight ounces or more but less than sixteen ounces, or the illegal distribution of two ounces or more, but less than four ounces, of an illegal controlled substance.

(7) "Level four offense" means the illegal possession with intent to distribute sixteen ounces or more, or the illegal distribution of four ounces or more, of an illegal controlled substance.

(8) "Marketing of an illegal controlled substance" means the possession with intent to distribute or distribution of a specified illegal controlled substance which is a violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

(9) "Participate in the marketing of an illegal controlled substance" means to transport, import into this state, possess with intent to distribute, distribute an illegal controlled substance or offer to transport, import into this state, possess with the intent to distribute, or distribute an illegal controlled substance. "Participate in the marketing of an illegal controlled substance" does not include the purchase or receipt of an illegal controlled substance for personal use only.

(10) "Period of illegal use" means, in relation to the individual user of an illegal controlled substance, the time from the individual's first illegal use of an illegal controlled substance to the accrual of the cause of action.

(11) "Person" means a natural person, governmental entity, or corporation, partnership, firm, trust, or incorporated or unincorporated association, existing under or authorized by the laws of this state, another state, or a foreign country.

(12) "Place of illegal activity" means, in relation to the individual user of an illegal controlled substance, each parish in which the individual illegally possesses or uses an illegal controlled substance during the period of the individual's use of an illegal controlled substance.

(13) "Place of participation" means, in relation to a defendant in an action brought under this Chapter, each parish in which the person participates in the marketing of illegal controlled substances during the period of the person's participation in the marketing of illegal controlled substances.

§2800.63. Action for damages by persons other than the individual user

A. Any one or more of the following persons may bring an action for damages caused by an individual's use of an illegal controlled substance against those persons enumerated in Subsection B of this Section:

(1) A parent, legal custodian, child, spouse, or sibling of the individual user.

(2) An individual who was exposed to an illegal controlled substance in utero.

(3) An employer of the individual user.

(4) A medical facility, insurer, employer, governmental entity, or other legal entity that funds a drug treatment program or other employee assistance program for or that otherwise expends money on behalf of the individual user.

(5) A person injured as a result of the willful, reckless, or negligent actions of an individual user.

B. A person entitled to bring an action pursuant to Subsection A of this Section may seek damages from one or more of the following:

(1) A person who sold, administered, or furnished an illegal controlled substance to the individual user.

(2) A person who knowingly participated in the marketing of an illegal controlled substance, if all of the following apply:

(a) The place of illegal activity by the individual user is within the municipality, parish, or unincorporated area of the parish in which the defendant's place of participation is situated.

(b) The defendant's participation in the marketing of illegal controlled substances was connected with the same type of illegal controlled substance used by the individual user, and the defendant has been convicted of an offense for that type of specified illegal controlled substance, which he committed in the same parish as the individual user's place of use.

(c) The defendant participated in the marketing of illegal controlled substances at any time during the period in which the individual user used the illegal controlled substance.

C. As used in Paragraph B(2) of this Section, "knowingly participated in the marketing of an illegal controlled substance" means was convicted of possession with the intent to distribute or distribution of an illegal controlled substance in violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

D. A person entitled to bring an action under this Section may recover all of the following damages:

(1) Economic damages, including but not limited to the cost of treatment and rehabilitation, medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, support expenses, accidents or injury, and any other pecuniary loss proximately caused by the use of an illegal controlled substance.

(2) Noneconomic damages, including but not limited to physical and emotional pain and suffering, physical impairment, emotional distress, mental anguish, disfigurement, loss of enjoyment, loss of companionship, services, and consortium, and other nonpecuniary losses proximately caused by an individual's use of an illegal controlled substance.

(3) Exemplary damages.

(4) Reasonable attorney fees.

(5) Costs of suit, including but not limited to reasonable expenses for expert testimony.

§2800.64. Action by individual users

A. An individual user is entitled to bring an action for damages caused by the use of an illegal controlled substance only if all of the following conditions are met:

(1) Not less than six months before filing the action, the individual personally discloses to narcotics enforcement authorities all of the information known to the individual regarding the individual's sources of illegal controlled substances.

(2) The individual has not used an illegal controlled substance within thirty days before filing the action.

(3) The individual does not use an illegal controlled substance during the pendency of the action.

B. The individual user entitled to bring an action under this Section may recover only the following damages:

(1) Economic damages, including but not limited to the cost of treatment, rehabilitation, and medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, accidents or injury, and any other pecuniary loss proximately caused by the person's use of an illegal controlled substance.

(2) Reasonable attorney fees.

(3) Costs of suit, including but not limited to reasonable expenses for expert testimony.

C. The individual user entitled to bring an action under this Section may seek damages only from a person who distributed or

possessed with the intent to distribute the illegal controlled substance actually used by the individual user.

§2800.65. Third parties not liable; nonassignment of cause of action

A. A third party shall not pay damages awarded under this Chapter or provide a defense or the cost of a defense, on behalf of an insured under an obligation of insurance or indemnification.

B. A cause of action authorized by this Chapter shall not be assigned, either expressly, by subrogation, or by any other means, directly or indirectly, to any public or publicly funded agency or institution.

§2800.66. Level of offense; amount of liability

Any person, whose participation in the marketing of illegal controlled substances constitutes the following level of offense, shall be subject to a rebuttable presumption of responsibility in the following amounts:

(1) For a level one offense, twenty-five percent of the damages.

(2) For a level two offense, fifty percent of the damages.

(3) For a level three offense, seventy-five percent of the damages.

(4) For a level four offense, one hundred percent of the damages.

§2800.67. Joinder of actions

A. Two or more persons may join in one action under this Chapter as plaintiffs if their respective actions have at least one market for illegal controlled dangerous substances in common and if any portion of the period of use of an illegal controlled dangerous substance is concurrent with the period of use of an illegal controlled dangerous substance for every other plaintiff.

B. Two or more persons may be joined in one action under this Chapter as defendants, if those persons are liable to at least one plaintiff.

C. A plaintiff need not participate in obtaining and a defendant need not participate in defending against all of the relief demanded. Judgment may be given for one or more plaintiffs according to their respective rights to relief and against one or more defendants according to their respective liabilities.

§2800.68. Comparative fault

A. An action by an individual user pursuant to R.S. 9:2800.64 is governed by the application of comparative fault as provided in Civil Code Article 2323. Comparative fault attributable to the individual user shall not bar recovery but shall reduce the award of compensatory damages proportionally, according to the amount of fault attributable to the individual user.

B. The defendant shall have the burden of proving the comparative fault of the plaintiff, which shall be shown by clear and convincing evidence.

C. Comparative fault shall not be attributable to a plaintiff who is not an individual user, unless that plaintiff intentionally gave the individual user money for the purchase of the illegal controlled substance.

§2800.69. Contribution by tort-feasors

A person subject to liability under this Chapter has a right of action for contribution against another person subject to liability under this Chapter. Contribution may be enforced either in the original action or by a separate action brought for that purpose. A person may seek recovery in accordance with this Chapter and as otherwise provided by law against a person against whom a defendant has asserted a right of contribution.

§2800.70. Proof of liability

A. Proof of liability in an action brought pursuant to this Chapter shall be by clear and convincing evidence. Except as otherwise provided in this Chapter, other elements of the cause of action shall be shown by a preponderance of the evidence.

B.(1) A person against whom recovery is sought who has been convicted of the distribution of an illegal controlled dangerous substance under state law or under the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. 801 et seq., is precluded from denying participation in the marketing of an illegal controlled dangerous substance. Except as provided in Paragraph (2) of this Subsection, the provisions of this Subsection shall not affect a person's burden of proving the elements required by R.S. 9:2800.63(B)(2)(a) through (c).

(2) A conviction specified in Paragraph (1) of this Subsection shall also be prima facie evidence of the defendant's participation in the marketing of an illegal controlled substance used by the individual user, where the conviction was based upon the person's marketing of that same type of illegal controlled substance.

C. The absence of a criminal conviction of a person pursuant to Paragraph B(1) of this Section against whom recovery is sought does not bar an action against that person in an action pursuant to R.S. 9:2800.63(B)(1) or R.S. 9:2800.64.

§2800.71. Defense; exclusion

A. It is a defense to any action brought pursuant to this Chapter that the person who possessed with the intent to distribute or distributed a controlled substance did so under the authority of law as a licensed physician or practitioner, as an ultimate user of the controlled substance pursuant to a lawful prescription, or as a person otherwise authorized by law.

B. A law enforcement officer or agency, the state, or any person acting at the direction of a law enforcement officer or agency or the state is not liable for participating in the marketing of an illegal controlled substance, if the participation is in furtherance of an official investigation.

§2800.72. Writ of attachment

A person authorized to file an action under this Chapter may seek a writ of attachment pursuant to the provisions of Code of Civil Procedure Articles 3501 et seq. against all assets of a defendant sufficient to satisfy a potential award, except an asset named in or seized pursuant to a forfeiture action by the state or federal agency before a plaintiff commences an action pursuant to this Chapter, unless the asset is released by the agency that seized it.

§2800.73. Prescription

A. Except as otherwise provided in this Subsection, a cause of action prescribes in one year after a defendant furnishes the illegal substance. A cause of action accrues under this Chapter when a person who may recover has reason to know of the harm from the use

of an illegal controlled substance that is the basis for the cause of action and has reason to know that the use of an illegal controlled substance is the cause of the harm.

B. Prescription against a defendant is suspended until one year after the individual potential defendant is convicted of a criminal offense involving an illegal controlled dangerous substance or as otherwise provided by law.

§2800.74. Stay of action by governmental entity

A. On motion by a governmental entity involved in an investigation or prosecution involving an illegal controlled dangerous substance, an action brought under this Chapter shall be continued until the completion of the criminal investigation or prosecution that gave rise to the motion for a continuance of the action.

B. Discovery of investigative reports of the state or law enforcement agency shall be available only at the conclusion of the state's prosecution or action against any party in a criminal or civil proceeding, and thereafter only in accordance with R.S. 44:3 et seq.

C. No intelligence file or information regarding illegal drug activity accumulated by a law enforcement agency or the district attorney that does not result in an arrest and bill of information or indictment shall be subject to discovery pursuant to this Chapter.

§2800.75. Actions between spouses; exemption

The provisions of this Chapter are not intended to amend, supersede, or repeal the provisions of R.S. 9:291.

§2800.76. Exemplary damages

In addition to general and special damages that may be awarded under this Chapter, exemplary damages may be awarded upon proof that the sale or distribution of an illegal controlled substance or participation in the marketing of an illegal controlled substance was in wanton or reckless disregard for the rights, health, and safety of others.

Section 2. The provisions of this Act shall have prospective application only and shall apply only to a cause of action arising on and after its effective date."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 793—

BY SENATORS BAGNERIS AND HINES
AN ACT

To amend and reenact R.S. 40:1299.39(A)(1)(a)(iv)(aa), relative to medical malpractice liability; to provide definitions; to provide for effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

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Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 793 by Senator Bagneris

AMENDMENT NO. 1

On page 2, line 3, after "program," and before "who" delete "or"

AMENDMENT NO. 2

On page 2, line 13, after "program" insert a period "." and delete the remainder of the line

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 866— BY SENATOR CAIN

AN ACT

To enact R.S. 9:2800.11, relative to liability of dealers of liquefied petroleum gas; to provide for limitations of liability of dealers of such gas; to provide for limitations of liability on such dealers for damages relative to unauthorized alterations of liquefied petroleum gas works; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 866 by Senator Cain

AMENDMENT NO. 1

On page 1, line 3, after "liability" delete the remainder of the line and delete lines 4 and 5 and insert "for damages caused by certain gas leaks or by unauthorized alterations of gas systems; and to"

AMENDMENT NO. 2

On page 1, line 11, after "A." delete the remainder of the line and insert "No dealer of liquefied petroleum gas shall be liable for"

AMENDMENT NO. 3

On page 1, line 12, change "that result from" to "caused by" and change "meter, holding" to "regulator, storage"

AMENDMENT NO. 4

On page 1, at the end of line 13, change "any" to "no"

AMENDMENT NO. 5

On page 1, delete lines 14 through 16 in their entirety and insert the following:

"dealer shall be liable for damages whenever a liquefied petroleum gas system, as defined in R.S. 40:1842.8, which is owned or serviced

by the dealer, is altered by a party other than the dealer, unless such alteration was contracted, supervised, performed, or otherwise authorized by the dealer."

AMENDMENT NO. 6

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

AMENDMENT NO. 7

On page 2, line 3, after "B." delete the remainder of the line and delete line 4 and insert the following:

"The limitation of liability provided in Subsection A shall not apply if the dealer's violation of any law or regulation was a proximate cause of the plaintiff's damages."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 879— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 46:56(F)(1) and Ch. C. Art. 616(B), relative to the accessing of child abuse and neglect records; to allow a judge of a court exercising juvenile jurisdiction to request a central registry record check from the Department of Social Services; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 936— BY SENATOR HOLLIS

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.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 936 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 4, after "units" and before the semi-colon ";" insert "or while wearing a uniform"

AMENDMENT NO. 2

On page 1, delete lines 15 and 16 and insert in lieu thereof the following:

"B. No law enforcement officer shall issue a citation for a violation of the motor vehicle laws of this state unless the vehicle used for the apprehension bears identifying insignia and bar lights or grill lights, or the law enforcement officer is wearing a uniform identifying his authority. The provisions of this Section shall not apply in circumstances endangering public safety."

AMENDMENT NO. 3

On page 2, delete lines 1 through 3 in their entirety.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 936 by Senator Hollis

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Transportation, Highways and Public Works on line 10, change "Section" to "Subsection"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1087—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 12:96, relative to prescriptive and preemptive periods for actions against officers and directors of business corporations; to provide with respect to liability of directors and officers of business corporations; to provide with respect to prescriptive and preemptive periods for actions against directors and officers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1090—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 35:323(A), (B), and (C)(1) and (3), 323.1(A) and (B), 327, 328, 331, 332, 334, 335, 336(A) and (B), 337, 337.1, and 338, and to enact R.S. 35:321(3), and to repeal

R.S. 35:323(D) and (G) and 329, relative to notaries public and commissioners; to provide for the appointment of notaries; to provide for changes in the office of the custodian of notarial records for the parish of Orleans; to provide for the preservation of notarial records; to increase the fees to be charged by the custodian of notarial records; to provide for the use and separate location of microfilm records; to provide for the testing of sureties on bonds and for the giving of new bond; to provide for the revocation of a non-attorney's commission for failure to furnish bond; to provide for notice by the custodian of the bond expiration date; to provide sanction for act after expiration of bond or after surety canceled; to provide for the appointment of a deputy and an archivist; to provide for unbudgeted funds collected by the custodian of notarial records; to provide for the annual budget; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1090 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "(C)(1)" and before the comma "," delete "and (3)"

AMENDMENT NO. 2

On page 1, line 3, delete "337.1,"

AMENDMENT NO. 3

On page 1, line 16, after the semicolon ";" and before "to" insert "to provide penalties for willful violations;"

AMENDMENT NO. 4

On page 2, line 4, after "(C)(1)" and before the comma "," delete "and (3)"

AMENDMENT NO. 5

On page 2, line 5, delete "337.1,"

AMENDMENT NO. 6

On page 5, delete lines 5 through 7 in their entirety

AMENDMENT NO. 7

On page 8, line 2, change "five" to "one"

AMENDMENT NO. 8

On page 9, delete lines 11 through 13 in their entirety and insert the following:

** * *

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1098—
BY SENATORS ROBICHAUX AND LANDRY
AN ACT

To enact R.S. 23:967, relative to interference with individual rights; to provide with respect to employment; to prohibit acts by an employer against an employee for intended or actual disclosure of an activity, policy or practice in violation of law; to provide penalties for employers who engage in reprisal; to provide for damages; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1098 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 4, delete "an activity, policy" and insert in lieu thereof "a workplace act"

AMENDMENT NO. 2

On page 1, line 13, delete "act in a retaliatory manner or"

AMENDMENT NO. 3

On page 1, line 14, after "faith" and before the colon ":" insert a comma "," and insert "and after advising the employer of the violation of law"

AMENDMENT NO. 4

On page 1, line 15, delete "an activity, policy," and insert in lieu thereof "a workplace act"

AMENDMENT NO. 5

On page 1, line 16, after "violation of" insert "state"

AMENDMENT NO. 6

On page 2, at the end of line 2, delete "potential"

AMENDMENT NO. 7

On page 2, line 4, delete "activity, policy" and insert in lieu thereof "employment act"

AMENDMENT NO. 8

On page 2, line 5, after "that" delete "the employee reasonable believes"

AMENDMENT NO. 9

On page 2, at the beginning of line 7, delete "of appropriate venue" and insert in lieu thereof "where the violation occurred"

AMENDMENT NO. 10

On page 2, at the beginning of line 10, change "employee" to "plaintiff" and after "employer" delete the remainder of the line and delete lines 11, 12, and 13 in their entirety and insert in lieu thereof "damages, reasonable attorney fees, and court costs."

