

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


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**SEVENTH DAY'S PROCEEDINGS**

**Twenty-seventh Extraordinary Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, March 28, 2000

The House of Representatives was called to order at 3:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Alexander, E	Guillory	Powell
Alexander, R	Hammett	Pratt
Ansardi	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Riddle
Bowler	Holden	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stely
Daniel	Lancaster	Strain

Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Travis
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Morrish	Wilkerson
Faucheux	Murray	Willard
Flavin	Nevers	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wooton
Futrell	Pierre	Wright
Total—105		

NAYS

Total—0

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

**Prayer**

Prayer was offered by Reverend Henry Dabney.

**Pledge of Allegiance**

Rep. Lydia Jackson 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. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Devillier, and under a suspension of the rules, the Journal of March 27, 2000, was corrected to reflect her as voting yea on final passage of House Bill No. 10.

On motion of Rep. Frith, the Journal of March 27, 2000, was adopted.

**Privileged Report of the Committee on Enrollment**

March 28, 2000

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. 10—**  
BY REPRESENTATIVE WINDHORST  
A RESOLUTION

To commend and congratulate Warren E. Smolen upon achieving the prestigious rank of Eagle Scout.

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.

**Introduction of Resolutions**

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. 11—**  
BY REPRESENTATIVE PIERRE

A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives upon the untimely death of Richard Baudouin, Jr.

Read by title.

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

**Introduction of House Bills**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 225—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 15:146(B) through (E), relative to indigent defense; to provide for a uniform fee for indigent defender funds to be imposed on all criminal convictions; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 226—**  
BY REPRESENTATIVES RIDDLE, DEWITT, AND FARRAR  
AN ACT

To amend and reenact Subpart B of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950 and the title thereof, comprised of R.S. 17:1501, relative to higher education; to provide relative to institutions under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to establish Louisiana State University at Alexandria as an institution authorized to offer baccalaureate degrees; to provide for implementation; and to provide for related matters.

Read by title.

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

**House and House Concurrent Resolutions  
Lying Over**

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

**HOUSE CONCURRENT RESOLUTION NO. 31—**  
BY REPRESENTATIVE HOLDEN  
A CONCURRENT RESOLUTION

To urge and request the state Department of Education, with the approval of the State Board of Elementary and Secondary Education, to develop and implement in Louisiana's public schools, a reading program similar to the Reading Plan for Michigan.

Read by title.

On motion of Rep. Holden, the above resolution was referred to the Committee on Education, under the rules.

**House Bills on Second Reading  
to be Referred to Committee**

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. 222—**  
BY REPRESENTATIVE R. ALEXANDER  
AN ACT

To amend and reenact R.S. 37:1241(A)(17) and to enact Part F of Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1251 through 1254, and Chapter 54 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2691 through 2693, relative to pharmacists and prescription drugs; to revise the Louisiana Pharmacy Practice Act relative to generic substitutions of brand-name drugs; to require prior authorization to prescribe certain brand-name drugs to Medicaid recipients; and to provide for related matters.

Read by title.

**Point of Order**

Rep. Pratt asked for a ruling from the Chair as to whether the object of the above bill is within the listing of objects contained in the governor's proclamation for this extraordinary session.

**Ruling of the Chair**

The Chair ruled that the object of the above bill was within the listing of objects contained in the governor's proclamation for this extraordinary session.

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

**HOUSE BILL NO. 223—**  
BY REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact Children's Code Articles 1101 and 1193(introductory paragraph) and to enact Title XVII of the Children's Code, to be comprised of Articles 1701 through 1706, relative to newborns; to provide for legislative intent; to provide for relinquishment of newborns; to provide for definitions; to provide for subpoenas; to provide for authority and responsibility of accepting entity; to provide for parental rights; to provide for evaluation of the programs; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 224—**  
BY REPRESENTATIVE CRANE  
AN ACT

To enact R.S. 17:3048.1(S)(3), to provide relative to award amounts for certain students who are recipients of an Opportunity Award under the Tuition Opportunity Programs for Students; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

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

**Senate Bills on Second Reading  
to be Referred to Committee**

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

**SENATE BILL NO. 56—**  
BY SENATORS BARHAM, HAINKEL AND DARDENNE AND  
REPRESENTATIVES HAMMETT, DEWITT AND MCMAINS  
AN ACT

