

**OFFICIAL JOURNAL**  
OF THE  
**HOUSE OF REPRESENTATIVES**  
OF THE  
**STATE OF LOUISIANA**

**FOURTH DAY'S PROCEEDINGS**

**Twenty-fifth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, April 1, 1999

The House of Representatives was called to order at 9:00 A.M., by the Honorable Hunt Downer, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Green	Perkins
Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Heaton	Powell
Barton	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Stelly
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Willard
Frith	Morrell	Windhorst

Fruge	Morrish	Winston
Gautreaux	Murray	Wooton
Glover	Odinet	
Total—98		
	ABSENT	
Farve	Theriot	Wilkerson
Strain		
Total—4		

The Speaker announced that there were 98 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Salter.

**Pledge of Allegiance**

Rep. Schneider 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. Shaw, the reading of the Journal was dispensed with.

On motion of Rep. Shaw, the Journal of March 31, 1999, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from The Secretary of State**

The following message from the Secretary of State was received and read:

**State of Louisiana  
SECRETARY OF STATE**

March 31, 1999

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

I have the honor to submit to you the name of Ernest D. Wooton, who has been duly elected to fill the vacancy occurring in your honorable body since the last Session of the Legislature, caused by the resignation of Rep. Benny Roussele.

Ernest D. Wooton has been officially proclaimed duly and legally elected as Representative from the 105th Representative District of the State of Louisiana.

W. FOX McKEITHEN  
Secretary of State

**United States of America  
STATE OF LOUISIANA  
W. Fox McKeithen  
Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the following candidate, having run in the election held on March 27, 1999, is declared elected by the people to the office set opposite his name for an unexpired term:

State Representative Ernest D. Wooton, Representative of District 105.

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In testimony whereof, I have hereunto set my hand and caused the seal of my office to be affixed at the city of Baton Rouge on this, the 1st day of April, 1999.

W. FOX McKEITHEN  
Secretary of State

## Oath of Office

Mr. Wooton presented himself before the bar of the House and took the following oath:

"I, Ernest D. Wooton, do solemnly swear that I will support the constitution and the laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and perform all of the duties incumbent upon me as a member of the House of Representatives according to the best of my ability and understanding, so help me God".

## Message from the Senate

### HOUSE CONCURRENT RESOLUTIONS

March 31, 1999

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

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

House Concurrent Resolution No. 67  
Returned without amendments.

House Concurrent Resolution No. 68  
Returned without amendments.

House Concurrent Resolution No. 69  
Returned without amendments.

House Concurrent Resolution No. 70  
Returned without amendments.

House Concurrent Resolution No. 71  
Returned without amendments.

House Concurrent Resolution No. 72  
Returned without amendments.

House Concurrent Resolution No. 76  
Returned without amendments.

House Concurrent Resolution No. 81  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

## Message from the Senate

### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

March 31, 1999

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

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

Senate Concurrent Resolution Nos. 42, 44, and 46

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

## Suspension of the Rules

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

## Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

### SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR CAIN AND REPRESENTATIVE HILL  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to proclaim the first week in August of each year as "National Week of Prayer for Schools".

Read by title.

Lies over under the rules.

### SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR C. FIELDS  
A CONCURRENT RESOLUTION

To direct the Louisiana Department of Environmental Quality to prohibit Rhodia Incorporated from importing, offloading, and burning napalm at its facility in North Baton Rouge because of its proximity to Southern University and heavily populated communities in North Baton Rouge unless a risk management plan is implemented, certain chemical-specific air monitoring systems and a Community Alert System are installed and an evacuation program for Southern University is established.

Read by title.

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

### SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR EWING  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana to Senator Charles D. Jones and his entire family upon the death of his brother, Sam Jones, Jr.

Read by title.

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

## Message from the Senate

### SENATE BILLS

April 1, 1999

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. 38, 62, 65, 113, and 119

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Hill, 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. 38—**  
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 3:264(B) and (C), relative to the Louisiana Agricultural Finance Authority; to increase the number of members of the authority; and to provide for related matters.

Read by title.

**SENATE BILL NO. 62—**  
BY SENATORS BARHAM AND CAMPBELL

AN ACT

To enact R.S. 33:4861.4(D)(4), relative to licensing requirements for charitable gaming; to exempt certain conservation organizations from such requirements for limited purposes; to define such conservation organizations; and to provide for related matters.

Read by title.

**SENATE BILL NO. 65—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:477(14) and 621.14, relative to district courts; to provide for an additional judgeship in the Fourteenth Judicial District; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Read by title.

**SENATE BILL NO. 113—**  
BY SENATOR EWING

AN ACT

To enact R.S. 14:67.16, relative to criminal law; to provide for the crime of identity theft; and to provide for related matters.

Read by title.

**SENATE BILL NO. 119—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a), and 1300.53(A)(1)(a), relative to criminal history checks conducted by the office of state police, or other authorized agencies, on certain nonlicensed persons and licensed ambulance personnel; to authorize the office of state police or other authorized agency to provide the criminal history records of such persons to certain

employers if the records reveal conviction of certain acts of theft; to prohibit such employers from hiring or contracting with such a person if he has been convicted of such offense; and to provide for related matters.

Read by title.

### Speaker Pro Tempore Bruneau in the Chair

### Introduction of Resolutions, House and House Concurrent

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

**HOUSE CONCURRENT RESOLUTION NO. 88—**  
BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on whether a monetary limitation should be placed on the amount of the privilege for a last illness.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 89—**  
BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To designate the square dance as the American Folk Dance of the state of Louisiana.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 90—**  
BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To direct the House and Senate Committees on Transportation, Highways and Public Works to review all information relative to the installation of the video or photo monitoring system on the Greater New Orleans Mississippi River Bridge and to require the Crescent City Connection Division of the Department of Transportation and Development to report to, and submit such information to, the House and Senate Transportation, Highways and Public Works Committees.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 91—**  
BY REPRESENTATIVES ALEXANDER, SALTER, AND WILKERSON AND SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend the town of Gibsland for its first annual Jonquil Jubilee and to declare Bienville Parish the "Daffodil Capital of Louisiana".

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 92—**

BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Gabriel "Gabe" Landry of Vinton.

Read by title.

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

Ordered to the Senate.