AMENDMENT NO. 11

On page 2, line 16, after "layoff" delete the remainder of the line and delete lines 17, 18, 19, and 20 in their entirety and insert in lieu thereof "loss of benefits, or any discriminatory action the court finds was taken as a result of an action by the employee that is protected under Subsection A of this Section; however, nothing in this Section shall prohibit an employer from enforcing an established employment policy, procedure, or practice or exempt an employee from compliance with such."

AMENDMENT NO. 12

On page 2, line 21, after "(2) "Damages"" delete the remainder of the line and delete lines 22, 23, 24 and 25 in their entirety and insert in lieu thereof "include compensatory damages, back pay, benefits, reinstatement, reasonable attorney fees, and court costs resulting from the reprisal."

AMENDMENT NO. 13

On page 2, after line 25, insert the following:

"D. If suit or complaint is brought in bad faith or if it should be determined by a court that the employer's act or practice was not in violation of the law, the employer may be entitled to reasonable attorney fees and court costs from the employee."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1128—
BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 9:305, relative to disavowal of paternity; to provide for the period in which child support payments are owed; to provide additional time for disavowal actions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1128 by Senator Ellington, et al.

AMENDMENT NO. 1

On page 2, delete lines 3 through 7 in their entirety and insert in lieu thereof the following:

"B. No provision of this Section shall affect any child support payment or arrears paid, due, or owing prior to an order of disavowal becoming final and definitive."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1147—
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 23:392(C), 964(F), and 1513 and to enact R.S. 23:108(E), 231(H), 897(K), 1511(E), (F), and (G), 1513.1, 1513.2, and 1532.1(C)(5), relative to certain accounts in the employment security administration fund; to create the penalty and interest account and Reed Act account in the employment security administration fund; to provide for disbursements from the accounts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

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. 1147 by Senator Ellington

AMENDMENT NO. 1

On page 4, line 9, following "fines" and before "and" insert a comma ","

AMENDMENT NO. 2

On page 4, lines 12 and 13, following "R.S." and before ", be" change "23:1491, R.S. 23:1543 and R.S. 23:1551" to "23:1491, 1543, and 1551"

AMENDMENT NO. 3

On page 5, line 4, following "penalties" and before "and fines" insert a comma ","

AMENDMENT NO. 4

On page 5, line 8, following "fine" and before "or" insert a comma ","

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

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

Under the rules, placed on the consent calendar.

SENATE BILL NO. 1155—
BY SENATORS BAGNERIS AND SCHEDLER
AN ACT

To amend and reenact Civil Code Arts. 394 and 405, Code of Civil Procedure Art. 4549, and to repeal Civil Code Arts. 400 and 401, relative to interdiction and curatorship; to provide for notice and hearing in a suit for the appointment of a provisional curator; to provide criteria for appointment of a provisional curator; to provide for the powers and duration of a provisional curator; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1155 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 2, after "394" and before "and" insert ", 400,"

AMENDMENT NO. 2

On page 1, line 3, delete "and to repeal Civil Code Arts. 400 and 401,"

AMENDMENT NO. 3

On page 1, line 9, after "394" and before "and" insert ", 400,"

AMENDMENT NO. 4

On page 1, after line 16, insert the following:

"Art. 400. Effective date of interdiction

The entry of a judgment of interdiction shall render the interdiction takes place effective from the day of presenting the petition for the same.

* * *

AMENDMENT NO. 5

On page 2, line 19, delete "Due" and insert in lieu thereof "The person sought to be interdicted is incapable of caring for his person or administering his estate due"

AMENDMENT NO. 6

On page 2, line 20, after "or" delete the remainder of the line and insert in lieu thereof "other infirmity as provided in Civil Code Article 389 or 422."

(2) There is imminent danger that the"

AMENDMENT NO. 7

On page 2, at the beginning of line 24, change "(2)" to "(3)"

AMENDMENT NO. 8

On page 2, at the beginning of line 27, change "(3)" to "(4)"

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AMENDMENT NO. 9

On page 3, line 6, delete "at least forty-eight" and insert in lieu thereof "within a reasonable period of time" and on line 7, delete "hours prior to the hearing"

AMENDMENT NO. 10

On page 3, at the end of line 9, insert "The defendant has the right to be present at the hearing, to present evidence, to testify, and to cross-examine witnesses."

AMENDMENT NO. 11

On page 3, line 17, change "forty-" to "seventy-two"

AMENDMENT NO. 12

On page 3, line 18, delete "eight" and after "hearing" insert a period "." and delete the remainder of the line and delete line 19 in its entirety and on line 20, delete "the right to counsel." and insert in lieu thereof "In all other respects the hearing shall be conducted in accordance with the provisions of Paragraph B of this Article."

AMENDMENT NO. 13

On page 4, at the end of line 3, change "Section." to "Article."

AMENDMENT NO. 14

On page 4, at the end of line 22, delete the period "." and add "and the affidavit of the physician or the psychologist."

AMENDMENT NO. 15

On page 4, between lines 22 and 23, insert the following:

"(f) Explain that the defendant has a right to be present at the hearing, to present evidence, to testify, and to cross-examine witnesses."

AMENDMENT NO. 16

On page 5, delete lines 14 through 20 in their entirety and insert in lieu thereof the following:

"Section 3. The provisions of this Act shall apply prospectively only and shall not apply to any interdiction proceeding wherein the original petition for interdiction was filed prior to August 15, 1997, regardless of the disposition of the original petition or any judgment resulting therefrom."

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. 1155 by Senator Bagneris

AMENDMENT NO. 1

On page 3, line 25, following "a" and before "curator" change "provisions" to "provisional"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1255—

BY SENATORS JONES AND ELLINGTON
AN ACT

To enact R.S. 38:345, relative to levee districts; to require certain levee districts to develop a flood prevention plan; to require funding for such levee districts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1343—

BY SENATOR BAGNERIS
AN ACT

To amend and reenact R.S. 9:334(A) and (E), relative to child custody dispute mediation; to establish qualifications of child custody dispute mediators who supervise co-mediation training; to provide regarding the authority to promulgate rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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. 1343 by Senator Bagneris

AMENDMENT NO. 1

On page 2, lines 6, 10 and 14, change "Paragraph A" to "Paragraph"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1371—

BY SENATOR JOHNSON
AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy in parishes with a population of over four hundred seventy-five thousand; to establish a special fund in the state treasury; to provide for deposit of monies into the fund and allowable uses of monies in the fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 1371 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 14, after "R.S. 47:301(14)(a)" delete the remainder of the line, delete lines 15 and 16, and on page 2, delete line 1 and insert in lieu thereof "in any"

AMENDMENT NO. 2

On page 2, line 10, after "Orleans" delete the remainder of the line and insert "Business and Industrial District and New Orleans Sports Foundation Fund".

AMENDMENT NO. 3

On page 2, delete lines 12 through 14 in their entirety and insert in lieu thereof the following:

"District and New Orleans Sports Foundation Fund shall be appropriated each year by the legislature. Except as otherwise provided in this Section, all monies in the fund shall be appropriated to the New Orleans Business and Industrial District for the purposes of the district. Ten percent of the monies in the fund shall be appropriated to the New Orleans Sports Foundation. One hundred fifty thousand dollars annually shall be appropriated to the New Orleans East Visitor's Center, Inc. All"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1436 (Substitute for Senate Bill No. 16 by Senator Cain)—
BY SENATOR CAIN

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743, relative to inmate litigation; to provide for loss of privileges or sanctions when litigation instituted by an inmate is determined by the court to be frivolous or malicious; to provide for definitions; to require inmates to pay for court cost and fees; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Conforming amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1436 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "Part I-C" to "Part XVI"

AMENDMENT NO. 2

On page 1, delete lines 3 through 7 and insert the following:

"of 1950, to be comprised of R.S. 15:1181 through 1190, relative to suits by prisoners; to enact the Prison Litigation Reform Act, providing for civil actions with respect to prison conditions, the remedies or relief that may be granted and conditions and restrictions thereon, the effects of consent decrees and private settlement agreements, the appointment of experts, the award of attorney fees, and the assessment, disposition, and consequences of actions that are malicious, frivolous, groundless, or otherwise lacking in merit; to provide for the payment of filing fees and costs and for the use of compensatory damages to pay outstanding restitution orders; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 9, change "Part I-C" to "Part XVI"

AMENDMENT NO. 4

On page 1, line 10, change "15:741 through 743" to "15:1181 through 1190,"

AMENDMENT NO. 5

On page 1, delete lines 12 through 16 and insert the following:

"PART XVI. PRISON LITIGATION REFORM ACT

§1181. Definitions

In this Part the terms enumerated have the following meanings:

(1) "Consent decree" means any relief entered by the court that is based in whole or in part upon the consent or acquiescence of the parties but does not include private settlements.

(2) "Civil action with respect to prison conditions" means any civil proceeding arising under state law with respect to the conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison, but does not include habeas corpus proceedings challenging the fact or duration of confinement in prison.

(3) "Expert" means any person appointed by a court to exercise the powers of an expert, regardless of the title or description given by the court.

(4) "Prison" means any state or local jail, prison, or other correctional facility that incarcerates or detains juveniles or adults accused of, convicted of, sentenced for, or adjudicated delinquent for violations of criminal law.

(5) "Prisoner" means any person subject to incarceration, detention, or admission to any prison who is accused of, convicted of, sentenced for, or adjudicated delinquent for violations of criminal law or the terms and conditions of parole, probation, pretrial release, or a diversionary program.

(6) "Prisoner release order" includes any order, including a temporary restraining order or preliminary injunctive relief, that has the purpose or effect of reducing or limiting the prison population, or that directs the release of prisoners from or prohibits the admission of prisoners to a prison.

(7) "Private settlement agreement" means an agreement entered into among the parties that is not subject to judicial enforcement other than the reinstatement of the civil proceeding that the agreement settled.

(8) "Prospective relief" means all relief other than compensatory monetary damages.

(9) "Relief" means all relief in any form that may be granted or approved by the court, and includes consent decrees but does not include private settlement agreements.

§1182. Appropriate remedies with respect to prison conditions

A. Prospective relief in any civil action with respect to prison conditions shall extend no further than necessary to correct the violation of the state right of a particular plaintiff or plaintiffs. The court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of the state right, and is the least intrusive means necessary to correct the violation of the state right. The court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the relief. The court shall not order any prospective relief that requires or permits a government official to exceed his or her authority under state or local law or otherwise violates state or local law unless state law permits such relief to be ordered, and the relief is necessary to correct the violation of a state right, and no other relief will correct the violation of the state right. Nothing in this Section shall be construed to authorize the courts, in exercising their remedial powers, to order the construction of prisons or the raising of taxes, or to repeal or detract from otherwise applicable limitations on the remedial powers of the courts.

B. In any civil action with respect to prison conditions, to the extent otherwise authorized by law, the court may enter a temporary restraining order or an order for preliminary injunctive relief. Preliminary injunctive relief must be narrowly drawn, extend no further than necessary to correct the harm the court finds requires preliminary relief, and be the least intrusive means necessary to correct that harm. The court shall give substantial weight to any adverse impact on public safety or the operation of a criminal justice system caused by the preliminary relief. Preliminary injunctive relief shall automatically expire ninety days after its entry, unless the court makes the findings required under Subsection A for the entry of prospective relief and makes the order final before the expiration of the ninety-day period.

C. In any civil action with respect to prison conditions, no prisoner release order shall be entered unless a court has previously entered an order for less intrusive relief that has failed to remedy the violation of the state right sought to be remedied through the prisoner release order and the defendant has had a reasonable amount of time to comply with the previous court order.

D. Any state or local official or unit of government whose jurisdiction or function includes the appropriation of funds for the construction, operation, or maintenance of prison facilities, or the prosecution or custody of persons who may be released from, or not admitted to, a prison as a result of a prisoner release order shall have standing to oppose the imposition or continuation in effect of such

relief and to seek termination of such relief, and shall have the right to intervene in any proceeding relating to such relief.

E.(1) In any civil action with respect to prison conditions in which prospective relief is ordered, such relief shall be terminable upon the motion of any party or intervener two years after the date the court granted or approved the prospective relief, or one year after the date the court has entered an order denying termination of prospective relief under this Section, or, in the case of an order issued on or before the effective date of this Part, two years after such date.

(2) In any civil action with respect to prison conditions, a defendant or intervener shall be entitled to the immediate termination of any prospective relief if the relief was approved or granted in the absence of a finding by the court that the relief was narrowly drawn, extended no further than necessary to correct the violation of the state right, and was the least intrusive means necessary to correct the violation of the state right.

(3) Prospective relief shall not terminate if the court makes written findings based on the record that prospective relief remains necessary to correct a current or ongoing violation of the state right and that the prospective relief is narrowly drawn, extends no further than necessary to correct the violation of the state right, and is the least intrusive means to correct the violation.

(4) Nothing in this Section shall prevent any party or intervener from seeking modification or termination before the relief is terminable under this Subsection, to the extent that modification or termination would otherwise be legally permissible.

F. In any civil action with respect to prison conditions, the court shall not enter or approve a consent decree unless it complies with the limitations on relief set forth in Subsection A. Nothing in this Section shall preclude parties from entering into a private settlement agreement that does not comply with the limitations on relief set forth in Subsection A, if the terms of that agreement are not subject to court enforcement other than the reinstatement of the civil proceeding that the agreement settled.

G. The court shall promptly rule on any motion to modify or terminate prospective relief in a civil action with respect to prison conditions. Any prospective relief subject to a pending motion shall be automatically stayed during the period beginning on the thirtieth day after such motion is filed, in the case of a motion made under Subsection E, or beginning on the one hundred eightieth day after such motion is filed, in the case of a motion made under any other law, and ending on the date the court enters a final order ruling on the motion.

§1183. Experts

A. In any civil action with respect to prison conditions, the court may appoint an expert who shall be disinterested and objective and will give due regard to the public safety. If the court determines that the appointment of an expert is necessary, the court shall request that the defendant and the plaintiff each submit a list of not more than five persons to serve as an expert. Each party shall have the opportunity to remove up to three persons from the opposing party's list. The court shall select the expert from the persons remaining on the list after all names have been removed. Any party shall have the right to an interlocutory appeal of the judge's selection of the expert under this Section on the ground of partiality.

B. An expert appointed under this Section may be authorized to conduct hearings and prepare proposed findings of fact on the record and may assist in the development of remedial plans. The expert shall not make any findings or communications ex parte. An

expert may be appointed during the remedial phase of a civil action with respect to prison conditions only upon a finding that the remedial phase will be sufficiently complex to warrant such appointment.

C. In any civil action with respect to prison conditions in which an expert is appointed under this Section, the court shall review the appointment of the expert every six months to determine whether the services of the expert continue to be required. The expert may be removed at any time. In no event shall the appointment of an expert extend beyond the termination of the relief.

D. Notwithstanding any other law to the contrary, the compensation to be allowed to an expert shall not be greater than the hourly rate established for payment of court-appointed counsel, plus costs reasonably incurred by the expert. Such compensation and costs shall be paid with funds available to the court.

§1184. Suits by prisoners

A. No action shall be brought with respect to prison conditions by a prisoner confined in any prison until such administrative remedies as are available are exhausted.

B. The court, on its own motion or on the motion of a party, shall dismiss any action brought with respect to prison conditions by a prisoner confined in any prison if the court is satisfied that the action is frivolous, is malicious, fails to state a cause of action, or seeks monetary relief from a defendant who is immune from such relief. If a claim, on its face, is frivolous, is malicious, fails to state a cause of action, or seeks monetary relief from a defendant who is immune from such relief, the court may dismiss the underlying claim without first requiring the exhaustion of administrative remedies.

C. Any defendant may waive the right to reply to any action brought by a prisoner confined in any prison. Notwithstanding any other law or rule of procedure, such waiver shall not constitute an admission of the allegations contained in the petition. No relief shall be granted to the plaintiff unless an answer has been filed. The court may require any defendant to answer a petition brought under this Section if it finds that the plaintiff has a reasonable opportunity to prevail on the merits.