To amend and reenact R.S. 47:1562(A), (B), 1565(A) and 1566(B), relative to tax assessment and collection procedures; to provide the department with additional data bases containing taxpayer addresses; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hammett moved that Senate Bill No. 56 be amended to conform with House Bill No. 122 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Hammett to Engrossed Senate Bill No. 56 by Senator Barham (Duplicate of House Bill No. 122)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:1562(A)" delete the comma "," and insert "and" and after "1565(A)" insert a comma ","

AMENDMENT NO. 2

On page 1, line 4, change "data bases" to "databases" and after "addresses;" insert "to require the use of certified mail when sending notices of assessment;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 47:1562(A)" delete the comma "," and insert "and"

AMENDMENT NO. 4

On page 2, line 1, after "entity" insert "which will provide such address free of charge" and insert a comma "," after "state"

AMENDMENT NO. 5

On page 2, line 2, delete the comma "," after "including"

AMENDMENT NO. 6

On page 2, line 21, delete "registered mail" and insert "certified mail, return receipt requested."

AMENDMENT NO. 7

On page 2, line 24, after "entity" insert "which will provide such address free of charge" and insert a comma "," after "state"

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## AMENDMENT NO. 8

On page 2, line 25, delete the comma "," after "including"

## AMENDMENT NO. 9

On page 3, line 1, delete "registered mail" and insert "certified mail, return receipt requested."

## AMENDMENT NO. 10

On page 3, line 3, after "entity" insert "which will provide such address free of charge"

## AMENDMENT NO. 11

On page 3, line 4, insert a comma after "state" and delete the comma "," after "including"

## AMENDMENT NO. 12

On page 3, line 17, delete "registered mail" and insert "certified mail, with return receipt requested."

## AMENDMENT NO. 13

On page 3, line 19, after "entity" insert "which will provide such address free of charge"

## AMENDMENT NO. 14

On page 3, line 20, insert a comma after "state" and delete the comma "," after "including"

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

### **Motion**

On motion of Rep. Hammett, the above bill, as amended, was referred to the Legislative Bureau.

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

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

#### **SENATE BILL NO. 23—**

BY SENATORS THEUNISSEN, HAINKEL AND DARDENNE AND REPRESENTATIVES CRANE, DEWITT AND MCMAINS  
AN ACT

To amend and reenact R.S. 17:3883(A)(5), (6), and (7), and (B)(2), 3903(A) and 3904(A)(1), to enact R.S. 17:3883(B)(5) and 3905, and to repeal R.S. 17:3883(A)(8), relative to the evaluation of school personnel; to provide relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide relative to the monitoring of evaluation programs by the

state Department of Education; to provide relative to the implementation of such programs; to provide for sanctions; to provide for submission of certain documentation; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 24—**

BY SENATORS THEUNISSEN, HAINKEL AND DARDENNE AND REPRESENTATIVES CRANE, DEWITT AND MCMAINS  
AN ACT

To amend and reenact R.S. 17:238, relative to school attendance; to specifically require city and parish school boards to have a policy regarding the placement and education of foster children; to prohibit denial of enrollment because the child is in foster care; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 27—**

BY SENATORS THEUNISSEN, HAINKEL, DARDENNE AND SCHEDLER AND REPRESENTATIVES CRANE, DEWITT, MCMAINS AND BRUNEAU

AN ACT

To amend and reenact R.S. 17:3048.1(T), relative to eligibility qualifications for awards pursuant to the Tuition Opportunity Program for Students for students graduating from Louisiana nonpublic schools that are approved by the State Board of Elementary and Secondary Education and also meet other specified standards; to provide that certain nonpublic schools shall have until the 2002-2003 school year to meet the other specified standards; to provide for an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 33—**

BY SENATORS THEUNISSEN, HAINKEL AND DARDENNE AND REPRESENTATIVES DEWITT AND MCMAINS  
AN ACT

To enact R.S. 44:4(27), relative to applicability of the public records law; to exempt certain testing instruments, test answers, and individual student test scores from such law; to provide exceptions; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 87—**