**Introduction of House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 760—**

BY REPRESENTATIVES MCMAINS AND MCCAIN

**AN ACT**

To amend and reenact R.S. 13:1401(A)(2) and to repeal R.S. 13:1415, relative to family courts; to provide the family court for the parish of East Baton Rouge with exclusive jurisdiction over actions for partition of community property or property acquired pursuant to a matrimonial regime, actions seeking a termination or modification of a matrimonial regime, and actions for the enforcement of judicial or contractual settlements related to matrimonial regimes; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1995—**

BY REPRESENTATIVES POWELL, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 39:1615(A), relative to multiyear contracts; to increase the specified period for contracts for services or supplies; and to provide for related matters.

Read by title.

**House and House Concurrent Resolutions**

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

**HOUSE RESOLUTION NO. 17—**

BY REPRESENTATIVE CHAISSON

**A RESOLUTION**

To request that the office of state parks of the Department of Culture, Recreation and Tourism study the feasibility of including the historic Homeplace Plantation in St. Charles Parish in the state parks system and report study findings and recommendations to the House Committee on Municipal, Parochial and Cultural Affairs prior to the convening of the 2000 Regular Session.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 77—**

BY REPRESENTATIVE HEBERT

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Public Service Commission to lower pay telephone rates for local calls made from hospitals and elderly care facilities in this state, including but not limited to nursing homes, skilled nursing facilities, assisted living facilities, adult residential care homes, and adult day care facilities, from thirty-five cents per call to ten cents.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 78—**

BY REPRESENTATIVE HEBERT

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Public Service Commission to study and subsequently implement uniform formats for all utility bills, including but not limited to bills for telephone service, electricity, water, sewage treatment, cable television, and any wireless telecommunications services, which shall provide the consumer with a clearly detailed bill containing a complete and accurate itemization of all charges, fees, and taxes being collected.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 79—**

BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL

**A CONCURRENT RESOLUTION**

To urge and request the state of Louisiana and political subdivisions and schools and libraries throughout the state to commemorate the George Washington Bicentennial.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 80—**

BY REPRESENTATIVE MURRAY

**A CONCURRENT RESOLUTION**

To direct the attorney general to file an action against gun manufacturers and makers to recoup state Medicaid funds expended in the treatment of gunshot injuries in the state.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 82—**

BY REPRESENTATIVE POWELL

**A CONCURRENT RESOLUTION**

To direct the Department of Health and Hospitals to enter into settlement negotiations with Options, Inc. over their dispute regarding Medicaid reimbursement funds.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 83—**  
BY REPRESENTATIVE POWELL

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to cease Medicaid recovery efforts against Options, Inc. pending the outcome of a legal proceeding filed over funds in dispute between that department and Options, Inc.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 85—**  
BY REPRESENTATIVES WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study whether the Code of Civil Procedure should be amended to allow in certain cases, when prayed for by the plaintiff, the sale of mortgaged property under a writ of *fifa* without appraisal.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 86—**  
BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on whether security should be required to protect any descendant when a usufruct is granted in favor of the surviving spouse.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 87—**  
BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Board of Examiners of Nursing Facility Administrators to waive all or part of Administrator in Training requirements for internships completed for persons with degrees in gerontology.

Read by title.

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

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

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

**HOUSE BILL NO. 1992—**  
BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to provide an exception to the dual officeholding and dual employment prohibitions for a toll collector employed in the classified state civil service to be employed as an emergency rural carrier with the United States Postal Service at the same time; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1993 (Duplicate of Senate Bill No. 383)—**  
BY REPRESENTATIVE MCCALLUM

AN ACT

To amend and reenact R.S. 43:147(B) through (D), relative to the maximum rates charged for publication of legal minutes in official journals; to provide for effective dates; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1994—**  
BY REPRESENTATIVE HILL

AN ACT

To enact Chapter 4-B of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:350 through 352, relative to agriculture; to provide for the preservation of rural lands; to provide for legislative findings; to provide that certain local regulations affecting rural unincorporated areas be submitted to the electors in that area for approval; and to provide for related matters.

Read by title.

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

**Motion**

On motion of Rep. Hammett, the Committee on Ways and Means was discharged from further consideration of House Bill No. 1017.

**HOUSE BILL NO. 1017—**  
BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 33:2711.15, relative to municipalities in certain parishes; to authorize the governing body of the respective municipality to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the above bill was recommitted to the Committee on Municipal, Parochial and Cultural Affairs.

**Motion**

On motion of Rep. Diez, the Committee on Natural Resources was discharged from further consideration of House Bill No. 1694.

**HOUSE BILL NO. 1694—**  
BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:1510(E), relative to hazardous materials transportation; to provide that certain transportation incidents, accidents, and cleanups shall be subject to reporting requirements of the Department of Environmental Quality and the Hazardous Material Information Development, Preparedness and Response Act and not the Department of Public Safety and Corrections; and to provide for related matters.

Read by title.

On motion of Rep. Diez, the above bill was recommitted to the Committee on Environment.

**Motion**

On motion of Rep. Martiny, the Committee on Natural Resources was discharged from further consideration of House Bill No. 1875.

**HOUSE BILL NO. 1875—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 30:2195.4(A)(2) and (3), relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide for procedures for disbursement of money from the Fund; to provide a time limit on submittal of claims for reimbursement from the fund; and to provide for related matters.

Read by title.

On motion of Rep. Martiny, the above bill was recommitted to the Committee on Environment.

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

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

**HOUSE RESOLUTION NO. 3—**  
BY REPRESENTATIVE BRUNEAU  
A RESOLUTION

To amend and readopt House Rules 2.10(A)(12), 6.6(Q)(5), 7.15(A), 8.21(A), 8.26, and 11.4; to adopt House Rule 7.16(C); and to repeal House Rules 4.8, 4.9, and 7.17 of the Rules of Order of the House of Representatives to provide for various revisions to the Rules of Order of the House of Representatives.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

**HOUSE RESOLUTION NO. 11—**  
BY REPRESENTATIVE LEBLANC  
A RESOLUTION

To amend and readopt House Rule 14.51 of the Rules of Order of the House of Representatives, to provide for a procedure for the issuance of subpoenas by certain legislative committees and to provide for a standard oath for witnesses testifying before certain legislative committees.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

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

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

**HOUSE BILL NO. 87—**  
BY REPRESENTATIVE WRIGHT  
AN ACT

To enact R.S. 52:5, relative to the jurisdiction over lands sited in the state but within the custody of the United States; to provide that the governor may give concurrent jurisdiction to the United States over lands under administration by the Federal Bureau of Prisons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources with recommendation that the bill be recommitted to the Committee on Administration of Criminal Justice.

On motion of Rep. John Smith, the bill was ordered engrossed and recommitted to the Committee on Administration of Criminal Justice, under the rules.