D. To the extent practicable, in any action brought with respect to prison conditions pursuant to the provisions of this Section, or any other law, by a prisoner confined in any prison, pretrial proceedings in which the prisoner's participation is required or permitted shall be conducted by telephone, video conference, or other communications technology without removing the prisoner from the facility in which he is confined. Subject to agreement by the state or local entity of government with custody over the prisoner, hearings may be conducted at the facility in which the prisoner is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other telecommunications technology in any hearing held at the facility.

E. No civil action may be brought by a prisoner confined in any prison for mental or emotional injury suffered while in custody without a prior showing of physical injury.

§1185. Attorney fees

A. In any action brought by a prisoner who is confined to any prison in which attorney fees are authorized, such fees shall not be awarded, except to the extent that the fee was directly and reasonably incurred in proving an actual violation of the plaintiff's rights protected by a statute pursuant to which a fee may be awarded, and

the amount of the fee is proportionately related to the court-ordered relief for the violation or the fee was directly and reasonably incurred in enforcing the relief ordered for the violation.

B. Whenever a monetary judgment is awarded in an action described in Subsection A, a portion of the judgment, not to exceed twenty-five percent, shall be applied to satisfy the amount of attorney fees awarded against the defendant. If the award of attorney fees is not greater than one hundred fifty percent of the judgment, the excess shall be paid by the defendant. No award of attorney fees in an action shall be based on an hourly rate greater than the hourly rate established for payment of court-appointed counsel.

C. Nothing in this Section shall prohibit a prisoner from entering into an agreement to pay an attorney fee in an amount greater than the amount authorized under this Section, if the fee is paid by the individual rather than by the defendant.

§1186. Proceedings in forma pauperis

A.(1) A prisoner seeking to bring a civil action or appeal a judgment in a civil action or proceeding without prepayment of fees or security therefor must comply with all requirements for proceeding in forma pauperis and shall submit a certified copy of the trust fund account statement or institutional equivalent for the six-month period immediately preceding the filing of the petition or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined.

(2) If a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee. The court shall assess and, when funds exist, collect, as a partial payment of any court fees required by law, an initial partial filing fee of twenty percent of the greater of the average monthly deposits to the prisoner's account, or the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the petition or notice of appeal.

B. After payment of the initial partial filing fee, the prisoners shall be required to make monthly payments of twenty percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds ten dollars until the filing fees are paid. In no event shall a prisoner be prohibited from bringing a civil action or appealing a civil or criminal judgment for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee. In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action or an appeal of a civil action or criminal judgment.

C. Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that the allegation of poverty is untrue, or the action or appeal is frivolous or malicious, fails to state a cause of action, or seeks monetary relief against a defendant who is immune from such relief.

D. If the judgment against a prisoner includes the payment of costs, the prisoner shall be required to pay the full amount of the costs ordered and in the same manner as is provided for filing fees. In no event shall the costs collected exceed the amount of the costs ordered by the court.

E. In actions to which this Chapter applies, the provisions of this Section, to the extent of any conflict with those of Code of Civil

Procedure Article 5181 et seq., apply to the payment of filing fees and costs.

§1187. Successive claims

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this Part if the prisoner has, on three or more prior occasions while incarcerated or detained in any facility, brought an action or appeal in a state court that was dismissed on the grounds that it was frivolous or malicious, or failed to state a cause of action, unless the prisoner is under imminent danger of serious physical injury.

§1188. Judicial screening

The court shall review, before docketing if feasible or, in any event, as soon as practicable after docketing, a petition in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity. On review, the court shall identify cognizable claims or dismiss the petition, or any portion of the petition, if the petition is frivolous, is malicious, fails to state a cause of action, or seeks monetary relief from a defendant who is immune from such relief.

§1189. Payment of damage award in satisfaction of pending restitution orders

Any compensatory damages awarded to a prisoner in connection with a civil action brought against any prison or against any official or agent of such prison shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner. The remainder of any such award after full payment of all pending restitution orders shall be forwarded to the prisoner. Prior to payment of any compensatory damages awarded under this Part, reasonable efforts shall be made to notify the victims of the crime for which the prisoner was convicted and incarcerated concerning the pending payment of any such compensatory damages.

§1190. Earned release credit or good time credit revocation

In any civil action brought by any person convicted of a crime and confined in a prison, the court may order the revocation of such earned good time credit that has not yet been vested, if, on its own motion or the motion of any party, the court finds that the claim was filed for a malicious purpose, the claim was filed solely to harass the party against which it was filed, or the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court."

AMENDMENT NO. 6

On page 2, delete lines 1 through 27 in their entirety, on page 3, delete lines 1 through 27 in their entirety, on page 4, delete lines 1 through 27 in their entirety, and on page 5, delete lines 1 through 14 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1508—
BY SENATOR LENTINI
AN ACT

To enact Subpart E of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:355.1 through 355.17, relative to guidelines for moving a child's residence; to provide for definitions; to provide for notice; to provide for court sanctioned relocations; to provide for elements of proof; to provide for sanctions for unwarranted proposals to relocate a child; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1508 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 2, change "part:" to "Subpart:"

AMENDMENT NO. 2

On page 2, between lines 2 and 3, insert the following:

"(1) "Equal physical custody" means that the parents share equal parental authority of the child absent a court order to the contrary."

AMENDMENT NO. 3

On page 2, at the beginning of line 3, change "A." to "(2)"

AMENDMENT NO. 4

On page 2, between lines 5 and 6 insert the following:

(3) "Principal residence of a child" means:

(a) The location designated by a court to be the primary residence of the child.

(b) In the absence of a court order, the location at which the parties have expressly agreed that the child will primarily reside.

(c) In the absence of a court order or an express agreement, the location, if any, at which the child has spent the majority of time during the prior six months."

AMENDMENT NO. 5

On page 2, at the beginning of line 6, change "B." to "(4)"

AMENDMENT NO. 6

On page 2, at the beginning of line 7, change "(1)" to "(a)"

AMENDMENT NO. 7

On page 2, at the beginning of line 9, change "(2)" to "(b)"

AMENDMENT NO. 8

On page 2, at the beginning of line 16, change "(3)" to "(c)"

AMENDMENT NO. 9

On page 2, delete lines 19 through 26 in their entirety

AMENDMENT NO. 10

On page 3, line 2, change "Section" to "Subpart"

AMENDMENT NO. 11

On page 3, line 4, delete "After the effective date of this Subpart." and insert in lieu thereof "On or after August 15, 1997."

AMENDMENT NO. 12

On page 3, line 6, delete "the effective date of this Subpart," and insert in lieu thereof "August 15, 1997."

AMENDMENT NO. 13

On page 3, line 10, after "when" insert a colon ":" and delete the remainder of the line and insert in lieu thereof the following:

"(1) The parents of a child have"

AMENDMENT NO. 14

On page 3, between lines 13 and 14 insert the following:

"(2) An order issued pursuant to Domestic Abuse Assistance, Part II of Chapter 28 of Title 46 or the Post-Separation Family Violence Relief Act or Injunctions and Incidental Orders, Parts IV and V of Chapter 1 of Code Title V of Code Book I of Title 9, all of the Louisiana Revised Statutes of 1950, Domestic Abuse Assistance, Chapter 8 of Title XV of the Children's Code, or any other restraining order, preliminary injunction, permanent injunction, or any protective order prohibiting a spouse from harming or going near or in the proximity of the other spouse is in effect."

AMENDMENT NO. 15

On page 4, line 3, after "requested" and before "to" insert a comma ","

AMENDMENT NO. 16

On page 4, line 7, after "relocation" delete "; or" and in lieu thereof insert a period "."

AMENDMENT NO. 17

On page 5, line 24, after "355.4" and before "unless" insert a comma ","

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1546 (Substitute for Senate Bill No. 511 by Senator Cox)—

BY SENATOR COX

AN ACT

To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:221 through 234, relative to civil commitment; to provide for special procedures for commitment of sexually violent predators; to define terms; to provide for offenses considered as sexually violent offenses; to provide for initial assessments, the filing of sexually violent offender petitions, detention, evaluations, hearing procedures, trials, and dispositions in connection therewith; to provide for periodic examinations and judicial review; to provide for notifications upon release; to provide for special allegations in certain criminal cases; to provide with respect to confidential or privileged information and the sealing of court records; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 1546 by Senator Cox

AMENDMENT NO. 1

On page 3, delete lines 8 through 11 in their entirety

AMENDMENT NO. 2

On page 3, at the beginning of line 12, change "(3)" to "(2)"

AMENDMENT NO. 3

On page 3, at the beginning of line 15, change "(4)" to "(3)"

AMENDMENT NO. 4

On page 3, between lines 16 and 17, insert the following:

"(4) "Sexual predatory illness" means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree thereby constituting such person as a menace to the health and safety of others."

AMENDMENT NO. 5

On page 4, line 6, change "mental" to "sexual predatory"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1546 by Senator Cox

AMENDMENT NO. 1

On page 3, line 17, following "means" delete the remainder of the line and delete line 18 in its entirety and insert "committed for the purpose of the" and on line 19, after "gratification" insert "of the offender"

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

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

Under the rules, placed on the regular calendar.

Reconsideration

SENATE BILL NO. 1295—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:351 through 354, 361 through 365, 371 through 377, and 381, relative to slot machine gaming at certain live horse race tracks; to provide for state policy; to provide definitions; to provide relative to the power of the Louisiana State Racing Commission; to provide relative to the temporary and permanent conduct of slot machine gaming; to provide for required licenses and the terms of such licenses; to provide relative to required suitability standards; to provide relative to the powers and duties of the Louisiana Gaming Control Board; to provide relative to the duties of the office of state police; to provide relative to limitations on slot machine gaming; to prohibit certain relationships; to provide for certain crimes and provide penalties therefor; to prohibit allowing minors to play slot machines and to provide with regard thereto; to require posting certain information regarding assistance for compulsive gambling; to require and provide for a local election regarding slot machine gaming; and to provide for related matters.

Read by title.

On motion of Rep. McMains, the vote by which the above Senate Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

Suspension of the Rules

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

House and House Concurrent Resolutions

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

Motion

On motion of Rep. Durand, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of House Concurrent Resolution No. 233.

HOUSE CONCURRENT RESOLUTION NO. 233—
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To urge and request the office of state parks to study the feasibility of converting a portion of Longfellow Evangeline State Commemorative Area in St. Martinville into an RV park to provide for overnight camping for recreational vehicles and to report its findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 1014—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 11:430, relative to the Louisiana State Employees' Retirement System; to provide with respect to the purchase of service credit if member is covered by the settlement of "United States v. Louisiana Department of Transportation and Development, et al."; to provide with respect to contributions relative thereto; and to provide for related matters.

Read by title.

Rep. Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	McCain	Travis
Dimos	McCallum	Triche
Doerge	McDonald	Vitter
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Montgomery	Welch
Farve	Morrell	Weston
Faucheux	Morrish	Wiggins
Flavin	Murray	Wilkerson
Forster	Odinet	Willard-Lewis
Frith	Perkins	Windhorst
Fruge	Pierre	Winston
Gautreaux	Pinac	Wright
Total—96		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Fontenot	Kennard
Brun	Hopkins	Martiny
Diez	Jenkins	Mitchell
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 1302—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:9102(B), and to enact Part V of Chapter 31 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9131.5, relative to certain communications districts; to provide relative to enhancement of emergency telecommunications services; to provide relative to service charges collected by districts including provisions relative to use of the proceeds from such charges, the telecommunications service users liable for such charges, the rate of such charges, and the collection and enforcement of such charges; and to provide for related matters.

Read by title.

Rep. Morrish moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Brun	Mitchell	Thomas
Hopkins	Schneider	
Jenkins	Strain	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Morrish 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.

SENATE BILL NO. 1310—

BY SENATORS HAINKEL, BRANCH, SHORT, THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, CAMPBELL, CASANOVA, COX, DARDENNE, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HEITMEIER, HINES, HOLLIS, IRONS, JORDAN, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, AND ULLO
AN ACT

To authorize the board of directors of the Louisiana School for Math, Science, and the Arts to designate a facility located on said campus in honor of Dave Treen, former governor.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Reengrossed Senate Bill No. 1310 by Senator Hainkel

AMENDMENT NO. 1

On page 1, at the end of line 4, delete the period "." and insert in lieu thereof semicolon ";" and "and to authorize the Louisiana State University Board of Supervisors to name the field located at Alex Box Stadium in honor of Skip Bertman"

AMENDMENT NO. 2

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

"Section 2. Notwithstanding the provisions of R.S. 14:316 or any contrary provision of Chapter 16 of Title 49 of the Louisiana Revised Statutes of 1950 and any other provision of law to the contrary, the Louisiana State University Board of Supervisors may name the field located at Alex Box Stadium in honor of Skip Bertman."

AMENDMENT NO. 3

On page 1, at the beginning of line 12, change "Section 2." to "Section 3."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—97

NAYS

Total—0

ABSENT

Bruce	Dimos	Marionneaux
Bruneau	Donelon	Mitchell
DeWitt	Hudson	
Total—8		

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

On motion of Rep. Salter, 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.

SENATE BILL NO. 1388—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 22:635, relative to automobile insurance rates; to prohibit premium increases to policyholders due to a lapse for failure to renew; to provide for application on effective date; 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	Glover	Perkins
Alario	Green	Pierre
Alexander, A.—93rd	Guillory	Pinac
Alexander, R.—13th	Hammett	Pratt
Ansardi	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Holden	Romero
Bruce	Hopkins	Rousselle
Brun	Hudson	Salter
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Jetson	Stelly
Curtis	Johns	Strain
Damico	Kennard	Theriot
Daniel	Kenney	Thomas
Deville	Lancaster	Thompson
DeWitt	Landrieu	Thornhill
Diez	LeBlanc	Toomy
Dimos	Long	Travis
Doerge	Marionneaux	Triche
Donelon	McCain	Vitter
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson

Forster
Frith
Fruge
Gautreaux
Total—95

Morrell
Morrish
Murray
Odinet

NAYS

Bowler
Bruneau
Crane
Total—8

Martiny
Powell
Scalise

ABSENT

Barton
Total—2

Hill

The Chair declared the above bill was finally passed.

Rep. Hunter 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.

SENATE BILL NO. 1412—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(1) and (2), and (E)(1) and (2), relative to building regulations; to make certain clarifications relative to local governing authorities' authority to take action regarding the removal and securing of dangerous structures; to authorize certain parishes to request the removal and demolition of condemned buildings, structures, or public nuisances by the national guard; to remove any liability from certain parishes relative to such structures when all procedural protections and substantive restraints have been followed; and to provide for related matters.

Read by title.

Rep. Dimos moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Diez
Dimos
Doerge
Donelon
Dupre
Durand
Farve
Faucheux
Flavin
Fontenot
Forster
Frith
Fruge
Gautreaux
Total—104

Marionneaux
Martiny
McCain
McCallum
McDonald
McMains
Michot
Mitchell
Montgomery
Morrell
Morrish
Murray
Odinet
Perkins

Travis
Triche
Vitter
Walsworth
Warner
Welch
Weston
Wiggins
Wilkerson
Willard-Lewis
Windhorst
Winston
Wright

NAYS

Total—0

ABSENT

Brun
Total—1

The Chair declared the above bill was finally passed.

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

Speaker Pro Tempore Bruneau in the Chair

SENATE BILL NO. 1443—
BY SENATOR THEUNISSEN (BY REQUEST)
AN ACT

To amend and reenact R.S. 33:1233(A)(2)(b)(ii), relative to parishes; to authorize a parish governing authority, by ordinance, to establish the monthly salary for members of police juries.

Read by title.

Rep. Frith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gautreaux	Odinet
Alexander, A.—93rd	Glover	Pinac
Alexander, R.—13th	Green	Quezaire
Bruneau	Guillory	Romero
Chaisson	Heaton	Rousselle
Clarkson	Hebert	Salter
Curtis	Hill	Smith, J.R.—30th
Damico	Holden	Strain
Deville	Hudson	Thomas
DeWitt	Hunter	Thornhill
Doerge	Kennard	Toomy
Dupre	LeBlanc	Travis
Durand	Marionneaux	Triche
Farve	McCain	Weston
Faucheux	Michot	Wiggins
Frith	Morrish	Willard-Lewis
Fruge	Murray	Winston
Total—51		

NAYS

Mr. Speaker	Dimos	Montgomery
Ansardi	Donelon	Perkins
Barton	Hopkins	Pierre
Baudoin	Iles	Powell

Baylor	Jenkins	Pratt
Bowler	Jetson	Riddle
Bruce	Johns	Scalise
Brun	Kenney	Shaw
Carter	Lancaster	Stelly
Copelin	Landrieu	Walsworth
Crane	Martiny	Welch
Daniel	McCallum	Windhorst
Diez	McDonald	Wright

Total—39

ABSENT

Flavin	McMains	Theriot
Fontenot	Mitchell	Thompson
Forster	Morrell	Vitter
Hammett	Schneider	Warner
Long	Smith, J.D.—50th	Wilkerson

Total—15

Failed to pass.