BY SENATORS THEUNISSEN, HAINKEL AND DARDENNE AND REPRESENTATIVES CRANE, DEWITT AND MCMAINS  
AN ACT

To enact R.S. 17:1948(I), relative to the responsibility of local educational agencies or child net services to provide for certain assistive technology devices; to provide that such agencies shall not be required to replace or repair for certain devices in the possession of children with disabilities or parents or guardians of such children; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 91—**

BY SENATORS THEUNISSEN, HAINKEL AND DARDENNE AND REPRESENTATIVES CRANE, DEWITT AND MCMAINS  
AN ACT

To enact R.S. 17:3048.1(C)(2)(g) and (h), relative to the Tuition Opportunity Program for Students; to require that the Louisiana Student Financial Assistance Commission adopt by rule guidelines and procedures permitting the commission to consider certain applications and test scores that are received after specified deadlines; to provide limitations; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 97—**

BY SENATORS THEUNISSEN, HAINKEL, AND DARDENNE AND REPRESENTATIVES CRANE, DEWITT, AND MCMAINS  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1) introductory paragraph, (2), (3), and (4)(a) and (b), relative to the Tuition Opportunity Program for Students; to provide additional authority permitting the recipient of an Opportunity, Performance, or Honors award under the Tuition Opportunity Program for Students to pursue skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree; to provide limitations; to make conforming changes to provisions relative to award amounts and continuing award eligibility; to provide for an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**Privileged Report of the Legislative Bureau**

March 28, 2000

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. 9  
Reported without amendments.

Senate Bill No. 11  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

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

Rep. Dupre asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

**SENATE BILL NO. 9—**

BY SENATOR GAUTREUX  
AN ACT

To amend and reenact R.S. 33:132(B)(2), relative to regional planning commissions; to allow certain members of the Houma-Terrebonne Regional Planning Commission to receive

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compensation under certain conditions; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 11—**

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 16:16.2, relative to district attorneys; to authorize a non-refundable court cost to be paid to the Twenty-Second Judicial District to defray prosecutive expenses; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**House Bills 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. 77—**

BY REPRESENTATIVES DEWITT, MCMAINS, AND WALSWORTH AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(o), relative to parole eligibility; to provide for conditions of parole; to provide for reimbursement by parolees to the Board of Parole; to provide for the costs which may be reimbursed; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Pierre
Alario	Glover	Pinac
Alexander, E	Guillory	Pitre

Alexander, R	Hammett	Powell
Ansardi	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Riddle
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Montgomery	Warner
Durand	Morrell	Wilkerson
Erdey	Morrish	Willard
Farrar	Murray	Windhorst
Faucheux	Nevers	Winston
Flavin	Odinot	Wooton
Fruge	Perkins	Wright

Total—96

**NAYS**

Downer	Richmond
Green	Romero

Total—4

**ABSENT**

Frith	Lancaster	Welch
Holden	Smith, J.D.—50th	

Total—5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hebert 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. 87—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:9001 and 9401(B), to enact R.S. 33:9404, and to repeal R.S. 33:9003(D) and 9403(E), relative to the Orleans Parish law enforcement district; to provide relative to governance of the district; to provide relative to the taxing authority of the district; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 124—**  
BY REPRESENTATIVE DEWITT AND SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b), relative to tuition and attendance fees at public colleges and universities; to provide for the powers, duties, and responsibilities of public postsecondary education management boards; to grant authority to the management boards to establish in accordance with certain guidelines tuition and mandatory attendance fees applicable to resident and nonresident students, respectively; to provide limitations; to provide an effective date; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 141—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact R.S. 11:780(C) and to enact R.S. 11:221(E), relative to all state and statewide public retirement systems, including the Teachers' Retirement System; to provide with respect to earnings limitations of certain disability beneficiaries; to provide an effective date; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 170—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To amend and reenact R.S. 18:1483(14)(a)(i) and (ii), relative to the definition of "political committee" and "committee" for purposes of the Campaign Finance Disclosure Act; to restate the definition of "political committee" and "committee"; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Pierre
Alario	Glover	Pinac
Alexander, E	Green	Pitre
Alexander, R	Guillory	Powell
Ansardi	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Hill	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter, K	Iles	Schneider
Carter, R	Jackson, L	Schwegmann
Cazayoux	Jackson, M	Shaw
Clarkson	Johns	Smith, G.—56th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Travis
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Wilkerson
Farrar	Morrish	Willard
Faucheux	Murray	Windhorst
Flavin	Nevers	Winston
Frith	Odinet	Wooton
Fruge	Perkins	Wright
Total—102		