**HOUSE BILL NO. 188—**  
BY REPRESENTATIVE DUPRE  
AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to wildlife and fisheries; to provide relative to the taking of fish or shrimp; to provide relative to nets or beam trawls at camps in saltwater areas; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 188 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 17, after "inhabited" and before "at the time" insert:

"by a licensee"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 241—**  
BY REPRESENTATIVES ALEXANDER AND ROMERO  
AN ACT

To amend and reenact R.S. 56:320(A)(1) and (2) and to repeal R.S. 56:320(A)(4), relative to methods of taking fish; to provide relative to the use of bow and arrow for the taking of fish; to prohibit the taking of certain species of fish by bow and arrow; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 243—**  
BY REPRESENTATIVES DEWITT, FRITH, AND PINAC  
AN ACT

To enact R.S. 56:104(A)(7), relative to wildlife and fisheries; to provide relative to the obtaining of hunting licenses to authorize a person born in Louisiana and possessing a valid Louisiana birth certificate to purchase a basic trip hunting license at a reduced cost; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 243 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact" to "enact" and change "56:8(12)" to "56:104(A)(7)"

AMENDMENT NO. 2

On page 1, line 3, change "resident" to "hunting" and after "licenses" delete the remainder of the line

AMENDMENT NO. 3

On page 1, delete lines 4, 5, and 6 in their entirety and insert in lieu thereof the following:

"to authorize a person born in Louisiana and possessing a valid Louisiana birth certificate to purchase a basic trip hunting license at a reduced cost; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 8, change "56:8(12)" to "56:104(A)(7)" and change "amended and reenacted" to "enacted"

AMENDMENT NO. 5

On page 1, delete lines 10 through 17 in their entirety and delete pages 2 and 3 in their entirety and insert in lieu thereof the following:

"§104. License fees; reciprocity; exceptions

A. No license shall be issued under this Part unless there has been previously paid a fee or fees as hereinafter set forth:

\* \* \*

(7) Any person who was born in Louisiana and who possesses a valid Louisiana birth certificate may purchase the nonresident basic trip hunting license provided in Paragraph (2) herein for the cost of a resident hunting license as provided in Paragraph (1) herein. In addition, any additional licenses or permits which may be required in addition to the basic hunting license, such as a big game license or a turkey stamp, may be purchased for the cost of a resident license or stamp.

\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 305—**  
BY REPRESENTATIVES HILL, HAMMETT, BRUCE, DEWITT, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HUDSON, JOHNS, LONG, MCDONALD, PIERRE, PINAC, QUEZAIRE, JOHN SMITH, STELLY, TRICHE, AND WARNER AND SENATORS CAIN AND DYESS  
AN ACT

To amend and reenact R.S. 56:767, relative to private property surrounded by a wildlife management area; to provide for hunting and fishing regulations on such property; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 345—**  
BY REPRESENTATIVE LONG  
AN ACT

To amend and reenact R.S. 17:1964(A) and (D), relative to the board of directors for the Louisiana School of Math, Science, and the Arts; to add one member to the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 374—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 24:511(C), relative to the filling of a vacancy in the office of legislative auditor; to provide with respect to filling the office of legislative auditor on a temporary basis; to create the Special Recommendation Commission; to provide for a recommendation of the commission to be reported to the legislature; to provide for the responsibilities of the commission; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 374 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 3, after "auditor;" and before "to" insert "to provide with respect to filling the office of legislative auditor on a temporary basis;"

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## AMENDMENT NO. 2

On page 1, at the end of line 4, delete "prior" and delete line 5, and insert "to be reported to the legislature; to provide for the responsibilities of the commission; and to provide for"

## AMENDMENT NO. 3

On page 1, delete line 16, and insert "chairman and vice chairman of the Legislative Audit Advisory Council, or any ~~two~~ three of"

## AMENDMENT NO. 4

On page 2, delete lines 6 through 22 in their entirety and insert the following:

"(i) The president and president pro tempore of the Senate.

(ii) The speaker and speaker pro tempore of the House of Representatives.

(iii) The chairman and vice chairman of the Legislative Audit Advisory Council.

(iv) The chairman, or vice chairman if designated to serve by the chairman, of each of the following committees:

(aa) Senate and Governmental Affairs Committee.

(bb) House and Governmental Affairs Committee.

(cc) Senate Finance Committee.

(dd) House Appropriations Committee.

(ee) Senate Revenue and Fiscal Affairs Committee.

(ff) House Ways and Means Committee.

(b) The commission shall notify the members of the legislature of a vacancy in the office of legislative auditor within fifteen days after the occurrence of such vacancy.

(c) In addition to any other nominees considered by the commission for the office of legislative auditor, the commission shall also consider any nominee submitted to the commission by a member of the legislature.

(d) The commission shall submit to the legislature its recommendation to fill the office of legislative auditor not later than the convening of the next legislative session after the occurrence of the vacancy in the office of legislative auditor."

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 415—**

BY REPRESENTATIVE SHAW

AN ACT

To authorize and provide for the transfer or lease of certain property in Caddo Parish to the Caddo Parish Communications District Number One from the Caddo Parish School Board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the local and consent calendar.

## **HOUSE BILL NO. 428—**

BY REPRESENTATIVE JOHN SMITH

AN ACT

To authorize and provide for the transfer, lease, or cooperative endeavor of certain state property in Vernon Parish to the Vernon Parish Police Jury; to provide certain conditions and requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 428 by Representative John Smith

### AMENDMENT NO. 1

On page 1, line 15, change "parcel" to "parcels"

### AMENDMENT NO. 2

On page 1, at the end of line 20, change the period "." to a semi-colon ";," and after line 20, add the following:

"and a certain lot or parcel of ground consisting of 40.32 acres more or less and known as the NE/4 of NE/4, Section 23, Township 1 South, Range 10 West, located in Vernon Parish, Louisiana."

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 448—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 41:899, relative to school boards; to authorize the Red River Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the local and consent calendar.



**HOUSE BILL NO. 455—**

BY REPRESENTATIVES LANCASTER, BRUNEAU, COPELIN, FONTENOT, GREEN, HUNTER, SHAW, WADDELL, AND WALSWORTH AND SENATOR DARDENNE

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(h), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 456—**

BY REPRESENTATIVES LANCASTER, BRUNEAU, COPELIN, FONTENOT, GREEN, HUNTER, SHAW, WADDELL, AND WALSWORTH AND SENATOR DARDENNE

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(i), relative to the Department of Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 485—**

BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT

AN ACT

To authorize and provide for the transfer, lease, or cooperative endeavor of certain state property in St. James Parish to the town of Gramercy from the Department of Transportation and Development; to provide terms and conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 485 by Representative Fauchaux

AMENDMENT NO. 1

On page 2, line 6, after "Louisiana." insert the following:

"Such sale or transfer shall be for fair market value less the cost of demolition of the structure located on the property."