Motion to reconsider pending.

SENATE BILL NO. 1451—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:1151(4), relative to municipal and parish industrial development boards; to provide relative to the types of development projects which such boards are authorized to undertake; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 1451 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "51:1151(4)" delete the comma "," and insert "and 1753(B)(8) and to enact R.S. 51:1766,"

AMENDMENT NO. 2

On page 1, line 2, between "to" and "municipal" insert "economic development; to provide relative to"

AMENDMENT NO. 3

On page 1, at the end of line 4, insert "to provide relative to the economically disadvantaged business program; to provide for a bonding program;"

AMENDMENT NO. 4

On page 1, line 7, after "51:1151(4)" change "is" to "and 1753(B)(8) are"

AMENDMENT NO. 5

On page 1, line 7, between "reenacted" and "to" insert "and R.S. 51:1766 is hereby enacted"

AMENDMENT NO. 6

On page 2, between lines 23 and 24, insert the following:

"§1753. Division of economically disadvantaged business development; creation; appointment of executive director; duties

* * *

B. The division shall do the following:

* * *

(8) Establish any other programs that may be necessary to carry out the purpose and intent of this Chapter, including but not limited to small business bonding assistance programs.

(a) ~~In its effort to provide bonding assistance, the~~ The division is authorized to shall develop a system for providing ~~two million dollars annually for bonding assistance for surety bonding financial and technical assistance and training to certified businesses. The Louisiana Economic Development Corporation shall provide two million dollars annually for use in the bonding assistance program provided that such funds shall be maintained and monitored by the corporation. The Louisiana Economic Development Corporation shall develop and provide an analysis and evaluation process to be used in the bonding assistance program for determining which requests shall be approved.~~

(b) Requests for bonding assistance shall be submitted to the division for approval. The division shall develop and provide an analysis and evaluation process to be used in the bonding assistance program for determining which requests shall be approved. Rules for the approval process shall be developed and promulgated by the division in accordance with the Administrative Procedure Act, executive director of the Louisiana Economic Development Corporation. The corporation, in cooperation with the executive director of the economically disadvantaged business program and the director of the bonding assistance program, shall determine which requests shall be approved for bonding assistance funding. The corporation The division shall review and monitor the evaluation and analysis process developed by the bonding assistance program.

(c) The approval of the undersecretary of the office of management and finance shall be required prior to the issuance of or entrance into any obligation, whether contractual or financial, by the bonding assistance program.

* * *

§1766. Small Business Surety Bonding Fund; creation; distribution of funds

A. Funds received by the division under this Part or otherwise made available for the purposes of this Part shall be deposited immediately upon receipt into the state treasury.

B. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required in Subsection A hereof shall be credited to a special fund hereby created in the state treasury to be known as the Small Business Surety Bonding Fund. The monies in this fund shall be used solely as provided in Subsection C hereof and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in such fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund and interest earned on the investment of these monies shall be credited to this fund, again following compliance with the requirement of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund.

C. The monies in the Small Business Surety Bonding Fund shall be used by the division solely to fund the division's effort to provide financial assistance to small businesses to mitigate gaps in the state surety bond market.

Section 2. The state treasurer, for the fiscal year beginning on July 1, 1997, shall transfer two million dollars from the Louisiana Economic Development Fund to the Small Business Surety Bonding Fund."

AMENDMENT NO. 7

On page 2, delete lines 24 through 27 and on page 3 delete lines 1 and two and insert "Section 3. This Act shall become effective on July 1, 1997."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Scalise
Total—2
Wilkerson

The Chair declared the above bill was finally passed.

Rep. Copelin 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.

SENATE BILL NO. 1464—

BY SENATOR LAMBERT

AN ACT

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

Read by title.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—104

NAYS

Total—0

ABSENT

Wilkerson
Total—1

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1473—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:228.6(B)(2)(b), relative to health insurance premiums; to provide criteria for community rating of premiums for small groups; to delete the twenty percent limit on small group health insurance; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 1494—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 38:1806(A), relative to public contracts, works and improvements; to authorize expansion of the size of the sales tax district of the Gravity Drainage District No. 3 of the parish of St. Tammany; to provide for the consent of a municipality's governing authority before being included within the sales tax district; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Gautreaux	Pinac
Alexander, A.—93rd	Glover	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Bruce	Hopkins	Schneider
Brun	Hunter	Shaw
Bruneau	Iles	Smith, J.D.—50th
Carter	Jenkins	Smith, J.R.—30th
Chaisson	Jetson	Stelly
Clarkson	Johns	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston

Farve	Michot	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinot	Wright

Total—99

NAYS

Total—0

ABSENT

Daniel	Hudson	Pierre
Green	Mitchell	Quezaire

Total—6

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1506—
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER
AN ACT

To amend and reenact the introductory paragraphs of R.S. 12:312(C), 1351(C), R.S. 23:111(C)(10), 1693(B), and 1853(B), and R.S. 12:148(B), 256(B), 312.1 and 1352; R.S. 13:5112(D); R.S. 15:587(A)(1)(a); R.S. 23:101(7), 103(A)(1), 104, 106(B), 107(C) and (D), 183, 184.1, 392(B), (C), and (D), 897(E), 964(D), (E), (F), and (G), 1021(5), 1202(B), 1221(3)(f), 1532.1(F), 1576, 1592(A), 1600(3)(b)(i), 1624.1, 1651, 1657(A), 1668(A), 1670, 1671, 1802(1) and (5), 1803(A), (B), (C), and (D), and 1804; R.S. 36:301(C)(1), 308(B), and (C) and 313; R.S. 40:521(5) and (9); R.S. 46:56(L), 236.1(D)(1)(a) and (N), and 2602(B)(18); R.S. 47:299.2(1)(a)(vi), 299.11(5), 299.15(B), 299.16(C), 617(C), 1622(B), and 6004(A)(1); R.S. 49:967(A) and 992(D)(4); R.S. 51:1787(C)(2)(a); to enact R.S. 36:308(E) and R.S. 49:191(11); and to repeal R.S. 49:191(8)(i); relative to the Department of Labor; to provide for the recreation of the Department of Labor and certain statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; to specifically create and provide for the functions of the office of workplace and workforce development, office of regulatory services, and the office of occupational information services; to specifically abolish and transfer the functions of the office of employment security and the office of labor; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Guillory to Reengrossed Senate Bill No. 1506 by Senator Ellington

AMENDMENT NO. 1

Delete Amendment No. 36 of the set of Amendments proposed by the House Committee on Labor and Industrial Relations and adopted by the House on June 2, 1997.

AMENDMENT NO. 2

On page 22, line 20, after "and" delete "the office of" and on line 21 delete "regulatory services" and insert in lieu thereof "under Louisiana Employment Security Law"

AMENDMENT NO. 3

On page 25, line 7, after "office of" delete "workplace and"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Baudoin	Mitchell	Thornhill
Lancaster	Perkins	
McCain	Shaw	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Guillory 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.

SENATE BILL NO. 1520—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:202(2) relative to health insurance; to provide for definitions of viatical settlement broker; and to provide for related matters.

Read by title.

Point of Order

Rep. Bowler asked for a ruling from the Chair as to whether Senate Bill No. 1520 levies a new fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did levy a fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Rep. Donelon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Guillory	Quezaire
Barton	Hill	Riddle
Baylor	Holden	Romero
Bruce	Hudson	Rousselle
Bruneau	Hunter	Salter
Carter	Iles	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Landrieu	Stelly
Crane	LeBlanc	Theriot
Curtis	Martiny	Thomas
Deville	McCain	Thornhill
Dimos	McDonald	Travis
Donelon	Michot	Triche
Dupre	Montgomery	Vitter
Farve	Morrell	Warner
Faucheux	Morrish	Welch
Flavin	Murray	Weston
Frith	Odinet	Wiggins
Fruge	Pierre	Wilkerson
Gautreaux	Pinac	Willard-Lewis
Glover	Powell	Winston
Green	Pratt	Wright
Total—69		

NAYS

Alario	Doerge	McCallum
Alexander, R.—13th	Durand	Perkins
Bowler	Hammett	Scalise
Brun	Heaton	Toomy
Damico	Hopkins	Walsworth
Daniel	Jenkins	Windhorst
DeWitt	Lancaster	
Diez	Marionneaux	
Total—22		

ABSENT

Mr. Speaker	Hebert	Mitchell
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Ansardi	Jetson	Schneider
Baudoin	Kennard	Strain
Fontenot	Long	Thompson
Forster	McMains	
Total—14		

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

Motion to reconsider pending.

SENATE BILL NO. 1526—
BY SENATOR BARHAM (BY REQUEST)
AN ACT

To enact R.S. 40:1502.14, relative to fire protection districts; to exempt insurers and insurance agents in certain parishes from having a current service charge receipt considering any reduced insurance rate because of fire district protection; and to provide for related matters.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Baudoin	Copelin	Mitchell
Baylor	Heaton	Wiggins
Brun	Hebert	
Total—8		

The Chair declared the above bill was finally passed.

Rep. McDonald 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.

SENATE BILL NO. 1530—
BY SENATORS CRAVINS AND ROMERO AND REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 17:3217(11) and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1823, Part III-C of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1824, Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, Part III-E of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1826, and R.S. 17:3217(12), (13), (14) and (15), relative to institutions of higher education; to establish the Gulf Coast Community and Technical College; to establish the River Parishes Community College; to establish the West Bank Community College; to establish the Louisiana Delta Community College; to provide for the campuses of such institutions; to provide for the governance of such institutions; to provide for an arts and sciences division at each campus of such institutions; to provide relative to the management, operation, and programming of such institutions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives LeBlanc, Durand, and Hudson to Re-reengrossed Senate Bill No. 1530 by Senator Cravins and Representative Hudson

AMENDMENT NO. 1

Delete House Floor Amendment Nos. 1 through 8 proposed by Representative Hudson and adopted by the House of Representatives on May 30, 1997.

AMENDMENT NO. 2

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 16 in their entirety and on page 2, at the beginning of line 1, delete "programming of such institutions;" and insert in lieu thereof the following:

"amend and reenact R.S. 17:3217 and to enact R.S. 17:3233, relative to public community colleges; to create and establish the South Louisiana Community College; to provide for development, control, management, and supervision of the institution and its programs; to provide for the duties and responsibilities of the Board of Regents and the Board of Trustees for State Colleges and Universities; to provide for implementation, including the adoption of rules and regulations in accordance with specified guidelines, procedures, and requirements; to provide relative to the University of Louisiana system; to provide for an effective date;"

AMENDMENT NO. 3

On page 2, line 3, after "R.S." delete the remainder of the line and delete lines 4 through 9 in their entirety and at the beginning of line 10 delete "17:3217(12), (13), (14) and (15) are" and insert in lieu thereof "17:3217 is hereby amended and reenacted and 17:3233 is"

AMENDMENT NO. 4

On page 2 delete lines 11 through 27 in their entirety and delete pages 3 through 7 in their entirety and insert in lieu thereof the following:

"§3217. University of Louisiana system

The University of Louisiana system is composed of the institutions under the supervision and management of the Board of Trustees for State Colleges and Universities as follows:

- (1) Delgado Community College at New Orleans.
- (2) Grambling State University at Grambling.
- (3) Louisiana Tech University at Ruston.
- (4) McNeese State University at Lake Charles.
- (5) Nicholls State University at Thibodaux.
- (6) Northeast Louisiana University at Monroe.
- (7) Northwestern State University of Louisiana at Natchitoches.
- (8) Southeastern Louisiana University at Hammond.
- (9) University of Southwestern Louisiana at Lafayette.
- (10) Elaine P. Nunez Community College.
- (11) South Louisiana Community College.

(12) Any other college, university, school, institution or program now or hereafter under the supervision and management of the Board of Trustees for State Colleges and Universities.

* * *

§3233. South Louisiana Community College; creation, management, and operation

A. Pursuant to the duty and responsibility placed with the legislature by Article VIII, Section 1 of the Constitution of Louisiana to establish and maintain a public educational system and the authority granted the legislature by Article VIII, Section 5(D)(3) to create a new institution by law enacted by two-thirds of the elected members of each house, the South Louisiana Community College in Lafayette Parish is hereby created and established as a comprehensive, multi-campus, public two-year institution of higher education. The institution and its programs shall be managed and supervised by the Board of Trustees for State Colleges and Universities, subject to the appropriate approval of and oversight by the Board of Regents.

B. The Board of Regents and the Board of Trustees for State Colleges and Universities shall adopt necessary rules and regulations to implement the provisions of this Section. Such rules and regulations shall include but not be limited to the following guidelines, procedures, and requirements:

(1) The institution and its programs shall be developed to be operational and ready to begin providing instructional services to students no later than the start of the 1999-2000 academic year.

(2) The primary service delivery area of the community college shall be comprised of the parishes of Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermilion. Campus or sites may be established in each of these parishes using public technical college facilities whenever possible. The institution shall be domiciled in Lafayette Parish. T. H. Harris Technical College in Opelousas shall serve as the site for the college campus in St. Landry Parish. If space is available, the technical college in each parish shall be the primary site for the vocational component of the community college. If space is available, the academic component may be offered at the technical college site in each parish. Where the primary service delivery area overlaps with the service area developed by the Board of Regents for Louisiana State University at Eunice, the Board of Trustees for State Colleges and Universities shall work in close cooperation with the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, officials at Louisiana State University at Eunice, and the Board of Regents to avoid unnecessary duplication of programs and services.

(3) The institution and its programs shall be developed to assure the delivery of coordinated and articulated educational services in each parish comprising the primary service delivery area.

(4) The institution and its programs shall be developed in a manner that maximizes the use of existing state and local resources and facilities in each parish comprising the college's primary service delivery area. This may include entering into cooperative service agreements, or contracts, or both, with other public education institutions and facilities in each parish comprising the institution's primary service delivery area, including public secondary schools, technical colleges, and higher education institutions, to provide for credentialed faculty and instructional services from qualified persons, the use of classroom and laboratory facilities, and library resources. The institution shall be established with adequate facilities, resources, services, and programs to meet accreditation requirements. Additionally, it is the intention of the legislature that programs and services of the community college involving occupational, career, and vocational-technical education be provided through cooperative agreements with existing public vocational-technical education facilities within the primary service delivery area to the extent that such existing facilities can efficiently and effectively meet the needs of the community college.

(5) Tuition and fees applicable to students enrolled at the institution shall not exceed the median amounts of such tuition and fees applicable to students at other public two-year institutions of higher education in the state.

C. The Board of Trustees for State Colleges and Universities may appoint an advisory board made up of two members of the State Board of Elementary and Secondary Education who reside in the South Louisiana Community College primary service delivery area, two members of the Board of Trustees for State Colleges and Universities, and local community representatives from business and labor. The University of Louisiana system president, the state superintendent of education, the commissioner of higher education, and the president of South Louisiana Community College shall serve as ex officio members.

D. The Board of Trustees for State Colleges and Universities and the Board of Regents shall work closely with the Commission on Colleges of the Southern Association of Colleges and Schools for accreditation. The institution shall be structured so as to fully satisfy all requirements of the Southern Association of Colleges and Schools to assure accreditation.

Section 2. This Act shall become effective on July 1, 1997; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later."

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

Motion

On motion of Rep. Hudson, the bill, as amended, was returned to the calendar subject to call.

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.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Alexander, R.—13th	Guillory	Powell
Ansardi	Hammett	Pratt
Barton	Heaton	Quezairé
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Rousselle
Bruce	Hopkins	Salter
Brun	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Curtis	Kennard	Theriot
Damico	Kenney	Thompson
Daniel	Lancaster	Thornhill
Deville	Landrieu	Toomy
DeWitt	LeBlanc	Travis
Diez	Long	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Früge	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Crane	Marionneaux	Strain
Forster	Mitchell	Thomas
Total—6		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 152—
BY SENATOR JORDAN

AN ACT

To enact R.S. 9:2782.2, relative to checks; to authorize a holder in due course of a check against which a stop payment has been issued to claim damages, attorney fees, and a service charge against the drawer if it is not paid after written notice; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed Senate Bill No. 152 by Senator Jordan

AMENDMENT NO. 1

On page 1, at the end of line 10, insert the following:

"with the intent to defraud or when there is no justifiable dispute as to the amount owed or the existence of the obligation,"

AMENDMENT NO. 2

Delete all amendments proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on June 2, 1997

Rep. Michot asked for and obtained a division of the question.