**NAYS**

Total—0

**ABSENT**

Holden	Smith, J.D.—50th	Welch
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lancaster 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. Flavin, the rules were suspended to limit the author or proponent handling the legislative instrument to ten

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minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**HOUSE BILL NO. 184 (Duplicate of Senate Bill No. 85)—**  
BY REPRESENTATIVE BRUNEAU AND SENATOR ULLO AND  
COAUTHORED BY REPRESENTATIVES LANCASTER AND  
FUTRELL

AN ACT

To enact R.S. 18:1908, relative to the creation of certain election districts; to provide for the use of certain population data for districting, redistricting, remapping, or reapportionment purposes; 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. 184 by Representative Bruneau and Senator Ullo and Coauthored by Representatives Lancaster and Futrell

AMENDMENT NO. 1

On page 2, line 1, change "105-109" to "105-119"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives K. Carter, Hunter, M. Jackson, Landrieu, Murray, and Pierre to Engrossed House Bill No. 184 by Representative Bruneau and Senator Ullo and Coauthored by Representatives Lancaster and Futrell

AMENDMENT NO. 1

On page 1, line 3, after "data for" delete the remainder of the line and delete line 4, and insert "all purposes; and to provide"

AMENDMENT NO. 2

On page 1, line 8, after "data" delete "for redistricting"

AMENDMENT NO. 3

On page 1, delete lines 9 through 17 and on page 2, delete lines 1 through 6

AMENDMENT NO. 4

On page 2, at the beginning of line 7, delete "B."

AMENDMENT NO. 5

On page 2, line 9, after "data for" delete the remainder of the line and on line 10, delete "redistricting" and insert "all"

AMENDMENT NO. 6

On page 2, at the end of line 10, delete "required in" and delete line 11 and insert "of the decennial census reported by the United States Bureau of the Census and required to be used for the purposes of apportionment of representatives in the Congress of the United States."

Rep. Karen Carter moved the adoption of the amendments.

Rep. Bruneau objected.

**Point of Order**

Rep. Bruneau asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**



The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Karen Carter, the amendments were withdrawn.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Holden to Engrossed House Bill No. 184 by Representative Bruneau, et al.

AMENDMENT NO. 1

On page 2, between lines 11 and 12 insert the following:

"Section 2. This Act shall be submitted to the Voting Rights Division of the United States Department of Justice for their review under Section 5 of the Voting Rights Act."

AMENDMENT NO. 2

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

**Motion**

Rep. Green moved that the bill, as amended, be returned to the calendar.

Rep. Bruneau objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Baudoin	Guillory	Murray
Baylor	Hammett	Odinot
Bruce	Hebert	Pierre
Carter, K	Hill	Pratt
Carter, R	Holden	Quezaire
Cazayoux	Hudson	Richmond
Clarkson	Hunter	Romero
Curtis	Iles	Schwegmann
Dartez	Jackson, L	Smith, G.—56th
Devillier	Jackson, M	Smith, J.D.—50th
Downer	LaFleur	Welch
Durand	Landrieu	Wilkerson
Farrar	Lucas	Willard
Frith	McDonald	Wright
Glover	Morrell	
Green	Morrish	

Total—46

**NAYS**

Mr. Speaker	Heaton	Scalise
Alario	Hopkins	Shaw
Alexander, E	Johns	Smith, J.H.—8th
Alexander, R	Katz	Smith, J.R.—30th
Ansardi	Kennard	Sneed
Bowler	Kenney	Stelly
Bruneau	Lancaster	Strain
Crane	LeBlanc	Thompson
Crowe	Martiny	Toomy
Damico	McCallum	Travis
Diez	McMains	Triche
Doerge	Montgomery	Waddell
Donelon	Nevers	Walsworth
Dupre	Perkins	Warner
Erdey	Pinac	Windhorst
Faucheux	Pitre	Winston
Flavin	Powell	Wooton
Fruge	Riddle	
Futrell	Salter	

Total—55

**ABSENT**

Broome	Schneider
Daniel	Townsend
Total—4	

The House refused to return the bill, as amended, to the calendar.