AMENDMENT NO. 2

On page 2, delete lines 9 through 13 in their entirety and on line 14, change "Section 4." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 494—**

BY REPRESENTATIVE SALTER

AN ACT

To authorize and provide for transfer of certain state property in Sabine Parish to the Sabine Parish School Board; to provide property descriptions and certain terms, conditions, and requirements; to express legislative intent; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 498—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:108, 110(B)(1), 116(A)(1)(a) and (E), 402(E)(1)(introductory paragraph), 424(C)(2), 425(C), 461(B), 492(4), 532(B)(1), 532.1(D) and (E)(1) and (3), 562(D), 571(11), 573(A)(3), 583(B)(3) and (C), 651, 652, 653, 654, 1285(B)(1)(a), 1300(C)(1), 1300.13, 1307(B), 1309(D), 1312(B), 1313(J)(2) and (3), 1333(A), 1402(C), 1403, 1404(A), 1406(A), (C), and (D), 1409(A), 1410, 1485(B), and 1903(A), to enact R.S. 18:173(D), 178, 196(C)(3), 532(B)(5), 532.1(G), 1401(D), 1405(G), and 1415(F), and to repeal R.S. 18:402(E)(4), relative to elections; to provide with respect to the registration of voters and the cancellation of such registration; to require the reporting of deaths in the state to certain election officials; to require notification of certain election officials of returned jury duty notices; to require a report of the unavailability of certain voters to serve on certain jury panels; to authorize the registrar to update certain registration records; to change the minimum period of time between issuing the proclamation calling a special election and holding of such special election; to repeal certain provisions regarding the holding of certain special elections; to prohibit the preparation of lists of persons voting other than the official poll lists; to provide with respect to multiple candidacies; to provide with respect to the establishment of and the changing of boundaries of precincts; to provide with respect to a commissioner's responsibilities regarding poll lists and election materials; to provide with respect to the reinspection of voting machines; to provide with respect to the reimbursement of the parish board of supervisors; to provide a procedure for the resignation of members of the legislature; to provide with respect to notices of retirements; to provide the deadline for the filing notice with the secretary of state for certain proposition elections; to provide with respect to the declaration of a vacancy in office under certain circumstances; to provide with respect to absentee voting; to provide with respect to the recount of absentee ballots; to provide for definitions; to provide for reimbursement for costs of certain discovery; to provide for the

due date of certain reports; to provide with respect to precincts, including the establishment of precincts, precinct freezes and other areas with respect to reapportionment; to provide with respect to an objection to the calling of a special election; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 498 by Representative Bruneau

AMENDMENT NO. 1

On page 1, at the end of line 6, after "1333(A)," insert "1402(C), 1403, 1404(A), 1406(A), (C), and (D), 1409(A), 1410,"

AMENDMENT NO. 2

On page 1, line 8, after "532.1(G)," and before "and" insert "1401(D), 1405(G),"

AMENDMENT NO. 3

On page 2, line 17, after "reapportionment;" and before "and" insert "to provide with respect to an objection to the calling of a special election;"

AMENDMENT NO. 4

On page 2, line 23, after "1333(A)," and before "and" insert "1402(C), 1403, 1404(A), 1406(A), (C), and (D), 1409(A), 1410,"

AMENDMENT NO. 5

On page 2, line 24, after "196(C)(3)," and before "and" insert "1401(D), 1405(G),"

AMENDMENT NO. 6

On page 9, line 1, after "qualifying" delete the remainder of the line

AMENDMENT NO. 7

On page 19, line 9, after "presence of" and before "the parish" insert "a majority of"

AMENDMENT NO. 8

On page 20, between lines 24 and 25 insert the following:

"§1401. Objections to candidacy and contests of elections; parties authorized to institute actions

\* \* \*

D. A qualified elector may bring an action objecting to the calling of a special election to fill a vacancy if he alleges that no special election should have been called or that the special election was called on an improper day.

§1402. Proper parties

\* \* \*

C. The secretary of state and the commissioner of elections shall be made parties defendant to any action contesting an election for public office. The secretary of state shall be made defendant to any action objecting to the calling of a special election. When named as defendants, in an action contesting an election, costs of court shall not be assessed against these officers.

§1403. Jurisdiction

The district courts shall have exclusive original jurisdiction of actions objecting to candidacy, objecting to the calling of a special election, and contesting elections. In a judicial district wherein there is a criminal and a civil district court, the civil district court shall have exclusive original jurisdiction.

§1404. Venue

A.(1) An action objecting to a candidate or contesting an election shall be instituted in the district court for the parish where the state capitol is situated if the action involves an office filled by statewide election and shall be instituted in the district court for any parish included, in whole or part, in the district for the office the action involves.

(2) An action objecting to the calling of a special election shall be instituted in the district court for the parish where the governing authority calling such special election is domiciled. If the governor, president of the Senate, or speaker of the House of Representatives calls the special election, then an action objecting the calling of such special election shall be instituted in the district court for the parish where the state capitol is situated.

\* \* \*

§1405. Time for commencement of action

\* \* \*

G. An action objecting to the calling of a special election shall be instituted within fourteen days after the calling of the election.

§1406. Petition; answer; notification

A. An action objecting to the calling of a special election, objecting to candidacy, or contesting an election shall be instituted by filing a petition in a court of competent jurisdiction and venue and posting a copy of the petition in a conspicuous place at the entrance of the office of the clerk of court where the petition is filed.

\* \* \*

C. The defendant shall be served with citation directing him to appear in court at no later than 10:00 a.m. on the fourth day after suit was filed, subject, however, to the provisions of R.S. 18:1408(D). The defendant is not required to answer the petition, but if he answers, he shall do so prior to trial.

D. The clerk of court shall immediately notify the secretary of state and the commissioner of elections, by telephone and by written notice sent certified mail, when an action objecting to the calling of a special election, objecting to candidacy, or contesting an election has been filed.