On motion of Rep. Green, Amendment No. 1 was adopted.

Rep. Green moved adoption of Amendment No. 2.

Rep. Michot objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Faucheux	Murray
Alexander, A.—93rd	Green	Odinet
Alexander, R.—13th	Guillory	Perkins
Barton	Hammett	Pierre
Baudoin	Holden	Pratt
Baylor	Hopkins	Romero
Bowler	Hudson	Shaw
Bruce	Hunter	Smith, J.D.—50th
Brun	Jenkins	Thornhill
Clarkson	Jetson	Travis

Copelin	Kennard	Vitter
Curtis	Kenny	Warner
Damico	Landrieu	Welch
DeWitt	Marionneaux	Weston
Doerge	McCain	Wright
Durand	Montgomery	
Farve	Morrell	
Total—49		

NAYS

Ansardi	Hebert	Powell
Bruneau	Hill	Riddle
Carter	Iles	Rousselle
Crane	Johns	Scalise
Daniel	Lancaster	Stelly
Denville	LeBlanc	Strain
Diez	Martiny	Theriot
Dimos	McCallum	Thomas
Dupre	McDonald	Toomy
Flavin	McMains	Triche
Frith	Michot	Walsworth
Fruge	Morrish	Wiggins
Gautreaux	Pinac	Windhorst
Total—39		

ABSENT

Mr. Speaker	Heaton	Smith, J.R.—30th
Chaisson	Long	Thompson
Donelon	Mitchell	Wilkerson
Fontenot	Quezaire	Willard-Lewis
Forster	Salter	Winston
Glover	Schneider	
Total—17		

The amendment was adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Engrossed Senate Bill No. 152 by Senator Jordan

AMENDMENT NO. 1

On page 3, line 10, after "issued" and before "on" insert "or dishonored for nonsufficient funds"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Hebert	Riddle
Bowler	Hill	Romero
Bruce	Hudson	Rousselle
Brun	Iles	Scalise
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly

Crane	Lancaster	Strain
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thomas
Denville	Marionneaux	Toomy
Diez	Martiny	Triche
Dimos	McCallum	Vitter
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Faucheux	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrish	Windhorst
Frith	Odinot	Winston
Fruge	Perkins	
Total—65		

NAYS

Alario	Heaton	Pinac
Barton	Holden	Pratt
Bayou	Hopkins	Shaw
Copelin	Hunter	Thornhill
Curtis	Jetson	Travis
DeWitt	Kenny	Welch
Doerge	McCain	Weston
Farve	Morrell	Willard-Lewis
Glover	Murray	Wright
Guillory	Pierre	
Total—29		

ABSENT

Mr. Speaker	Forster	Salter
Baudoin	Gautreaux	Schneider
Chaisson	Long	Thompson
Donelon	Mitchell	
Total—11		

The Chair declared the above bill was finally passed.

Rep. Michot 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.

SENATE BILL NO. 1530—

BY SENATORS CRAVINS AND ROMERO AND REPRESENTATIVE HUDSON

AN ACT

To amend and reenact R.S. 17:3217(11) and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1823, Part III-C of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1824, Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, Part III-E of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1826, and R.S. 17:3217(12), (13), (14) and (15), relative to institutions of higher education; to establish the Gulf Coast Community and Technical College; to establish the River Parishes Community College; to establish the West Bank Community College; to establish the Louisiana Delta Community College; to provide for the campuses of such institutions; to provide for the governance of such institutions; to provide for an arts and sciences division at each campus of such institutions; to provide relative to the management, operation, and programming of such institutions; and to provide for related matters.

Called from the calendar.

Read by title.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Clarkson	McDonald	Triche
Dimos	Shaw	
Faucheux	Thornhill	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Hudson 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.

SENATE BILL NO. 215—
BY SENATORS EWING AND LANDRY
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the use of public funds through state infrastructure banks; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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 Senate Bill No. 215 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 26, change "primary" to "general"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Frith	Pinac
Alexander, A.—93rd	Fruge	Powell
Alexander, R.—13th	Gautreaux	Romero
Ansardi	Green	Rousselle
Barton	Hammett	Salter
Baudoin	Heaton	Scalise
Bowler	Hill	Shaw
Bruce	Holden	Stelly
Bruneau	Johns	Strain
Clarkson	Kennard	Theriot
Crane	Kenney	Thomas
Damico	Lancaster	Thornhill
Daniel	Landrieu	Toomy
Diez	LeBlanc	Triche
Dimos	Marionneaux	Vitter
Doerge	Martiny	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Wiggins
Durand	McMains	Willard-Lewis
Farve	Michot	Windhorst
Faucheux	Montgomery	Wright
Flavin	Morrish	
Fontenot	Odinet	
Total—67		

NAYS

Baylor	Hunter	Pratt
Brun	Iles	Quezaire
Copelin	Jenkins	Riddle
Curtis	McCain	Smith, J.D.—50th
Deville	Morrell	Smith, J.R.—30th
DeWitt	Murray	Welch
Guillory	Perkins	Weston
Hebert	Pierre	
Total—23		

ABSENT

Mr. Speaker	Hopkins	Schneider
Carter	Hudson	Thompson
Chaisson	Jetson	Travis
Forster	Long	Wilkerson
Glover	Mitchell	Winston
Total—15		

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

Motion to reconsider pending.

SENATE BILL NO. 1473—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:228.6(B)(2)(b), relative to health insurance premiums; to provide criteria for community rating of premiums for small groups; to delete the twenty percent limit on small group health insurance; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Donelon to Engrossed Senate Bill No. 1473 by Senator Bean

AMENDMENT NO. 1

On page 1, line 5, after "insurance;" insert "to limit increases for group policies;"

AMENDMENT NO. 2

On page 2, at the end of line 1, insert the following:

"In no event shall the increase in premiums for a group policy exceed twenty five percent."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Farve
Fauchoux
Flavin
Fontenot
Forster
Frith
Total—101

Mitchell
Montgomery
Morrell
Morrish
Murray
Odinet

Wilkerson
Willard-Lewis
Windhorst
Winston
Wright

NAYS

Iles
Total—2

Toomy

ABSENT

Glover
Total—2

Walsworth

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 282—
BY SENATOR LENTINI

A JOINT RESOLUTION

Proposing to amend Article I, Section 17 of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide relative to joinder of felonies; and to specify an election date for submission of the proposition to electors and provide a ballot proposition.

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	Glover	Pinac
Alario	Green	Powell
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Brun	Hunter	Shaw
Bruneau	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins

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Fauchoux
Flavin
Fontenot
Forster
Frith
Fruge
Gautreaux
Total—103

Montgomery
Morrell
Morrish
Murray
Odinet
Perkins
Pierre

Wilkerson
Willard-Lewis
Windhorst
Winston
Wright

NAYS

Total—0

ABSENT

Carter
Total—2

Mitchell

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

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.

SENATE BILL NO. 350— BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 32:432 and R.S. 56:647(A), and to enact Part VI of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47: 299.50 through 299.55, relative to tax collection; to provide for the suspension of certain driver's licenses, and licenses to engage in sporting activities, including hunting and fishing licenses, for failure to pay state personal income tax; to provide for reissuance of such licenses; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 350 by Senator Greene

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 32:432 and"

AMENDMENT NO. 2

On page 3, delete line 4 in its entirety and at the beginning of line 5, change "(b)" to "(a)"

AMENDMENT NO. 3

On page 6, line 18, delete "motor vehicle" and at the beginning of line 19, delete "operator's"

AMENDMENT NO. 4

On page 6, line 20, delete "office of motor" and at the beginning of line 21 delete "vehicles" and insert in lieu thereof "applicable board, agency, or department"

AMENDMENT NO. 5

On page 7, delete lines 21 through 27 in their entirety

AMENDMENT NO. 6

On page 8, delete lines 1 through 10 in their entirety

AMENDMENT NO. 7

On page 8, line 11, change "Section 3." to "Section 2."

AMENDMENT NO. 8

On page 9, line 1, change "Section 4." to "Section 3."

AMENDMENT NO. 9

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

"Section 4. The legislature recognizes the judicial power vested in the state supreme court pursuant to Article V, Section 1 of the Constitution of Louisiana and, accordingly, urges and requests the supreme court to adopt rules and regulations affecting the suspension of licenses to practice law consistent with the provisions of this Act."

AMENDMENT NO. 10

In Amendment No. 2 proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 4, 1997, on line 7 change "'c.'" to "'(b)'"

AMENDMENT NO. 11

Delete Amendment No. 1 proposed by the Legislative Bureau and adopted by the House of Representatives on June 4, 1997

Motion

Rep. Thornhill moved to table the bill.

Rep. Daniel objected.

By a vote of 55 yeas and 45 nays, the House agreed to table the bill.

SENATE BILL NO. 418— BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1792(B) and (C) and 1794(A) and to enact Code of Civil Procedure Art. 1793(D), relative to juries; to allow jurors in civil cases to take notes and use them during deliberations; to permit written instructions and charges to go to the jury room and be used during deliberations; 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	Fruge	Powell
Alario	Gautreaux	Pratt
Alexander, A.—93rd	Glover	Quezaire
Ansardi	Green	Riddle
Barton	Guillory	Romero
Baudoin	Hammett	Rousselle
Baylor	Heaton	Salter

Bowler	Hebert	Scalise
Bruce	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Clarkson	Johns	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Damico	LeBlanc	Thornhill
Daniel	Long	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McMains	Warner
Donelon	Michot	Weston
Dupre	Montgomery	Wiggins
Durand	Morrell	Wilkerson
Farve	Morrish	Willard-Lewis
Faucheux	Murray	Windhorst
Flavin	Odinet	Winston
Fontenot	Perkins	Wright
Forster	Pierre	
Frith	Pinac	
Total—97		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Jetson	Mitchell
Hill	Kennard	Welch
Holden	McDonald	
Total—8		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 694—
BY SENATOR CAIN

AN ACT

To enact R.S. 30:2053(6), (7), (8) and (9) and 2055.1, relative to noise pollution and nuisance actions; to exempt sport shooting ranges from noise and nuisance actions; to provide for definitions; to provide for limits and exemptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Reengrossed Senate Bill No. 694 by Senator Cain

AMENDMENT NO. 1

On page 2, line 6, after "operated" and before "rifles" delete "for the primary use of " and insert "primarily for persons using or discharging"

AMENDMENT NO. 2

On page 2, line 8, after "shooting" insert a comma "," and after "if" and before "designed" insert "such area is"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Reengrossed Senate Bill No. 694 by Senator Cain

AMENDMENT NO. 1

On page 3, line 24, change "three" to "two"

AMENDMENT NO. 2

On page 4, line 7, delete "shall be effective June 1, 1998, and"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Fruge	Powell
Alexander, R.—13th	Gautreaux	Pratt
Ansardi	Hammett	Riddle
Barton	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Brun	Hunter	Schneider
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Triche
DeWitt	Martiny	Vitter
Diez	McCain	Walsworth
Dimos	McCallum	Warner
Doerge	McDonald	Welch
Donelon	McMains	Weston
Dupre	Michot	Wiggins
Durand	Montgomery	Wilkerson
Faucheux	Morrish	Willard-Lewis
Flavin	Odinet	Windhorst
Fontenot	Perkins	Winston
Forster	Pierre	Wright
Total—90		

NAYS

Alexander, A.—93rd	Guillory	Quezaire
Glover	Holden	Toomy
Green	Murray	Travis
Total—9		

ABSENT

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Baudoin	Heaton	Mitchell
Farve	Marionneaux	Morrell
Total—6		

The Chair declared the above bill was finally passed.

Rep. Brun 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.

SENATE BILL NO. 872—

BY SENATORS HINES, BEAN AND SCHEDLER
AN ACT

To amend and reenact R.S. 30:2011(A)(3) and (D)(23), 2073(8), 2074(A)(4), 2078(A), (B)(1), the introductory paragraph of (B)(2), (B)(2)(a) and (i), (B)(3), and (C), 2079(A), 2080, 2081, 2083, 2087 and 2088, and to enact R.S. 30:2074(B)(8) and Chapter 32 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2821 through 2826, relative to state funds; to provide for legislative findings relative to the necessity of having a drinking water revolving loan fund; to provide for definitions; to create the Drinking Water Revolving Loan Fund; to authorize the Department of Environmental Quality to administer the fund; to authorize the Department of Environmental Quality to issue tax-exempt debt relative to the fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; to provide for certain loan and loan repayment conditions; to provide for rule making authority for the Department of Environmental Quality and the Department of Health and Hospitals, office of public health; to create the Drinking Water Revolving Loan Fund Program within the Department of Health and Hospitals, office of public health; to provide for the administration of the program by the office of public health; to authorize the Department of Health and Hospitals, office of public health to enter into agreements with the federal government relative to receipt of grant funds for the purpose of providing financial assistance for the improvement of certain public water systems; to authorize the imposition of an administrative fee; and to provide for related matters.

Read by title.

Rep. Thomas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Marionneaux	Vitter
Dimos	Martiny	Walsworth
Doerge	McCain	Warner
Donelon	McCallum	Welch
Dupre	McDonald	Weston
Durand	McMains	Wiggins
Farve	Michot	Wilkerson
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Windhorst
Fontenot	Morrish	Winston
Forster	Murray	Wright
Frith	Odinot	
Total—101		

NAYS

Total—0

ABSENT

Hunter	Perkins
Mitchell	Quezaire
Total—4	

The Chair declared the above bill was finally passed.

Rep. Thomas 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.

SENATE BILL NO. 876—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact the introductory paragraph of R.S. 6:333(B) and to enact R.S. 6:333(F)(14) and R.S. 46:236.1 (A)(5) and (6) and (D)(1)(d), relative to the disclosure of certain financial data to child support enforcement services; to provide with respect to liability for such disclosure; to provide for penalties; to provide for data matches; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 876 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 2, line 12, after "individual" insert a comma "," and "with his written consent, or a court order"

AMENDMENT NO. 2

On page 4, line 1, after "individual" insert a comma "," and "with his written consent, or a court order"

Motion

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

Rep. Murray objected.

By a vote of 64 yeas and 33 nays, the House returned the bill to the calendar.

SENATE BILL NO. 892—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 9:1891(A), relative to a class trust; to authorize the creation of class trusts in favor of some or all of a persons direct or collateral descendants; and to provide for related matters.

Read by title.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

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

NAYS

Total—0

ABSENT

Fontenot	Mitchell	Windhorst
Total—3		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 901—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 9:3259.1(D) and (E) and to enact R.S. 9:3259.1(B)(8), relative to lessors' rights; to provide for a lien and privilege to lessors for unpaid rent, certain expenses, and the costs of the removal of abandoned or destroyed mobile homes or manufactured housing; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 1034—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 47:1605, relative to taxation; to provide relative to certain reports; to provide relative to certain penalties; and to provide for related matters.

Read by title.

Rep. Morrish moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Gautreaux	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Riddle
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Mitchell	Wilkerson
Fauchaux	Montgomery	Willard-Lewis
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Forster	Odinot	Wright
Frith	Perkins	
Total—101		

NAYS

Morrell Toomy
Total—2

ABSENT

Glover Hunter
Total—2

The Chair declared the above bill was finally passed.

Rep. Morrish 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.

SENATE BILL NO. 1050—
BY SENATOR BARHAM

AN ACT

To enact R.S. 47:1952.1 relative to the assessment of ad valorem taxes on standing timber; to limit the extent and manner of assessments on standing timber; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Holden Jetson Mitchell
Total—3

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1089—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:2262, relative to tax adjudicated property; to clarify the procedure for the redemption of tax adjudicated property by a tax debtor; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

DeWitt	Marionneaux	Quezaire
Green	Martiny	
Hudson	Mitchell	
Total—7		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1167—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
AN ACT

To enact Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.32, relative to the conservation of energy; to establish a Commercial Building Energy Conservation Code; and to provide for related matters.

Read by title.

Motion

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

Rep. Damico objected.

By a vote of 44 yeas and 45 nays, the House refused to return the bill to the calendar.