Rep. Holden moved the adoption of the amendments.

Rep. Bruneau objected.

By a vote of 61 yeas and 40 nays, 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**

Alexander, E	Katz	Shaw
Alexander, R	Kennard	Smith, J.H.—8th
Bowler	Kenney	Smith, J.R.—30th
Bruneau	Lancaster	Sneed
Crane	LeBlanc	Stelly
Crowe	Martiny	Strain
Donelon	McMains	Thompson
Dupre	Montgomery	Toomy
Erdey	Morrish	Triche
Flavin	Nevers	Waddell
Fruge	Perkins	Walsworth
Futrell	Pitre	Warner

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Hopkins	Powell	Windhorst
Johns	Scalise	Winston
Total—42		

## NAYS

Mr. Speaker	Faucheux	Murray
Alario	Frith	Odinet
Ansardi	Glover	Pierre
Baudoin	Green	Pinac
Baylor	Guillory	Pratt
Broome	Hammett	Quezaire
Bruce	Heaton	Richmond
Carter, K	Hebert	Riddle
Carter, R	Hill	Romero
Cazayoux	Holden	Salter
Clarkson	Hudson	Schwegmann
Curtis	Hunter	Smith, G.—56th
Damico	Iles	Smith, J.D.—50th
Daniel	Jackson, L	Townsend
Dartez	Jackson, M	Travis
Devillier	LaFleur	Welch
Diez	Landrieu	Wilkerson
Doerge	Lucas	Willard
Downer	McCallum	Wooton
Durand	McDonald	Wright
Farrar	Morrell	

## ABSENT

Schneider

Total—1

The Chair declared the above bill failed to pass.

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

### HOUSE BILL NO. 141—

BY REPRESENTATIVE MCMAINS

#### AN ACT

To amend and reenact R.S. 11:780(C) and to enact R.S. 11:221(E), relative to all state and statewide public retirement systems, including the Teachers' Retirement System; to provide with respect to earnings limitations of certain disability beneficiaries; to provide an effective date; and to provide for related matters.

Called from the calendar.

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	Guillory	Powell
Alario	Hammett	Pratt
Alexander, E	Heaton	Quezaire
Alexander, R	Hebert	Richmond
Ansardi	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Broome	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jackson, L	Shaw
Carter, K	Jackson, M	Smith, G.—56th
Carter, R	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Clarkson	Kennard	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Waddell
Downer	McMains	Walsworth
Dupre	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Morrish	Wilkerson
Faucheux	Murray	Willard
Flavin	Nevers	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wooton
Futrell	Pierre	Wright
Glover	Pinac	
Green	Pitre	

Total—103

## NAYS

Total—0

## ABSENT

Crane

Durand

Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 187—**

BY REPRESENTATIVES WELCH AND KENNARD  
AN ACT

To enact R.S. 13:783(D)(6), relative to clerks of court; to authorize the clerk of court for East Baton Rouge Parish to purchase or lease one additional automobile for the transportation of documents, equipment, and employees or for use for any purpose related to the operation of the office; to provide for insurance; to provide for disbursement of funds from the clerk's salary fund; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Toomy to Engrossed House Bill No. 187 by Representative Welch

AMENDMENT NO. 1

On page 1, at the end of line 3, after "lease" delete "one" and insert in lieu thereof "a total of two automobiles"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, before "for the" delete "additional automobile"

AMENDMENT NO. 3

On page 1, line 14, after "(6)" delete the remainder of the line in its entirety and delete line 15 in its entirety and at the beginning of line 16, before "purchase" delete "court for East Baton Rouge Parish may" and insert in lieu thereof "The clerk of court for East Baton Rouge Parish is hereby authorized to purchase or lease the automobile authorized by Paragraph (1) of this Subsection and, in addition, is authorized to"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Alexander, E	Guillory	Powell
Alexander, R	Hammett	Pratt
Ansardi	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Riddle

Bowler	Holden	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Travis
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Morrish	Wilkerson
Faucheux	Murray	Willard
Flavin	Nevers	Windhorst
Frith	Odinot	Winston
Fruge	Perkins	Wooton
Futrell	Pierre	Wright

Total—105

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Welch 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. 201—**

BY REPRESENTATIVES WELCH AND BAYLOR  
AN ACT

To amend and reenact R.S. 40:2116(E)(1) and to enact R.S. 40:2116(E)(4), relative to nursing homes; to authorize the secretary of the Department of Health and Hospitals to provide an extension of the completion deadline for nursing home beds which have been approved but are not yet enrolled in the Medicaid program; to provide for the conditions necessary for such extension; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Welch to Engrossed House Bill No. 201 by Representative Welch

AMENDMENT NO. 1

On page 2, line 13, after the word "a" and before the word "request" insert the word "written".