\* \* \*

§1409. Trial; decision; appeal

A. Actions objecting to the calling of a special election, objecting to candidacy, or contesting an election shall be tried summarily, without

a jury, and in open court. The trial shall begin no later than 10:00 a.m. on the fourth day after suit was filed. If the defendant does not appear on the date set for the trial, either in person or through counsel, the court shall appoint an attorney at law to represent him by instant appointment made prior to the commencement of the trial. In a case where a court appointment of an attorney to represent the defendant is made, the proceedings shall be conducted contradictorily against the court-appointed attorney. The court shall determine the amount of the fee payable to curators ad hoc in accordance with criteria used by the court in fixing curator fees under Code of Civil Procedure Article 5091 et seq. The court shall tax the curator's fee as costs, and such fee shall be paid by the plaintiff unless the defendant was served personally at least twenty-four hours prior to the hearing and the appointment of a curator ad hoc was necessitated by his failure to appear at the trial, in which case the court may require the defendant to pay the curator's fee.

\* \* \*

§1410. Judgments in objection to candidacy or election contest; transmittal of certified copy to secretary of state and commissioner of elections

A certified copy of the judgment rendered in an action objecting to the calling of a special election, objection to candidacy, or contesting an election shall be transmitted by the clerk of court to the secretary of state and commissioner of elections. Upon receipt of a final judgment of a court of competent jurisdiction disqualifying a candidate, the secretary of state shall remove the candidate's name from the ballot, if the ballot has not been printed. If the ballot has been printed with the disqualified candidate's name, any votes received by the disqualified candidate shall be void and shall not be counted for any purpose whatsoever.

\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 565—**  
BY REPRESENTATIVES JOHN SMITH, DANIEL, FLAVIN, AND MICHOT  
AN ACT

To repeal R.S. 30:607 and Chapter 10 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:1001 through 1011, relative to conservation; to repeal certain requirements regarding the first sale of new natural gas.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1258—**  
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DEVILLE, FRUGE, AND HUDSON AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 30:128(B)(1), relative to penalties imposed for the untimely submission to the State Mineral Board for approval of transfers and assignments of mineral leases or mineral rights owned by the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1259—**  
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DEVILLE, FRUGE, AND HUDSON AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 30:136(B)(1), relative to penalties for incorrect filing of state royalty payment forms; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1259 by Representative John Smith, et al.

##### AMENDMENT NO. 1

On page 2, line 2, after "exceed" delete the remainder of the line and insert "five hundred dollars for the first offense, and not to exceed one"

##### AMENDMENT NO. 2

On page 2, line 3, after "dollars" and before the comma "," insert "for each subsequent offense within the same fiscal year"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1260—**  
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To repeal Act No. 208 of the 1997 Regular Session of the Legislature, relative to the requirement that the commissioner of conservation hold monthly public hearings in Shreveport; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1260 by Representative John Smith, et al.

##### AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact Section 1 of" and insert "repeal"

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## AMENDMENT NO. 2

On page 1, line 3, after the word and comma "Legislature," delete the remainder of the line and insert "relative to the requirement that the commissioner of conservation hold"

## AMENDMENT NO. 3

On page 1, line 4, delete "quarterly" and insert "monthly"

## AMENDMENT NO. 4

On page 1, line 7, delete "Section 1 of"

## AMENDMENT NO. 5

On page 1, line 8, delete "amended and reenacted to read as follows:" and insert "repealed in its entirety."

## AMENDMENT NO. 6

On page 1, delete lines 9 through 14 in their entirety

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1264—**

BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, FRITH, AND HEBERT AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND ULLO  
AN ACT

To amend and reenact R.S. 56:700.4(B)(introductory paragraph) and (2), relative to the Fishermen's Gear Compensation Fund; to authorize the secretary of the Department of Natural Resources to waive the ninety-day limit on the required reporting period in order to meet eligibility requirements for payments from the fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1264 by Representatives John Smith, et al.

## AMENDMENT NO. 1

On page 2, line 2, after "obstruction" insert "postmarked"

## AMENDMENT NO. 2

On page 2, line 5, after "period" and before the semi-colon ":" insert a comma "," and "such waiver period not to exceed forty-five days"

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1268—**

BY REPRESENTATIVES DURAND, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DANIEL, FLAVIN, FRITH, HEBERT, AND HILL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To authorize the state to exchange and convey title to certain state property in St. Martin Parish for certain properties owned by Atchafalaya Land Corporation; to provide terms and conditions, and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

### **House Bills and Joint Resolutions on Third Reading and Final Passage**

#### **Regular Calendar**

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

## **HOUSE BILL NO. 8—**

BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact R.S. 35:191(C)(3), relative to notaries public; to increase the amount of the surety bond required for non-attorney notaries from five thousand dollars to twenty-five thousand dollars; to authorize security in the form of insurance coverage; and to provide for related matters.

Read by title.

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

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McCain to Engrossed House Bill No. 8 by Representative McCain

## AMENDMENT NO. 1

On page 2, after line 8, adds the following:

"Section 2. Any notary public commissioned before the effective date of this Act shall file bond or evidence of malpractice insurance in an amount necessary to comply with the provisions of this Act on or before January 31, 2000.

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

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

Rep. McCain 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	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Willard
Fontenot	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Total—95		

**NAYS**

Guillory  
Total—1

**ABSENT**

Curtis	Pierre	Wilkerson
Farve	Strain	
Hill	Thornhill	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact Code of Civil Procedure Articles 2883(B), 2884(B), 2885(C), and 2886(C), relative to probate and the registry of an olographic testament, a nuncupative testament by private act, and a mystic testament; to remove the form requirement that the affidavits of witnesses be executed before a notary and two witnesses; to authorize witnesses to give testimony in the form of an affidavit in lieu of an authentic act, unless the

court in its discretion requires the person to appear and testify orally; and to provide for related matters.

Read by title.

**Suspension of the Rules**

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

**HOUSE BILL NO. 62—**

BY REPRESENTATIVES SCHNEIDER, BRUNEAU, DONELON, MCMAINS, WINSTON, BRUCE, CLARKSON, COPELIN, CRANE, CURTIS, DANIEL, DIEZ, DURAND, FLAVIN, FRITH, GAUTREAU, JENKINS, MICHOT, PERKINS, SHAW, JOHN SMITH, STELLY, AND TOOMY AND SENATORS LAMBERT AND DARDENNE

AN ACT

To amend and reenact Civil Code Articles 776, 780, and 783 and to enact Part II-B of Chapter 1 of Code Title I of Code Book II of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:1141.1 through 1141.9, all relative to the use of property burdened with building restrictions; to clarify the codal authority to amend such restrictions, generally; to provide specifically for the application of such restrictions in residential planned communities and to statutorily recognize homeowners' communities; to provide definitions and applicability of the Louisiana Homeowners Association Act; to provide for the establishment, amendment, and termination of building restrictions imposed on homeowners association property; to provide with respect to enforcement of such restrictions; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. 62 by Representative Schneider, et al.