Point of Order

Rep. Doerge asked for a ruling from the Chair as to whether Senate Bill No. 1167 levies a new fee or increases an existing tax and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did levy a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Motion

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

SENATE BILL NO. 1249—
BY SENATORS HOLLIS AND SCHEDLER
AN ACT

To amend and reenact R.S. 37:2167(D)(1), (2), (3), and (4), relative to the waiver of examinations to residential building contractors; and to provide for related matters.

Read by title.

Point of Order

Rep. Copelin asked for a ruling from the Chair as to whether Senate Bill No. 1249 levies a fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did not levy a new fee or increase an existing fee and therefore would require the favorable vote of a majority of the elected members to finally pass the House.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Fruge	Pratt
Alario	Hammett	Quezaire
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
Barton	Hill	Rousselle
Baylor	Hopkins	Salter
Bowler	Iles	Scalise
Bruce	Jenkins	Schneider
Brun	Johns	Shaw
Bruneau	Kennard	Smith, J.D.—50th
Chaisson	Lancaster	Smith, J.R.—30th
Clarkson	Landrieu	Stelly
Crane	LeBlanc	Strain
Damico	Marionneaux	Thomas
Daniel	Martiny	Thornhill
Deville	McCallum	Toomy
DeWitt	McDonald	Travis
Diez	McMains	Triche
Dimos	Michot	Vitter
Doerge	Montgomery	Warner
Donelon	Morrell	Welch
Farve	Morrish	Weston
Faucheux	Odinot	Wiggins
Flavin	Pierre	Windhorst
Forster	Pinac	
Frith	Powell	
Total—76		

NAYS

Alexander, A.—93rd	Green	Theriot
Carter	Guillory	Thompson
Curtis	Hunter	Walsworth
Dupre	Kenney	Wilkerson
Durand	Long	Willard-Lewis
Fontenot	McCain	Wright
Gautreaux	Murray	
Total—20		

ABSENT

Baudoin	Holden	Mitchell
Copelin	Hudson	Perkins
Glover	Jetson	Winston
Total—9		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1320—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 33:2719(B) and to enact R.S. 33:2719(E) and (F), relative to sales taxes; to provide for notification when auditing for compliance with local sales and use tax ordinances; and to provide for related matters.

Read by title.

Rep. Morrish moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

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

NAYS

Total—0

ABSENT

Chaisson	Green	Theriot
Dupre	Mitchell	
Glover	Perkins	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Morrish 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.

SENATE BILL NO. 1393—
BY SENATOR JOHNSON

AN ACT

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

infrastructure and economic development projects by political subdivisions; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 1404—
BY SENATOR LAMBERT (BY REQUEST)
AN ACT

To amend and reenact R.S. 37:3391, 3392(8), (9) and (10), 3393(B), 3394(A), 3395, 3396, 3397, the introductory paragraph of 3398(A), 3398(A)(1) and (6), (B) and (C), 3399, 3400, 3401(A), (B), (C)(3) and (C)(3)(d), 3402, 3403, 3404, 3405, 3406, 3407(A)(1), (2), (3) and (5) and (B), 3408(A), (B), (D), (E) and (F), the introductory paragraph of 3409(A), 3409(A)(6), (B), (B)(1), (C), (D) and the introductory paragraph of 3409(E), 3410, 3411, and 3413, and to enact R.S. 37:3392(11) through (19), 3393(C), (D), (E) and (F), 3398(D) and (E) and 3409(A)(8) through (12), relative to the "Louisiana Real Estate Appraisers Certification Law"; to provide for licensing and registration; to provide for trainees; to provide for the Louisiana Real Estate Appraisers Board; to provide for education and experience requirements; to provide for provisional licenses; and to provide for related matters.

Read by title.

Point of Order

Rep. Riddle asked for a ruling from the Chair as to whether Senate Bill No. 1404 levies a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did levy a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Motion

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

SENATE BILL NO. 1459—
BY SENATORS COX, BEAN, DYESS, IRONS, LANDRY AND SMITH
AN ACT

To enact R.S. 33:4574.10, relative to tourism; to grant additional powers to certain convention and visitors bureaus; and to provide for related matters.

Read by title.

Rep. Flavin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Guillory	Pratt

Ansardi	Hammett	Quezaire
Barton	Heaton	Riddle
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.R.—30th
Clarkson	Jenkins	Stelly
Crane	Johns	Thomas
Curtis	Kennard	Thompson
Damico	Kenney	Thornhill
Deville	Lancaster	Toomy
DeWitt	Landrieu	Travis
Diez	LeBlanc	Triche
Dimos	Long	Vitter
Doerge	Marionneaux	Walsworth
Donelon	Martiny	Warner
Dupre	McCallum	Welch
Durand	McDonald	Weston
Farve	McMains	Wiggins
Faucheux	Michot	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Fruge	Perkins	
Total—95		

NAYS

Jetson	McCain
Total—2	

ABSENT

Chaisson	Mitchell	Strain
Copelin	Odinot	Theriot
Daniel	Smith, J.D.—50th	
Total—8		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1472—

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 4:10.4(5), relative to amusement games at fairs and carnivals; to provide for the maximum allowable cost of playing such games and the maximum allowable value of prizes to be won; and to provide for related matters.

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	Glover	Pratt
Alario	Green	Quezaire
Alexander, A.—93rd	Guillory	Riddle
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle

Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Thomas
Crane	Lancaster	Thompson
Curtis	Landrieu	Thornhill
Damico	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Farve	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Fruge	Pinac	
Gautreaux	Powell	
Total—91		

NAYS

Hebert	Iles
Hill	Jetson
Total—4	

ABSENT

Alexander, R.—13th	Faucheux	Strain
Brun	Marionneaux	Theriot
Chaisson	Mitchell	
Daniel	Odinot	
Total—10		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 1404—

BY SENATOR LAMBERT (BY REQUEST)

AN ACT

To amend and reenact R.S. 37:3391, 3392(8), (9) and (10), 3393(B), 3394(A), 3395, 3396, 3397, the introductory paragraph of 3398(A), 3398(A)(1) and (6), (B) and (C), 3399, 3400, 3401(A), (B), (C)(3) and (C)(3)(d), 3402, 3403, 3404, 3405, 3406, 3407(A)(1), (2), (3) and (5) and (B), 3408 (A), (B), (D), (E) and (F), the introductory paragraph of 3409(A), 3409(A)(6), (B), (B)(1), (C), (D) and the introductory paragraph of 3409(E), 3410, 3411, and 3413, and to enact R.S. 37:3392(11) through (19), 3393(C), (D), (E) and (F), 3398(D) and (E) and 3409(A)(8) through (12), relative to the "Louisiana Real Estate Appraisers Certification Law"; to provide for licensing and registration; to provide for trainees; to provide for the Louisiana Real Estate Appraisers Board; to provide for education and experience requirements; to provide for provisional licenses; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Fruge	Pinac
Alario	Gautreaux	Powell
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Bruce	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Iles	Smith, J.D.—50th
Carter	Jenkins	Smith, J.R.—30th
Chaisson	Johns	Stelly
Clarkson	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Damico	LeBlanc	Thornhill
Daniel	Long	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Odinet	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Total—99		

NAYS

Glover	Jetson
Hunter	Murray
Total—4	

ABSENT

Farve	Mitchell
Total—2	

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

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

Speaker Downer in the Chair

SENATE BILL NO. 1485—
BY SENATOR LAMBERT (BY REQUEST)
AN ACT

To enact Chapter 23 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1400 through 1414, relative to corporations; to authorize professional social work corporations; to provide for their formation and authority to transact business; to provide for liability of certain persons of the corporation; to

provide for merger, consolidation, and dissolution of such corporations; and to provide for related matters.

Read by title.

Rep. Riddle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bruce	Jetson	Mitchell
Glover	Lancaster	
Hudson	Landrieu	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Riddle 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.

SENATE BILL NO. 1507—
BY SENATOR BARHAM
AN ACT

To enact R.S. 45:1177(E), relative to fees levied on motor carriers and public utilities; to provide an exclusion for commercial mobile service; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 1529—
BY SENATORS HAINKEL AND HOLLIS
AN ACT

To amend and reenact R.S. 33:9024 and to enact R.S. 33:9021(7), (8), (9) and (10), relative to cooperative economic development; to provide additional declarations of necessity for the cooperative economic development law; to provide for economic development corporations to operate as public-private partnerships jointly working toward economic development; to prohibit private non-profit corporations from assuming the powers of government or performing functions which are purely and solely of a public or governmental nature; to provide that certain public-private partnerships adhere to public records and open meeting laws; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1529 by Senator Hainkel

AMENDMENT NO. 1

On page 6, delete lines 7 through 12 in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective upon approval of a majority of the members present and voting at a joint committee meeting of the House and Governmental Affairs Committee and the Senate and Governmental Affairs Committee after testimony by the State Ethics Commission regarding the legality of each provision hereof."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander, A.—93rd	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezaire
Ansardi	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Brun	Hunter	Schneider
Bruneau	Iles	Shaw
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot

Curtis	Kenney	Thomas
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinot	Wright
Gautreaux	Perkins	
Glover	Pierre	

Total—100

NAYS

Total—0

ABSENT

Barton	Fontenot	Smith, J.D.—50th
Carter	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Morrell 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.

SENATE BILL NO. 53—
BY SENATORS SMITH AND CAIN
AN ACT

To enact R.S. 32:387.8, relative to motor vehicles; to provide for issuance of special permits for vehicles transporting logging equipment from weight restrictions under certain conditions; to provide for weight limits under the special permit; and to provide for related matters.

Read by title.

Point of Order

Rep. Murray asked for a ruling from the Chair as to whether Senate Bill No. 53 levies a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did levy a new fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Engrossed Senate Bill No. 53 by Senator Smith

AMENDMENT NO. 1

On page 2, delete lines 3 and 4

AMENDMENT NO. 2

On page 2, line 5, change "(3)" to "(2)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Powell
Alexander, A.—93rd	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baylor	Holden	Rousselle
Bruce	Hopkins	Salter
Brun	Hudson	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Landrieu	Strain
Curtis	LeBlanc	Theriot
Damico	Long	Thomas
Daniel	Marionneaux	Thompson
Deville	Martiny	Travis
DeWitt	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Durand	Michot	Welch
Farve	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Odinot	Willard-Lewis
Fruge	Perkins	Windhorst
Gautreaux	Pierre	Winston
Green	Pinac	Wright
Total—90		

NAYS

Mr. Speaker	Faucheux	Murray
Baudoin	Hunter	Thornhill
Bowler	Kennard	Toomy
Diez	Lancaster	
Total—11		

ABSENT

Dupre	Glover
Forster	Mitchell
Total—4	

The Chair declared the above bill was finally passed.

Rep. Salter 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.

SENATE BILL NO. 109—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 49:327(B)(1)(d), relative to state administration; to provide relative to investments by the treasurer; to provide relative to time certificates of deposit; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander, A.—93rd	Heaton	Pratt
Alexander, R.—13th	Hebert	Quezaire
Ansardi	Hill	Rousselle
Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Shaw
Brun	Jenkins	Smith, J.D.—50th
Bruneau	Johns	Smith, J.R.—30th
Carter	Kennard	Stelly
Clarkson	Kenney	Thompson
Crane	Lancaster	Thornhill
Curtis	Landrieu	Toomy
Daniel	LeBlanc	Travis
Deville	Long	Triche
DeWitt	Marionneaux	Vitter
Diez	Martiny	Walsworth
Dimos	McCain	Warner
Doerge	McCallum	Welch
Donelon	McDonald	Weston
Durand	McMains	Wiggins
Flavin	Michot	Wilkerson
Fontenot	Montgomery	Willard-Lewis
Forster	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wright
Glover	Odinot	
Green	Perkins	
Total—88		

NAYS

Total—0

ABSENT

Barton	Faucheux	Riddle
Chaisson	Gautreaux	Romero
Copelin	Hudson	Strain
Damico	Jetson	Theriot
Dupre	Mitchell	Thomas
Farve	Powell	
Total—17		

The Chair declared the above bill was finally passed.

Rep. Pinac 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.

SENATE BILL NO. 232—
BY SENATORS HINES AND SHORT
AN ACT

To amend and reenact R.S. 17:1681.1, relative to scholarships for children of police officers or deputy sheriffs killed or permanently disabled in performance of duty; to increase the types of expenses covered by such scholarships; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Engrossed Senate Bill No. 232 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "relative to" change "scholarships" to "educational benefits"

AMENDMENT NO. 2

On page 1, line 4, after "duty; to" delete the remainder of the line and on the line 5 delete "scholarships;" and insert in lieu thereof "provide relative to the amount of the book allowance for such children;"

AMENDMENT NO. 3

On page 1, line 16, after "books" insert a comma "," and "or"

AMENDMENT NO. 4

On page 2, line 1, after "board" delete the comma "," and the remainder of the line and delete lines 2 through 4 and insert "as"

AMENDMENT NO. 5

On page 2, line 11, change "\$125.00" to "two hundred fifty dollars"

AMENDMENT NO. 6

On page 2, line 11, after "university" insert "as an allowance for books."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed Senate Bill No. 232 by Senators Hines and Short

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:1681.1" delete the comma "," and insert "and R.S. 33:2218.2(F), relative to benefits for certain law enforcement officers; to provide"

AMENDMENT NO. 2

On page 1, line 5, after "scholarships;" insert "to increase the number of Chitimacha Tribe of Louisiana tribal officers who are eligible for state supplemental pay;"

AMENDMENT NO. 3

On page 2, below line 14, add:

"Section 2. R.S. 33:2218.2(F) is hereby amended and reenacted to read as follows:

§2218.2. Rate of compensation; prior service; supplemental monthly compensation; police to receive additional compensation

* * *

F. Notwithstanding any other provision of law to the contrary, the compensation for tribal officers of the Chitimacha Tribe of Louisiana shall be for no more than ~~six~~ twelve such law enforcement officers.

Section 3. The provisions of Section 2 of this Act shall become effective on July 1, 1997; if this Act is vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Green	Powell
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hunter	Schneider
Brun	Iles	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Jetson	Smith, J.R.—30th
Chaisson	Johns	Stelly
Clarkson	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Damico	LeBlanc	Thornhill
Daniel	Long	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Odinot	Winston
Frith	Perkins	Wright
Fruge	Pierre	
Total—101		

NAYS

Total—0

ABSENT

Farve
Glover
Total—4

Hudson
Mitchell

The Chair declared the above bill was finally passed.

Rep. Riddle 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.

SENATE BILL NO. 1507—
BY SENATOR BARHAM

AN ACT

To enact R.S. 45:1177(E), relative to fees levied on motor carriers and public utilities; to provide an exclusion for commercial mobile service; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Powell
Alario	Green	Pratt
Alexander, A.—93rd	Guillory	Quezaire
Alexander, R.—13th	Hammett	Riddle
Ansardi	Heaton	Romero
Barton	Hebert	Rousselle
Baudoin	Hill	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Shaw
Brun	Hunter	Smith, J.D.—50th
Bruneau	Iles	Smith, J.R.—30th
Carter	Jenkins	Stelly
Chaisson	Johns	Strain
Clarkson	Kenney	Theriot
Copelin	Lancaster	Thomas
Crane	Landrieu	Thompson
Curtis	LeBlanc	Thornhill
Damico	Long	Toomy
Daniel	Marionneaux	Travis
Deville	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Farve	Morrell	Wilkerson
Faucheux	Morrish	Willard-Lewis
Flavin	Murray	Windhorst
Fontenet	Odinet	Winston
Forster	Perkins	Wright
Frith	Pierre	
Fruge	Pinac	
Total—100		

NAYS

Total—0

ABSENT

DeWitt
Glover
Total—5

Jetson
Kennard

Mitchell

The Chair declared the above bill was finally passed.

Rep. McDonald 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.

SENATE BILL NO. 272—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 34:2471(A) and 2472, relative to ports; to provide relative to members of the South Louisiana Port Commission; to require appointment by the governor under certain conditions; to require Senate confirmation; to provide for retroactive application; to provide for qualifications; to provide for the domicile of such commission; and to provide for related matters.

Read by title.

Motion

Rep. Faucheux moved that Senate Bill No. 272 be designated as a duplicate of House Bill No. 601.

Which motion was agreed to.