AMENDMENT NO. 2

On page 2, line 15, at the end of the line, add the following sentence:

"These provisions shall only be applicable in the case of a facility, the primary purpose of which is to replace an existing facility, but also in so doing, enrolling additional beds."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Wright to Engrossed House Bill No. 201 by Representative Welch

AMENDMENT NO. 1

On page 1, line 2, delete "40:2116(E)(1)" and insert "40:2116(D) and (E)(1)"

AMENDMENT NO. 2

On page 1, line 9, delete "40:2116(E)(1)" and insert "40:2116(D) and (E)(1)"

AMENDMENT NO. 3

On page 1, between lines 12 and 13, insert the following:

"D.(1) The Department of Health and Hospitals shall implement a moratorium on Title XIX certified beds for nursing facilities. The Department of Health and Hospitals shall not approve any additional nursing facilities or beds in nursing facilities through facility need review to participate in the Title XIX program of the Social Security Act. This prohibition shall apply only to applications for new beds not approved prior to July 1, 1996. This prohibition shall not apply to the replacement of existing facilities. Such prohibition shall become enforceable on July 1, 1996, and shall remain in effect until July 1, 2005.

(2) Notwithstanding any other provision of law to the contrary, the moratorium on Title XIX certified beds for nursing facilities shall not apply to any application for new nursing facilities or beds for any facility owned and operated by LaSalle Parish Hospital Service District #1."

**Point of Order**

Rep. Welch asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Rep. Wright moved the adoption of the amendments.

Rep. Welch objected.

By a vote of 32 yeas and 60 nays, the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander, E	Hebert	Richmond
Baylor	Hill	Riddle
Bowler	Holden	Romero
Broome	Hopkins	Salter
Bruce	Hunter	Schwegmann
Bruneau	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Clarkson	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	McCallum	Travis
Downer	McDonald	Triche
Dupre	McMains	Waddell
Farrar	Montgomery	Warner
Faucheux	Morrell	Welch
Flavin	Murray	Wilkerson
Frith	Nevers	Willard
Fruge	Odinot	Windhorst
Futrell	Perkins	Winston
Glover	Pierre	Wooton
Guillory	Pinac	Wright
Total—87		

NAYS

Alexander, R	Erdey	Morrish
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Donelon	Katz	Scalise
Total—6		
ABSENT		
Ansardi	Durand	Pitre
Baudoin	Green	Quezaire
Crane	Hudson	Schneider
Crowe	Martiny	Walsworth
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Welch 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. 207—**  
 BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE  
 AN ACT

To enact R.S. 33:4574.12, relative to the parishes of St. Charles, St. John the Baptist, and St. James; to create the River Parishes Convention, Tourist, and Visitors District comprising such parishes; to create and provide for the appointment, powers, and duties of a commission to govern the district; to authorize the commission to levy and collect a hotel/motel occupancy tax to fund the activities of the commission; to provide relative to borrowing by the commission and budgetary matters; 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	Green	Pitre
Alario	Guillory	Powell
Alexander, E	Hammett	Pratt
Alexander, R	Heaton	Quezaire
Ansardi	Hebert	Richmond
Baylor	Hill	Riddle
Bowler	Holden	Romero
Broome	Hopkins	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly

Daniel	Lancaster	Strain
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Travis
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Morrish	Wilkerson
Fauchaux	Murray	Willard
Flavin	Nevers	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wooton
Futrell	Pierre	Wright
Glover	Pinac	
Total—101		

**NAYS**

Total—0

**ABSENT**

Baudoin	Hudson
Crane	Schneider
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 36—**  
 BY REPRESENTATIVES HAMMETT AND DEWITT  
 AN ACT

To enact R.S. 47:302(O) and 331(M), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Read by title.