**AMENDMENT NO. 1**

On page 7, line 14, delete "Agreement" and insert in lieu thereof "Adoption of proposal: agreement"

**AMENDMENT NO. 2**

On page 7, between lines 14 and 15, insert the following:

"A. Each proposal for establishing, amending, or terminating one or more building restrictions shall be adopted by the board of directors of the homeowner's association in a meeting which has been held in accordance with the provisions of R.S. 42:4.1 et seq. relative to public notice and open meetings."

**AMENDMENT NO. 3**

On page 7, at the beginning of line 15, change "A." to "B." and on the same page at the beginning of line 24, change "B." to "C."

**AMENDMENT NO. 4**

On page 8, at the end of line 7, after the period "." add the following:

"The written ballot shall be counted at a public meeting held in accordance with the provisions of R.S. 42:4.1 et seq. relative to public notice and open meetings."

Rep. Bowler moved the adoption of the amendments.

Rep. McMains objected.

**Motion**

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

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

The House agreed to order the previous question on the amendments.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Hebert	Quezaire
Barton	Holden	Schwegmann
Baudoin	Jenkins	Travis
Bowler	Marionneaux	Waddell
Clarkson	McCain	Warner
DeWitt	Montgomery	Weston
Faucheux	Murray	Windhorst
Fontenot	Perkins	
Glover	Powell	
Total—25		

**NAYS**

Mr. Speaker	Hammett	Schneider
Alexander	Hudson	Shaw
Baylor	Iles	Smith, J.D.—50th
Bruce	Johns	Smith, J.R.—30th
Bruneau	Kennard	Stelly
Copelin	Kenney	Thompson
Crane	LeBlanc	Toomy
Damico	Long	Triche
Daniel	McCallum	Vitter
Diez	McDonald	Walsworth
Donelon	McMains	Welch
Durand	Michot	Wiggins
Flavin	Pinac	Willard
Frith	Riddle	Winston
Fruge	Romero	Wooton
Gautreaux	Salter	Wright
Guillory	Scalise	
Total—49		

**ABSENT**

Ansardi	Hill	Pierre
Carter	Hopkins	Pratt
Chaisson	Hunter	Strain
Curtis	Jetson	Theriot
Deville	Lancaster	Thornhill
Dimos	Landrieu	Wilkerson
Doerge	Martiny	
Dupre	Mitchell	
Farve	Morrell	
Green	Morrish	
Heaton	Odinot	
Total—29		

The amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jenkins to Engrossed House Bill No. 62 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 7, between lines 13 and 14, insert the following:

"D. When building restrictions are established under the provisions of this Section, rather than the community documents, an owner may file with the association and the clerk of court a statement declining to be covered by the building restrictions. Such document must be filed within thirty days of the establishment of such building restrictions."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jenkins to Engrossed House Bill No. 62 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 7, between lines 13 and 14, insert the following:

"D. When building restrictions are established under the provisions of Paragraph B of this Section, rather than the community documents, an owner may file with the association and the clerk of court a statement declining to be covered by the building restrictions. Such document must be filed within thirty days of the establishment of such building restrictions."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Murray, Holden, and Fontenot to Engrossed House Bill No. 62 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 9, delete lines 9 through 11, and insert in lieu thereof the following:

"Section 4. The provisions of this Act shall apply prospectively."

Rep. Murray moved the adoption of the amendments.

Rep. Schneider objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Hudson	Murray
Baylor	Hunter	Pratt
Bowler	Jetson	Quezaire
Copelin	Lancaster	Riddle
Curtis	Landrieu	Travis
Faucheux	Marionneau	Warner
Fontenot	McCain	Welch
Glover	Mitchell	Weston
Guillory	Montgomery	Willard
Holden	Morrell	Windhorst
Total—30		

**NAYS**

Mr. Speaker	Gautreaux	Schneider
Alexander	Hebert	Schwegmann
Barton	Iles	Shaw
Baudoin	Jenkins	Smith, J.D.—50th
Bruce	Johns	Smith, J.R.—30th
Bruneau	Kennard	Stelly
Clarkson	Kenney	Thompson
Crane	LeBlanc	Toomy
Damico	Long	Triche
Daniel	McDonald	Vitter
Diez	McMains	Waddell
Doerge	Michot	Walsworth
Donelon	Odinot	Wiggins
Dupre	Perkins	Winston
Durand	Pinac	Wooton
Flavin	Romero	Wright
Frith	Salter	
Fruge	Scalise	
Total—52		

**ABSENT**

Ansardi	Hammett	Powell
Carter	Heaton	Strain
Chaisson	Hill	Theriot
Deville	Hopkins	Thornhill
DeWitt	Martiny	Wilkerson
Dimos	McCallum	
Farve	Morrish	
Green	Pierre	
Total—21		

The amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Quezaire
Alexander	Guillory	Riddle
Barton	Hammett	Romero
Baudoin	Heaton	Salter
Baylor	Hebert	Scalise
Bruce	Holden	Schneider
Bruneau	Hudson	Schwegmann
Clarkson	Hunter	Shaw
Copelin	Iles	Smith, J.D.—50th
Crane	Jenkins	Smith, J.R.—30th

Curtis	Johns	Stelly
Damico	Kennard	Theriot
Daniel	Kenney	Thompson
Deville	Landrieu	Toomy
DeWitt	Long	Triche
Diez	Marionneau	Vitter
Dimos	McCallum	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Weston
Durand	Mitchell	Wiggins
Faucheux	Montgomery	Willard
Flavin	Morrish	Windhorst
Fontenot	Odinot	Winston
Frith	Perkins	Wooton
Fruge	Pinac	Wright
Gautreaux	Powell	
Total—80		

**NAYS**

Alario	Murray
Bowler	Travis
Total—4	

**ABSENT**

Ansardi	Jetson	Pratt
Carter	Lancaster	Strain
Chaisson	LeBlanc	Thornhill
Farve	Martiny	Welch
Green	McCain	Wilkerson
Hill	Morrell	
Hopkins	Pierre	
Total—19		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Speaker Downer in the Chair**