Motion

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

SENATE BILL NO. 442—
BY SENATORS HAINKEL AND SCHEDLER
AN ACT

To amend and reenact the introductory paragraph of Code of Civil Procedure Art. 561(A) and to enact Code of Civil Procedure Art. 561(C), relative to abandonment; to reduce the period in which an action can be dismissed for lack of prosecution or defense; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Gautreaux	Perkins
Alexander, A.—93rd	Green	Pierre
Alexander, R.—13th	Guillory	Pinac
Ansardi	Hammett	Powell
Barton	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Riddle
Bowler	Holden	Romero
Bruce	Hopkins	Rousselle
Brun	Hudson	Salter
Bruneau	Hunter	Scalise

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

Total—99

NAYS

Total—0

ABSENT

Carter	Mitchell	Thornhill
Glover	Shaw	Toomy

Total—6

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 460—
BY SENATOR HINES

AN ACT

To amend and reenact the introductory paragraph of R.S. 39:1482(F)(1), relative to professional, personal, consulting, and social services procurement; to provide for an exception from the procurement code for certain special education services; and to provide for related matters.

Read by title.

Rep. Riddle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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

Total—103

NAYS

Total—0

ABSENT

Mitchell	Triche
----------	--------

Total—2

The Chair declared the above bill was finally passed.

Rep. Riddle 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.

SENATE BILL NO. 562—
BY SENATORS HAINKEL, DARDENNE AND EWING

AN ACT

To enact R.S. 9:2798.1(E), relative to offenses and quasi offenses; to provide for limitation of liability for failure of public entities for failure to effectively or properly regulate persons or entities under their authority; to provide for proof of liability; to extend liability to certain persons or entities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Engrossed Senate Bill No. 562 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 14, change "E.(1)" to "E."

AMENDMENT NO. 2

On page 2, delete lines 5 through 10 in their entirety

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

Motion

Rep. Thornhill moved that the bill, as amended, be returned to the calendar subject to call.

Rep. McMains objected.

By a vote of 57 yeas and 44 nays, the House returned the bill to the calendar, as amended.

SENATE BILL NO. 575—

BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To enact R.S. 46:236.1(O), relative to consumer reports to be used in child support enforcement actions; to require consumer reporting agencies to provide consumer reports; to provide limitations; to require prior notification to consumers; to provide for confidentiality; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 575 by Senator Hainkel

AMENDMENT NO. 1

On page 2, at the end of line 19 insert the following:

"However, the provisions hereof shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Green	Pinac
Alexander, R.—13th	Guillory	Powell
Ansardi	Hammett	Pratt
Barton	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Kennard	Stelly
Clarkson	Kenney	Theriot
Copelin	Lancaster	Thompson
Crane	Landrieu	Thornhill
Damico	Long	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Vitter

Diez	McCain	Walsworth
Dimos	McCallum	Weston
Donelon	McDonald	Wiggins
Dupre	McMains	Wilkerson
Durand	Michot	Willard-Lewis
Farve	Morrell	Windhorst
Fontenot	Morrish	Winston
Forster	Murray	Wright
Frith	Odinot	
Fruge	Perkins	
Total—85		

NAYS

Smith, J.R.—30th
Total—1

ABSENT

Alexander, A.—93rd	Hunter	Strain
Curtis	Jetson	Thomas
Daniel	Johns	Triche
Doerge	LeBlanc	Warner
Faucheux	Mitchell	Welch
Flavin	Montgomery	
Glover	Romero	
Total—19		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 578—

BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To amend and reenact Children's Code Articles 1301.3, 1301.4, 1301.5, 1302.1 through 1302.6, 1302.7 through 1302.9, 1303.1(B)(4), and (C), 1303.3 through 1303.8, 1303.10(B), 1303.11(A), 1303.12, 1303.13(B), and (C), 1303.14(A), 1303.16 through 1303.19, 1304.1, 1305.1, 1305.2, 1306.1, 1306.2, 1306.3, 1306.5, 1306.6(A) and (C), 1306.7, 1306.10, 1306.11, 1306.12, 1307.1 and 1308.2(B), and to enact Children's Code Articles 1305.3 through 1305.7, 1306.13, and 1306.14, and to rename the headings of Sections 3 and 5 of Chapter 1 of Title XIII of the Louisiana Children's Code, all relative to the Uniform Interstate Family Support Act; to provide for amendments thereto in conformity with changes proposed by the National Conference of Commissioners on Uniform State Laws; to provide with respect to tribunals; to provide with respect to income-withholding orders; to provide with respect to modifications of support orders; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 578 by Senator Hainkel

AMENDMENT NO. 1

On page 37, at the end of line 21 insert the following:

"However, the provisions hereof shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Powell
Alario	Green	Pratt
Alexander, R.—13th	Guillory	Quezairé
Ansardi	Hammett	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Brun	Iles	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Kennard	Stelly
Chaisson	Kenney	Strain
Clarkson	Lancaster	Theriot
Copelin	Landrieu	Thomas
Crane	Long	Thompson
Damico	Marionneaux	Thornhill
Daniel	Martiny	Toomy
Déville	McCain	Travis
DeWitt	McCallum	Vitter
Diez	McDonald	Walsworth
Dimos	McMains	Warner
Doerge	Michot	Welch
Donelon	Montgomery	Weston
Dupre	Morrell	Wiggins
Durand	Morrish	Wilkerson
Farve	Murray	Willard-Lewis
Fontenot	Odinet	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Früge	Pinac	
Total—92		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Heaton	Mitchell
Curtis	Hunter	Smith, J.R.—30th
Faucheux	Jetson	Triche
Flavin	Johns	
Glover	LeBlanc	
Total—13		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 581—

BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To enact R.S. 9:392, relative to paternity; to provide for evidence of hospital bills and tests in paternity actions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 581 by Senator Hainkel

AMENDMENT NO. 1

On page 1, after line 14, insert the following:

"Section 2. The provisions of this Act shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Glover	Mitchell
Curtis	Jetson	Smith, J.D.—50th
Faucheux	Johns	Triche
Flavin	LeBlanc	Welch

Total—12

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 582—

BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To enact R.S. 9:392 and 393, relative to the acknowledgment of illegitimate children; to provide with respect to the minimum requirements of a declaration of acknowledgment; to provide for full faith and credit of foreign acknowledgments; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed Senate Bill No. 582 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 9:392 and 393," to "R.S. 9:196, 392, and 393," and change "acknowledgment of illegitimate" and insert in lieu thereof "legal status of"

AMENDMENT NO. 2

On page 1, line 3, after "children;" and before "to provide" insert "to authorize a natural tutor to act on behalf of a minor in matters involving less than seven thousand five hundred dollars without qualifying for the office of tutor;"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 9:392 and 393" to "R.S. 9:196, 392, and 393"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

§196. Limited tutorship by nature

A tutor, who is entitled to tutorship by nature pursuant to the provisions of Section 2 of Chapter 1 of Title VIII of Book I of the Civil Code and without qualification, may perform or discharge any act affecting any right or interest of the minor which involves less than seven thousand five hundred dollars. For purposes of this Section, the natural tutor need not comply with the provisions of Code of Civil Procedure Article 4061.

AMENDMENT NO. 5

On page 2, after line 6, insert the following:

"Section 2. Chapter 3 of Code Title III of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950 is hereby renamed as follows:

CHAPTER 3. OF THE CARE OF MINOR CHILDREN
~~WHEN THE FATHER HAS DISAPPEARED AND
THE MOTHER HAS DIED~~

On motion of Rep. Green, 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 Senate Bill No. 582 by Senator Hainkel

AMENDMENT NO. 1

On page 2, after line 6, insert the following:

"Section 3. The provisions of this Act shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Gautreaux	Pinac
Alexander, R.—13th	Green	Powell
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	Long	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Dimos	McCallum	Vitter
Doerge	McDonald	Walsworth
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Farve	Morrell	Wilkinson

Faucheux	Morrish	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Odinot	Winston
Frith	Perkins	Wright
Total—93		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Heaton	Mitchell
Curtis	Jetson	Romero
Flavin	LeBlanc	Triche
Glover	Marionneaux	Warner
Total—12		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 583—
BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To amend and reenact Civil Code Art. 203(B)(1) and to enact Civil Code Art. 206, relative to illegitimate children; to provide the effect of a declaration of legitimation or acknowledgment; to provide with respect to rescission of such acknowledgments; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 583 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 5, after "acknowledgments;" and before "and to" insert "to provide with respect to the status of a child in certain circumstances;"

AMENDMENT NO. 2

On page 2, after line 20, insert the following:

Section 2. Notwithstanding any provision of law to the contrary, a minor is considered the child of both parties to a marriage if the child has been raised during the marriage as if he were the biological or legally adopted child of the parties, has been dependent upon the parties for his health, education, or welfare as evidenced by the child being named as a dependant on the federal and state tax returns of the parties for five consecutive years, and has been classified by a branch of the United States military as a dependent of either party. The provisions hereof shall apply both prospectively and retroactively, but shall only apply to those children born between July 1, 1986 and August 1, 1986; however, no provision hereof shall confer upon the child the status of forced heir or serve to involuntarily terminate parental rights."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 583 by Senator Hainkel

AMENDMENT NO. 1

On page 2, after line 20, insert the following:

"Section 2. The provisions of this Act shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pratt
Alario	Green	Quezaire
Alexander, R.—13th	Guillory	Riddle
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Bowler	Holden	Schneider
Bruce	Hopkins	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Clarkson	Johns	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	Long	Toomy
DeWitt	Martiny	Travis
Diez	McCallum	Vitter
Dimos	McDonald	Walsworth
Doerge	McMains	Warner
Donelon	Michot	Weston
Dupre	Morrell	Wiggins
Durand	Morrish	Wilkerson
Faucheux	Odinot	Willard-Lewis
Fontenot	Perkins	Windhorst
Forster	Pierre	Winston
Frith	Pinac	Wright
Fruge	Powell	
Total—89		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Hudson	Montgomery
Brun	Jetson	Murray
Curtis	LeBlanc	Triche

Farve	Marionneaux	Welch
Flavin	McCain	
Glover	Mitchell	
Total—16		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 584—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 9:311(C) relative to child support; to provide for periodic review and adjustment of child support awards in cases enforced through the Department of Social Services; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 584 by Senator Hainkel

AMENDMENT NO. 1

On page 2, at the end of line 21, insert the following:

"However, the provisions hereof shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

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

Motion

Rep. Riddle moved that the bill, as amended, be returned to the calendar subject to call.

Rep. Murray objected.

By a vote of 61 yeas and 19 nays, the House returned the bill, as amended, to the calendar.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

June 13, 1997

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

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

House Bill No. 357
Returned with amendments.

House Bill No. 1610
Returned without amendments.

House Bill No. 1650
Returned with amendments.

House Bill No. 1661
Returned with amendments.

House Bill No. 1662
Returned without amendments.

House Bill No. 1668
Returned without amendments.

House Bill No. 1669
Returned with amendments.

House Bill No. 1706
Returned without amendments.

House Bill No. 1715
Returned with amendments.

House Bill No. 1750
Returned without amendments.

House Bill No. 1813
Returned with amendments.

House Bill No. 1823
Returned with amendments.

House Bill No. 1827
Returned without amendments.

House Bill No. 1878
Returned with amendments.

House Bill No. 1908
Returned with amendments.

House Bill No. 1926
Returned with amendments.

House Bill No. 2055
Returned without amendments.

House Bill No. 2069
Returned with amendments.

House Bill No. 2123
Returned without amendments.

House Bill No. 2176
Returned with amendments.

House Bill No. 2186
Returned without amendments.

House Bill No. 2220
Returned with amendments.

House Bill No. 2242
Returned without amendments.

House Bill No. 2267
Returned with amendments.

House Bill No. 2291
Returned without amendments.

House Bill No. 2366
Returned without amendments.

House Bill No. 2383
Returned without amendments.

House Bill No. 2392
Returned with amendments.

House Bill No. 2395
Returned with amendments.

House Bill No. 2396
Returned without amendments.

House Bill No. 2400
Returned without amendments.

House Bill No. 2409
Returned without amendments.

House Bill No. 2442
Returned with amendments.

House Bill No. 2444
Returned without amendments.

House Bill No. 2450
Returned without amendments.

House Bill No. 2474
Returned without amendments.

House Bill No. 2499
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

June 13, 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 No. 1544

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Weston, 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. 1544—
BY SENATOR GUIDRY AN ACT

To enact Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3047.1 through 3047.7, relative to student financial assistance; to provide for the Baton Rouge Community College Student Loan Program; to establish the Baton Rouge Community College Student Loan Program; to provide for the duties and powers of the Louisiana Student Financial Assistance Commission, lenders, and student borrowers; to provide with regard to student eligibility, applicability, and maximum loan amounts; to provide definitions; and to provide for related matters.

Read by title.

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

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

HOUSE RESOLUTION NO. 91—
BY REPRESENTATIVE WILLARD-LEWIS A RESOLUTION

To commend and congratulate Father Martin J. Smullen of New Orleans, Louisiana, for his fifteen dedicated years of committed spiritual service.

Read by title.

On motion of Rep. Willard-Lewis, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 245—
BY REPRESENTATIVE BRUN A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 13, 1997, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

Read by title.

Suspension of the Rules

On motion of Rep. Brun, the rules were suspended in order to refer the resolution to committee at this time.

Under the rules, the resolution was referred to the Committee on Education.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Education

June 13, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 12, 1987, I am directed by your Committee on Education to submit the following report:

Senate Concurrent Resolution No. 123, by Fields
Reported favorably. (8-0)

Senate Concurrent Resolution No. 134, by Dean
Reported favorably. (8-0)

Senate Bill No. 965, by Theunissen
Reported favorably. (8-0) (Regular)

Senate Bill No. 1063, by Dean
Reported favorably. (8-0) (Regular)

Senate Bill No. 1522, by Dardenne
Reported favorably. (10-0) (Regular)

ROY BRUN
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

June 13, 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. 1194, by Guidry
Reported with amendments. (9-0) (Regular)

ELCIE GUILLORY
Vice Chairman

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

Report of the Committee on Retirement

June 13, 1997

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 196, by Heitmeier
Reported with amendments. (9-1) (Regular)

Senate Bill No. 200, by Heitmeier
Reported with amendments. (7-0) (Regular)

Senate Bill No. 227, by Heitmeier
Reported favorably. (7-0) (Regular)

Senate Bill No. 399, by Heitmeier
Reported with amendments. (7-0) (Regular)

Senate Bill No. 424, by Heitmeier
Reported favorably. (8-0) (Regular)

Senate Bill No. 491, by Heitmeier
Reported with amendments. (8-0) (Regular)

Senate Bill No. 498, by Heitmeier
Reported with amendments. (9-0) (Regular)

Senate Bill No. 779, by Siracusa
Reported with amendments. (7-0) (Regular)

Senate Bill No. 788, by Heitmeier
Reported favorably. (8-0) (Regular)

Senate Bill No. 864, by Heitmeier
Reported favorably. (8-0) (Regular)

Senate Bill No. 868, by Heitmeier
Reported with amendments. (7-0) (Regular)

Senate Bill No. 870, by Heitmeier
Reported with amendments. (7-0) (Regular)

Senate Bill No. 1118, by Heitmeier
Reported with amendments. (8-0) (Regular)

Senate Bill No. 1557, by Heitmeier
Reported favorably. (7-0) (Regular)

VICTOR T. STELLY
Chairman

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

Senate Concurrent Resolutions

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

Motion

On motion of Rep. John Smith, the Committee on Natural Resources was discharged from further consideration of Senate Concurrent Resolution No. 145.

SENATE CONCURRENT RESOLUTION NO. 145—
BY SENATOR IRONS AND REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

To urge and request the Orleans Levee Board to return land taken for the Bohemia Spillway to those persons certified by the Department of Natural Resources as rightful heirs.

Read by title.

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

Privileged Report of the Committee on Enrollment

June 13, 1997

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 85—

BY REPRESENTATIVE WILLARD-LEWIS
A RESOLUTION

To commend and congratulate Mr. Lonell Wright on the dedication of the new McDonald's Play Place and for his many other contributions to his community, which include his dedicated efforts on behalf of children, sick people, and the needy.

HOUSE RESOLUTION NO. 86—

BY REPRESENTATIVES DOWNER, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUN, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNAUD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, WINDHORST, WINSTON, AND WRIGHT
A RESOLUTION

To commend and congratulate Major General Ansel M. Stroud, Jr., Adjutant General of the Louisiana National Guard; Dr. Douglas Peterson, director of Youth Challenge; and Elizabeth Oliver, deputy director of Youth Challenge; and the Louisiana National Guard Youth Challenge Program, for being honored by the United Services Organization and *USA Today* as the best National Guard Youth Challenge Program in the United States.