**Motion**

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

**Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended to make House Bill No. 36 Special Order of the Day No. 1 for Wednesday, March 29, 2000.

**HOUSE BILL NO. 179—**

BY REPRESENTATIVES DANIEL AND THOMPSON

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 10(F) and to add Article VII, Section 10(K) of the Constitution of Louisiana, relative to the expenditure of state funds; to authorize the reduction of certain mandatory expenditures, appropriations, and allocations from the state general fund and dedicated funds under certain circumstances; to authorize limited redirection of funds supporting appropriations or allocations from the state general fund and dedicated funds, including those constitutionally protected or mandated, for other nonmandatory uses under certain circumstances; to authorize the legislature to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Diez to Engrossed House Bill No. 179 by Representative Daniel

AMENDMENT NO. 1

On page 4, between lines 15 and 16, insert:

"(f) The Transportation Trust Fund as defined in Article VII, Section 27 of this constitution."

AMENDMENT NO. 2

On page 5, line 12, after "contributions," and before "the Louisiana" insert:

"the Transportation Trust Fund,"

Rep. Diez moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 41 yeas and 56 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Stelly to Engrossed House Bill No. 179 by Representatives Daniel and Thompson

AMENDMENT NO. 1

On page 2, line 24, after "percent," insert the following: "Except as otherwise provided in this Paragraph, when the governor reduces appropriations or allocations under the provisions of this Paragraph, all appropriations or allocations of state funds to state agencies shall be reduced by the same percentage."

Rep. Stelly moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 35 yeas and 65 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Alario and Jane Smith to Engrossed House Bill No. 179 by Representatives Daniel and Thompson

AMENDMENT NO. 1

On page 2, at the end of line 24, delete the word "For" and delete lines 25 and 26

AMENDMENT NO. 2

On page 3, delete line 1, and on line 2, delete "activities."

AMENDMENT NO. 3

On page 3, line 21, after "year." delete the remainder of the line and delete lines 22 through 26

AMENDMENT NO. 4

On page 4, between lines 15 and 16, insert the following: "(f) The Minimum Foundation Program as provided in Article VIII, Section 13 of this constitution."

AMENDMENT NO. 5

On page 5, line 2, after "made;" delete the remainder of the line and delete line 3 in its entirety and insert "to"

AMENDMENT NO. 6

On page 5, line 8, after "year" change the comma "," to a semicolon ";" and delete the remainder of the line, and delete line 9 in its entirety, and on line 10 delete "percent;"

AMENDMENT NO. 7

On page 5, line 14, after "trust," insert "and the Minimum Foundation Program,"

Rep. Alario moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 61 yeas and 42 nays, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pratt to Engrossed House Bill No. 179 by Representatives Daniel and Thompson

AMENDMENT NO. 1

On page 2, at the end of line 24, delete the word "For" and delete lines 25 and 26

AMENDMENT NO. 2

On page 3, delete line 1, and on line 2, delete "activities."

AMENDMENT NO. 3

On page 3, line 21, after "year." delete the remainder of the line and delete lines 22 through 26

AMENDMENT NO. 4

On page 4, line 12, after "Fund" insert "and the Louisiana Quality Education Support Fund"

AMENDMENT NO. 5

On page 4, line 13, after "Section 10.1" and before "of " delete "(A)(1)"

AMENDMENT NO. 6

On page 4, between lines 15 and 16, insert the following: "(f) The Minimum Foundation Program as provided in Article VIII, Section 13 of this constitution."

AMENDMENT NO. 7

On page 5, line 2, after "made;" delete the remainder of the line and delete line 3 in its entirety and insert "to"

AMENDMENT NO. 8

On page 5, line 8, after "year" change the comma "," to a semicolon ";" and delete the remainder of the line, and delete line 9 in its entirety, and on line 10 delete "percent;"

AMENDMENT NO. 9

On page 5, line 13, after "Fund" delete the comma "," and insert "and the Louisiana Quality Education Support Fund"

AMENDMENT NO. 10

On page 5, line 14, after "trust," insert "and the Minimum Foundation Program,"

Rep. Pratt moved the adoption of the amendments.

Rep. Daniel objected.