**HOUSE BILL NO. 17—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact Code of Civil Procedure Articles 2883(B), 2884(B), 2885(C), 2886(C), and 2887(C), relative to probate and the registry of an olographic testament, a nuncupative testament by private act, a mystic testament, and a statutory testament; to remove the form requirement that the affidavits of witnesses be executed before a notary and two witnesses; to authorize witnesses to give testimony in the form of an affidavit in lieu of an authentic act, unless the court in its discretion requires the person to appear and testify orally; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bruneau to Engrossed House Bill No. 17 by Representative Bruneau

**AMENDMENT NO. 1**

On page 1, line 3, delete "2885(C), 2886(C), and 2887(C)," and insert in lieu thereof "2885(C), and 2886(C),"

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## AMENDMENT NO. 2

On page 1, at the end of line 4, after "act," and before "a" insert "and"

## AMENDMENT NO. 3

On page 1, line 5, after "mystic testament" and before the semicolon ";," delete the following ", and a statutory testament"

## AMENDMENT NO. 4

On page 1, line 13, delete "2885(C), 2886(C), and 2887(C)" and insert in lieu thereof "2885(C), and 2886(C)"

## AMENDMENT NO. 5

On page 3, line 7, after the period "." delete lines 8 through 17 in their entirety

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

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander	Guillory	Pinac
Ansardi	Hammett	Powell
Barton	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Holden	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Weston
Durand	Michot	Wiggins
Faucheux	Mitchell	Willard
Flavin	Montgomery	Windhorst
Fontenot	Morrell	Winston
Frith	Morrish	Wooton
Fruge	Murray	Wright
Gautreaux	Odinet	
Total—95		

#### NAYS

Total—0

#### ABSENT

Farve	Pratt	Welch
Hill	Strain	Wilkerson
Jetson	Thornhill	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

## HOUSE BILL NO. 76—

BY REPRESENTATIVE BRUNEAU

### AN ACT

To enact R.S. 51:2613(I), relative to enforcement of the Louisiana Open Housing Act by private persons; to authorize courts to award court costs and reasonable attorney fees to a prevailing defendant; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Glover	Odinet
Alario	Green	Perkins
Alexander	Guillory	Pierre
Ansardi	Hammett	Pinac
Barton	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Stelly
Damico	Lancaster	Theriot
Daniel	Landrieu	Thompson
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Mitchell	Willard
Fontenot	Montgomery	Windhorst
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Gautreaux	Murray	Wright
Total—96		

#### NAYS

Total—0

#### ABSENT

Farve	Strain	Wilkerson
Hill	Thornhill	
Pratt	Welch	
Total—7		



The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 88—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 9:2792.7, relative to offenses and quasi offenses; to provide a statutory definition of a "homeowners association"; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Odinet
Alario	Guillory	Perkins
Alexander	Hammett	Pierre
Ansardi	Heaton	Pinac
Barton	Hebert	Powell
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Clarkson	Jenkins	Schwegmann
Copelin	Jetson	Shaw
Crane	Johns	Smith, J.D.—50th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenney	Stelly
Daniel	Lancaster	Thompson
Deville	Landrieu	Toomy
DeWitt	LeBlanc	Travis
Diez	Long	Triche
Dimos	Marionneaux	Vitter
Doerge	Martiny	Waddell
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Weston
Faucheux	McMains	Wiggins
Flavin	Michot	Willard
Fontenot	Mitchell	Windhorst
Frith	Montgomery	Winston
Fruge	Morrell	Wooton
Gautreaux	Morrish	Wright
Glover	Murray	
Total—95		

**NAYS**

Total—0

**ABSENT**

Chaisson	Theriot
Farve	Thornhill
Pratt	Welch
Strain	Wilkerson
Total—8	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 94—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact Code of Civil Procedure Art. 1915(A)(6), relative to judgments for sanctions and disciplinary actions; to authorize the rendition of a partial, final judgment on the issue of sanctions or disciplinary actions; and to provide for related matters.

Read by title.

Rep. Bruneau 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	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Stelly
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Marionneaux	Vitter
Dimos	Martiny	Waddell
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Mitchell	Willard
Fontenot	Montgomery	Windhorst
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Gautreaux	Murray	Wright
Glover	Odinet	
Green	Perkins	
Total—97		

**NAYS**

Total—0

**ABSENT**

Chaisson	Theriot
Farve	Thornhill
Strain	Wilkerson
Total—6	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 198—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact R.S. 42:855, relative to the State Employees' Group Benefits Program; to prohibit requiring a refund of expenditures from a plan member or health care provider on certain paid claims on the basis of ineligibility under certain circumstances; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Odinet
Alario	Green	Perkins
Alexander	Guillory	Pierre
Ansardi	Hammett	Pinac
Barton	Heaton	Powell
Baudoin	Hebert	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Stelly
Damico	Lancaster	Theriot
Daniel	Landrieu	Thompson
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Mitchell	Willard
Fontenot	Montgomery	Windhorst
Frith	Morrell	Winston
Fruge	Morrish	Wooton
Gautreaux	Murray	Wright
Total—96		

**NAYS**

Total—0

**ABSENT**

Farve	Strain	Wilkerson
Hill	Thornhill	
Pratt	Welch	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 217—**  
BY REPRESENTATIVES BRUNEAU, MCMAINS, DIMOS, DURAND, FRUGE,  
JOHNS, WALSWORTH, AND WIGGINS  
AN ACT

To amend and reenact R.S. 13:3881(D)(1) and (2), R.S. 20:33(1), and R.S. 22:647(B) and to enact R.S. 13:3881(D)(3), relative to general exemptions from seizure; to include all annuity contracts and tax-deferred arrangements as exempt; to provide subject to standard exemptions; to define annuity contract; to provide for applicability; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 217 by Representative Bruneau

AMENDMENT NO. 1

On page 4, line 11, following "shall" and before "exempt" insert "also be"

AMENDMENT NO. 2

On page 4, line 17, following "that" and before "is" insert "it"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Doerge	Martiny	Vitter
Donelon	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Faucheux	McMains	Wiggins
Flavin	Michot	Willard
Fontenot	Mitchell	Windhorst
Frith	Montgomery	Winston
Fruge	Morrell	Wooton
Gautreaux	Morrish	Wright

Total—96

NAYS

Total—0

ABSENT

Farve	Thornhill	Wilkerson
Pratt	Welch	
Strain	Weston	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 389—**  
BY REPRESENTATIVES MCMAINS, DEWITT, AND DOWNER  
AN ACT

To amend and reenact R.S. 12:91 and 1314, relative to liability of officers and directors of certain business organizations and members and managers of limited liability companies; to provide for liability based on a standard of gross negligence and the requirements of the business judgment rule; to provide relative to the fiduciary duty rules applicable to business organizations and limited liability companies; and to provide for related matters.