HOUSE RESOLUTION NO. 87—

BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAU, AND TRICHE
A RESOLUTION

To remember the lifetime contributions of Mr. John Dixon, and to express the sincere condolences of the House of Representatives to his family upon his death.

HOUSE RESOLUTION NO. 88—

BY REPRESENTATIVE FARVE
A RESOLUTION

To commend the citizens of House District 101 on their support and dedication to their community and to recognize June 1997 as "House of Representatives District 101 Appreciation Month".

HOUSE RESOLUTION NO. 89—

BY REPRESENTATIVE MURRAY
A RESOLUTION

To commend Ralph Slaughter upon his election as Most Worshipful Grand Master of the Prince Hall Grand Lodge of Louisiana.

HOUSE RESOLUTION NO. 90—

BY REPRESENTATIVE CURTIS
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Walter D. Hadnot of Alexandria.

Respectfully submitted,

DONALD RAY KENNARD

Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 13, 1997

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 236—

BY REPRESENTATIVE WIGGINS
A CONCURRENT RESOLUTION

To commend Dr. Robert L. Lynn upon his retirement as president of Louisiana College after twenty-two years of significant achievement in that office and to congratulate him on the occasion of his retirement.

HOUSE CONCURRENT RESOLUTION NO. 238—

BY REPRESENTATIVES DOWNER, ANSARDI, AND DONELON
A CONCURRENT RESOLUTION

To express legislative support and approval for reversion to the town of Ruston of property previously used for a Louisiana National Guard armory facility.

HOUSE CONCURRENT RESOLUTION NO. 239—

BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, ILES, JOHNS, MORRISH, AND STELLY AND SENATORS CAIN, CASANOVA, COX, HINES, AND THEUNISSEN
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Louis A. Riviere of Lake Charles, former dean of student services at McNeese State University.

HOUSE CONCURRENT RESOLUTION NO. 240—

BY REPRESENTATIVE JOHNS
A CONCURRENT RESOLUTION

To recognize and commend Charles Coppels on a lifetime of outstanding community service to the town of Vinton, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 242—

BY REPRESENTATIVES TOOMY, LANDRIEU, AND BRUNEAU AND SENATOR HANKEL
A CONCURRENT RESOLUTION

To urge and request the board of commissioners of the Louisiana Stadium and Exposition District to name the new baseball park for Louis "Rags" Scheuermann.

HOUSE CONCURRENT RESOLUTION NO. 243—

BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION

To commend Brad Maunoir on being named the Outstanding Track Performer on the All-East Jefferson Track and Field Team and to recognize and record his achievements as a member of the Archbishop Rummel High School track team, especially in the 800 meter and 1600 meter running events as evidenced in his being named to the All-East Jefferson Track and Field Team in both of these events.

HOUSE CONCURRENT RESOLUTION NO. 244—

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

A CONCURRENT RESOLUTION

To commend the Louisiana State University women's track team, its coaches, managers, and trainers for another outstanding season and winning the National Collegiate Athletic Association Outdoor Track and Field Championship for a record setting eleventh consecutive year.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 13, 1997

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 251—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 32:773(A)(8), relative to used motor vehicle dealers, manufacturers, and distributors; to provide for an exception to the requirement for licensing; and to provide for related matters.

HOUSE BILL NO. 372—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 9:3520(D), relative to consumer credit sales; to prohibit a seller from charging a consumer a fee for sending him an initial billing statement; to authorize a fee for additional statements; and to provide for related matters.

HOUSE BILL NO. 423—

BY REPRESENTATIVE VITTER
AN ACT

To amend and reenact R.S. 4:254(E), relative to the Code of Governmental Ethics; to remove an exception to the Code of Governmental Ethics relative to the incorporator and members of the board of the Louisiana Horsemen Injury Compensation Fund and its nominating bodies; and to provide for related matters.

HOUSE BILL NO. 426—

BY REPRESENTATIVE VITTER
AN ACT

To amend and reenact R.S. 42:1119(B)(2), relative to ethics; to provide relative to the employment of certain persons by school boards; to require disclosure of the employment of certain persons by school boards; to require disclosure of the employment of certain persons by certain hospital service districts and hospital public trust authorities; and to provide for related matters.

HOUSE BILL NO. 481—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 45:822(A)(8)(introductory paragraph), relative to telephonic sales; to include solicitations for telephonic sales within Louisiana in the definition of "telephonic seller"; and to provide for related matters.

HOUSE BILL NO. 511—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 4:203(A) and 217(B)(2)(e), relative to horse breeders; to provide relative to the payment of supplements and fees on Louisiana Champions Day; and to provide for related matters.

HOUSE BILL NO. 566 (Duplicate of Senate Bill No. 778)—

BY REPRESENTATIVE TRAVIS AND SENATOR BAJOIE
AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(f), relative to the Department of Public Service, including provisions to provide for the re-creation of the Department of Public Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 676—

BY REPRESENTATIVES LANCASTER, BARTON, BOWLER, BRUN, BRUNEAU, CRANE, DONELON, FONTENOT, FRUGE, JENKINS, MARTINY, MCMAINS, PERKINS, POWELL, SCALISE, SHAW, STELLY, TOOMY, VITTER, WALSWORTH, WIGGINS, WINDHORST, AND WINSTON AND SENATORS BEAN, BRANCH, DARDENNE, DEAN, HAINKEL, HOLLIS, LENTINI, ROMERO, AND SHORT
AN ACT

To amend and reenact R.S. 42:1116, relative to the ethics code; to prohibit a public servant from using the authority of his office or position to compel or coerce any person or other public servant to engage in political activity; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 820—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit employment of licensed physicians or registered nurses who are members of the immediate family of a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and

hospital public trust authorities; and to provide for related matters.

HOUSE BILL NO. 888—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 40:1578.6(C), relative to rules and regulations conforming to the National Fire Protection Association's Life Safety Code; to provide for the definition of "lawfully constructed and maintained" with regard to exemptions; and to provide for related matters.

HOUSE BILL NO. 991—
BY REPRESENTATIVES MCCAIN AND BAUDOIN AND SENATORS GREENE AND LANDRY
AN ACT

To enact R.S. 30:2157, relative to standards for landfills; to provide for emergency response; to provide for hazardous materials; to provide for medical care; to provide for permits; and to provide for related matters.

HOUSE BILL NO. 1062—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 32:1715.1, relative to the Louisiana Towing and Storage Act; to provide for towing fees which may be charged by a private towing company or a private tow truck in parishes with a population of four hundred thousand or more; and to provide for related matters.

HOUSE BILL NO. 1164—
BY REPRESENTATIVES CLARKSON, BRUNEAU, AND WINDHORST
AN ACT

To amend and reenact R.S. 18:1434, relative to elections; to provide that under certain circumstances an objection to the qualifications of a voter is not waived; and to provide for related matters.

HOUSE BILL NO. 1208—
BY REPRESENTATIVES LANCASTER AND SCHNEIDER
AN ACT

To amend and reenact R.S. 18:1505.4(A)(2) and (3) and 1505.5(B) and (C), relative to campaign finance; to provide with respect to penalties for failing to file reports or failing to timely file reports; to provide with respect to the penalties for other violations of the Campaign Finance Disclosure Act; to increase the penalties for violations by certain political committees; and to provide for related matters.

HOUSE BILL NO. 1209—
BY REPRESENTATIVES LANCASTER, BARTON, BOWLER, BRUNEAU, CRANE, DONELON, FONTENOT, FORSTER, FRUGE, JENKINS, MARTINY, MCMAINS, PERKINS, POWELL, SCALISE, SHAW, STELLY, TOOMY, VITTER, WIGGINS, WINDHORST, AND WINSTON AND SENATORS BEAN, BRANCH, DARDENNE, DEAN, HAINKEL, JORDAN, ROMERO, AND SHORT
AN ACT

To enact R.S. 18:1461(A)(21), relative to elections; to provide with respect to election offenses; to provide that the failure of a commissioner to identify an applicant to vote as required by law is an election offense; and to provide for related matters.

HOUSE BILL NO. 1215—
BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact Code of Civil Procedure Art. 970(A), (B), and (C), relative to the motion for judgment on an offer of judgment; to provide for time for service of the offer, inadmissibility in other proceedings, and exclusion of attorney fees in the assessment of costs; and to provide for related matters.

HOUSE BILL NO. 1290—
BY REPRESENTATIVES HUDSON, BRUCE, DUPRE, KENNARD, MARIONNEAUX, MCCAIN, MORRELL, PERKINS, ALARIO, ROMERO, BAUDOIN, BAYLOR, BOWLER, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DOERGE, DUPRE, FARVE, FAUCHEUX, FRITH, FRUGE, GAUTREAU, GLOVER, GUILLORY, HEATON, HEBERT, HILL, HUNTER, ILES, JOHNS, LANDRIEU, MICHOT, MITCHELL, MURRAY, PIERRE, PINAC, PRATT, SCALISE, SCHNEIDER, JACK SMITH, THERIOT, THOMAS, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS AND SENATOR SHORT
AN ACT

To amend and reenact R.S. 40:981.3(D) and to enact R.S. 40:981.3(A)(3) and (C)(4), relative to drug-free zones; to add churches and religious buildings to the drug-free zone; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 1322—
BY REPRESENTATIVE MORRISH
AN ACT

To enact Code of Criminal Procedure Art. 895(M), relative to conditions of probation; to provide for limitation of liability for injuries occurring during performance of community service work as a condition of probation; and to provide for related matters.

HOUSE BILL NO. 1373—
BY REPRESENTATIVE DONELON
AN ACT

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

HOUSE BILL NO. 1406—
BY REPRESENTATIVE HOPKINS
AN ACT

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

HOUSE BILL NO. 1407—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:621.1, relative to district judges; to provide for an additional judgeship for the First Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

HOUSE BILL NO. 1478—
BY REPRESENTATIVES TOOMY, DOWNER, MCCALLUM, AND FAUCHEUX AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 16:51(A)(2), (4), (6), (11), (13), (15), (16), (17), (19), (20), (22), (23), (24), (26), (27), (29), (32), (38), and (41), relative to assistant district attorneys; to provide for additional district attorneys for certain judicial districts and for the parish of Orleans; and to provide for related matters.

HOUSE BILL NO. 1541—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:682(1), (3), (5), (7), and (13), 688(B), 692, 693, 694(A)(2) and (B)(1), 696(A), and 697, relative to engineers and land surveyors; to revise terms regarding engineers and land surveyors in training; to provide for the deletion of expired provisions; and to provide for related matters.

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HOUSE BILL NO. 1557—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 12:23(E)(3), relative to incorporation; to provide relative to any corporation seeking a certificate of incorporation which uses the word "architect", "architectural", or "architecture" in its corporate name; and to provide for related matters.

HOUSE BILL NO. 1558—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 37:154(C)(1)(a), relative to the practice of architecture; to provide relative to fines for violations of laws governing the practice of architecture; and to provide for related matters.

HOUSE BILL NO. 1559—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 37:2950(D)(1), relative to the effect of a felony conviction on trade, occupational, and professional licensing; to provide for an exemption for the Louisiana State Board of Architectural Examiners; and to provide for related matters.

HOUSE BILL NO. 1580—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:145(B) and 155(A)(2) and to enact R.S. 37:697.1, relative to engineers, land surveyors, and architects; to provide for continuing education requirements for engineers and land surveyors; and to provide for related matters.

HOUSE BILL NO. 1613—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:103(H)(3), R.S. 9:3576.21(B), R.S. 37:1806 (B), R.S. 44:4(4)(a) through (c), and R.S. 51:2389(G)(5) and to enact R.S. 9:3518.1 and R.S. 51:1934, relative to the documents and records of the office of financial institutions; to provide for their confidentiality; to provide a procedure for requesting disclosure; and to provide for related matters.

HOUSE BILL NO. 1681—

BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:41(I), relative to vital statistics; to require the state registrar of vital statistics to issue a certified copy of a birth or death certificate to any public retirement system, fund, or plan in Louisiana upon written request of the retirement system; to limit the purposes for which the birth or death certificate may be requested; and to provide for related matters.

HOUSE BILL NO. 1718—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 37:1171(1), relative to pharmacy; to provide for the definition of "approved college of pharmacy"; and to provide for related matters.

HOUSE BILL NO. 1719—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 37:1191, relative to pharmacists; to provide for fees to be charged to pharmacy technicians; and to provide for related matters.

HOUSE BILL NO. 1856—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 44:39(A), relative to public records; to provide that public records may be recorded and filed by microphotographic process or by electronic digitization; to require that when an electronic digitizing process is utilized that the original source document or microfilm thereof must be maintained until such process is approved for records preservation; and to provide for related matters.

HOUSE BILL NO. 1881—

BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact Code of Civil Procedure Article 3945(F) and to enact Code of Civil Procedure Article 3945(G), relative to orders of temporary child custody; to clarify the exceptions thereto; to provide for allocation of custody upon denial of an order for temporary custody; and to provide for related matters.

HOUSE BILL NO. 1943—

BY REPRESENTATIVE HOLDEN AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 9:2799(A), relative to offenses and quasi offenses; to limit the liability of food banks and donors of wild game for distribution to on-premises feeding programs; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 2007—

BY REPRESENTATIVES JACK SMITH, DEWITT, FAUCHEUX, AND FRITH
AN ACT

To amend and reenact R.S. 56:301.7(B), 303(A), (B), and (D), 303.1, 303.4(A), and Subpart F of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:306 through 306.6, and to enact R.S. 56:301.7(C), relative to commercial fishing and seafood dealers' licenses; to create the "retail seafood dealers" license and provide relative thereto; to create the "wholesale/retail seafood dealer" license and to provide relative thereto, to increase fees for certain licenses; to provide for the dedication of revenues derived from the licenses; and to provide for related matters.

HOUSE BILL NO. 2012—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 56:152(A), relative to the Louisiana Duck Stamp program; to increase the fee for a stamp; and to provide for related matters.

HOUSE BILL NO. 2028—

BY REPRESENTATIVES DOWNER, DIMOS, LANCASTER, LEBLANC, MCDONALD, MCMAINS, ROUSSELLE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, AND WILLARD-LEWIS
AN ACT

To enact R.S. 18:1461.1 and 1505.2(D), relative to campaign contributions and expenditures; to prohibit any person from coercing or attempting to coerce another person relative to campaign contributions; to prohibit any person from directly or indirectly affecting an individual's employment based upon campaign contributions; to prohibit an organization from directly or indirectly requiring its members to make certain contributions; to prohibit contributions or expenditures of funds gained through coercion; to provide for any contributions received through a violation to escheat to the state; to provide for definitions; to provide penalties for violations; and to provide for related matters.

HOUSE BILL NO. 2169—

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact the introductory paragraphs of R.S. 26:71.1 and 271.2 and to enact R.S. 26:71.1(4) and 271.2(4), relative to the Alcoholic Beverage Control Law; to provide for a Class A-Restaurant-Conditional permit; and to provide for related matters.

HOUSE BILL NO. 2270—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 30:2193(G), relative to land disposal of hazardous waste; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 2298—

BY REPRESENTATIVE PINAC

AN ACT

To enact Subpart B of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:361 through 363, and to repeal Subpart B of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:361 through 371, relative to unfair trade; to provide for the regulation of pyramid schemes; to provide for definitions; to provide for violations and penalties; and to provide for related matters.

HOUSE BILL NO. 2317—

BY REPRESENTATIVES DIEZ, FORSTER, HUDSON, SCALISE, TRAVIS, FRITH, AND MURRAY

AN ACT

To amend and reenact R.S. 37:2162(I) and to enact R.S. 37:2162(J), relative to contractors; to provide for fines for violations to be transferred to a special contractor's educational trust fund to be used for educational purposes; to provide relative to civil penalties collected upon a finding that a person is acting as a contractor without a valid license; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Brun, the rules were suspended to permit the Committee on Education to meet on Monday, June 16, 1997, and consider the following legislative instruments without giving the notice required by House Rule 14.21(A):

House Concurrent Resolution No. 245

Suspension of the Rules

On motion of Rep. Windhorst, the rules were suspended to permit the Committee on Administration of Criminal Justice to meet on Monday, June 16, 1997.

Adjournment

On motion of Rep. Riddle, at 4:45 P.M., the House agreed to adjourn until Monday, June 16, 1997, at 11:00 A.M.

The Speaker of the House declared the House adjourned until 11:00 A.M., Monday, June 16, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