Read by title.

**Motion**

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

**Suspension of the Rules**

On motion of Rep. McMains, the rules were suspended 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**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

April 1, 1999

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

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

Senate Concurrent Resolution Nos. 4, 10, 15, 16, 17, 18, 19, 21, and 37

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

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

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

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

**HOUSE CONCURRENT RESOLUTION NO. 93—**  
BY REPRESENTATIVE WALSWORTH  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on Code of Civil Procedure Article 1263, which provides for service of process on a partnership through "any partner".

Read by title.

Lies over under the rules.

**Suspension of the Rules**

On motion of Rep. Copelin, Joint Rule No. 13 was suspended to permit the introduction of the following concurrent study resolution.

**HOUSE CONCURRENT RESOLUTION NO. 94—**  
BY REPRESENTATIVE COPELIN  
A CONCURRENT RESOLUTION

To urge and request the House and Senate Health and Welfare Committees, to meet and function as a joint committee, to study potential reforms of the Medicaid system.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 95—**  
BY REPRESENTATIVE WIGGINS  
A CONCURRENT RESOLUTION

To commend and congratulate Kathleen McCurry of Pineville, Louisiana, on the occasion of being named Special Olympics Female Athlete of 1998.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 96—**  
BY REPRESENTATIVE WIGGINS  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to adequately staff its truck permit office and weight enforcement office.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVE WALSWORTH

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana State Law Institute to study the Fair Treatment To Families And Children Act, to consider whether Louisiana should provide for an independent prior review of law enforcement or agency action in cases of suspected child abuse or neglect, to make any recommendations as appropriate for changes in Louisiana law consistent with the Act, and to report any other findings or recommendations resulting from the Louisiana State Law Institute's review of the Fair Treatment To Families And Children Act to the legislature prior to the convening of the 2000 Regular Session.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVES HEBERT AND ROMERO AND SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take appropriate action to provide that reimbursement of operational expenses of school bus drivers who own their own school buses and are contract employees of a school system will not be taxed as income.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 99—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To urge and request the state Department of Health and Hospitals to monitor any action by the federal government that would affect the patients' rights to remain at the Gillis Long Hansen's Disease Center.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 100—**

BY REPRESENTATIVE BAUDOIN

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Department of Environmental Quality to place a moratorium on the issuance, renewal, major modification, or transfer of any permit, license, registration, or variance relative to the operation of commercial hazardous waste incinerators for a period of one year.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE DURAND

**A CONCURRENT RESOLUTION**

To urge and request the federal government not to attempt to recover any of the tobacco settlement money granted to the state of Louisiana.

Read by title.

Lies over under the rules.

**Introduction of House Bills  
and Joint Resolutions**

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

**HOUSE BILL NO. 1996—**

BY REPRESENTATIVES WALSWORTH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**AN ACT**

To enact R.S. 39:1482(K) relative to procurement of services; to establish an exception for certain contracts or agreements entered into by the Office of Risk Management; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1997—**

BY REPRESENTATIVE TRICHE

**AN ACT**

To enact R.S. 42:883, relative to the State Employees Group Benefits Program; to provide for special enrollments for certain retirees; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1998—**

BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**AN ACT**

To repeal R.S. 38:2212(A)(1)(d)(ii) relative to Public Bid Law; to delete the definition of "contract limit" for certain entities; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1999—**

BY REPRESENTATIVES POWELL, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 39:1643(A) and 1644(B) and (D), relative to acquisition of housing space; to provide for procurement of certain leased office or building space by public bid; to provide for amending and adjusting lease payments ; and to provide for related matters.

Read by title.

**Suspension of the Rules**

On motion of Rep. DeWitt, Rule 6.11(C)(3) was suspended to permit the Committee on Labor and Industrial Relations to consider and report prefiled instruments provisionally reported by the committee during the interim after the seventh legislative day.

**Suspension of the Rules**

On motion of Rep. Stelly, Rule 6.11(C)(3) was suspended to permit the Committee on Retirement to consider and report prefiled instruments provisionally reported by the committee during the interim after the seventh legislative day.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Administration of Criminal Justice

April 1, 1999

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on March 31, 1999, I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 20, by Ansardi  
Reported favorably. (6-0-1) (Regular)

House Bill No. 63, by Schneider  
Reported favorably. (7-0-1) (Regular)

House Bill No. 91, by Morrell  
Reported favorably. (5-3-1) (Regular)

House Bill No. 102, by Chaisson  
Reported favorably. (7-0-1) (Regular)

House Bill No. 108, by Windhorst  
Reported with amendments. (9-0) (Regular)

House Bill No. 109, by Windhorst  
Reported with amendments. (9-0) (Regular)

House Bill No. 129, by Windhorst  
Reported with amendments. (9-0) (Regular)

House Bill No. 154, by Doerge  
Reported with amendments. (10-0) (Regular)

House Bill No. 225, by Salter  
Reported with amendments. (7-3-1) (Regular)

House Bill No. 341, by Windhorst  
Reported with amendments. (7-0) (Regular)

House Bill No. 342, by Windhorst  
Reported favorably. (9-0) (Regular)

House Bill No. 378, by Windhorst  
Reported favorably. (9-0) (Regular)

House Bill No. 424, by Windhorst (Joint Resolution)  
Reported favorably. (10-0)

House Bill No. 446, by Long  
Reported favorably. (7-0-1) (Regular)

House Bill No. 504, by Windhorst  
Reported favorably. (11-0) (Regular)

House Bill No. 506, by Windhorst  
Reported with amendments. (8-0) (Regular)

House Bill No. 507, by Windhorst  
Reported favorably. (8-0) (Regular)

House Bill No. 589, by McCain  
Reported favorably. (5-0-1) (Regular)

House Bill No. 590, by McCain  
Reported favorably. (7-0-1) (Regular)

House Bill No. 689, by Salter  
Reported favorably. (8-2-1) (Regular)

STEPHEN J. WINDHORST  
Chairman

### Leave of Absence

Rep. Farve - 1 day

Rep. Strain - 1 day

Rep. Wilkerson - 1 day

### Adjournment

On motion of Rep. Shaw, at 11:30 A.M., the House agreed to adjourn until Monday, April 5, 1999, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Monday, April 5, 1999.

ALFRED W. SPEER  
Clerk of the House

C. Wayne Hays  
Journal Clerk, *Emeritus*