By a vote of 36 yeas and 66 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Diez to Engrossed House Bill No. 179 by Representatives Daniel and Thompson

AMENDMENT NO. 1

On page 3, line 2, after "activities." insert the following: "For the purposes of this Subparagraph, reductions to expenditures from the fund established in Article VII, Section 27 of this Constitution shall not exceed one percent."

AMENDMENT NO. 2

On page 3, line 23, after "constitution" insert the following: "and a maximum of one percent of appropriations from the fund established in Article VII, Section 27 of this Constitution"

AMENDMENT NO. 3

On page 5, line 3, after "Program" and before "to" insert "and the Transportation Trust Fund"

AMENDMENT NO. 4

On page 5, line 9, after "Program" and before "to" insert "and the Transportation Trust Fund"

Rep. Diez moved the adoption of the amendments.

Rep. Daniel objected.

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By a vote of 39 yeas and 64 nays, the amendments were rejected.

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

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Futrell	Pinac
Alario	Glover	Pitre
Alexander, E	Hammett	Pratt
Alexander, R	Heaton	Richmond
Ansardi	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Jackson, M	Shaw
Carter, K	Johns	Smith, G.—56th
Carter, R	Katz	Smith, J.D.—50th
Cazayoux	Kennard	Smith, J.H.—8th
Clarkson	Kenney	Smith, J.R.—30th
Crane	LaFleur	Sneed
Crowe	Lancaster	Stelly
Curtis	Landrieu	Strain
Damico	LeBlanc	Thompson
Daniel	Lucas	Toomy
Dartez	Martiny	Townsend
Devillier	McCallum	Travis
Donelon	McDonald	Triche
Downer	McMains	Waddell
Dupre	Montgomery	Walsworth
Durand	Morrell	Warner
Erdey	Morrish	Welch
Farrar	Murray	Wilkerson
Faucheux	Nevers	Willard
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Total—96		

### NAYS

Diez	Guillory	Powell
Doerge	Iles	Quezaire
Green	Jackson, L	Windhorst
Total—9		

### ABSENT

Total—0

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

The title of the above bill was read and adopted.

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

## Suspension of the Rules

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

## Petitions, Memorials and Communications

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

## Message from the Senate

### HOUSE CONCURRENT RESOLUTIONS

March 28, 2000

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 Concurrent Resolutions:

House Concurrent Resolution No. 30  
Returned without amendments.

House Concurrent Resolution No. 32  
Returned without amendments.

House Concurrent Resolution No. 33  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate



**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

March 28, 2000

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. 5, 12, 15, and 16

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

March 28, 2000

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. 19

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

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

**Senate Bills 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. 19—**

BY SENATORS THEUNISSEN, HAINKEL AND DARDENNE AND REPRESENTATIVES CRANE, DEWITT AND MCMAINS  
AN ACT

To amend and reenact R.S. 11:708(A) and 791(A)(1) and R.S. 17:16, relative to the Teachers' Retirement System of Louisiana; to eliminate certain conditions on the eligibility of a retired certified

teacher to be employed as a teacher without an interruption in retirement benefits in a case of teacher shortages; to specify that only certified teachers are eligible for such reemployment; to eliminate a requirement for such a reemployed retired teacher and his employer to make contributions to the retirement system; and to provide for related matters.

Read by title.

**Introduction of Resolutions**

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. 34—**

BY REPRESENTATIVE ILES

A CONCURRENT RESOLUTION

To commend and congratulate Eldridge L. Morris, former distinguished member of the House of Representatives of the Legislature of Louisiana, upon the occasion of his receipt of the G.O. McGuffie Public Servant Award from the Louisiana Moral and Civic Foundation and the celebration on April 9, 2000, of Representative Eldridge Morris Day.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, through the office of public health, to assess the needs for funding for Crohn's disease and ulcerative colitis for disease management and awareness and to request the Louisiana medical schools to fund research of Crohn's disease and ulcerative colitis.

Read by title.

Lies over under the rules.

**Introduction of House Bills**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 227—**

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact Children's Code Articles 1101 and 1193(introductory paragraph) and to enact Title XVII of the Children's Code, to be comprised of Articles 1701 through 1706,

relative to newborns; to provide a place of safe haven where a mother who does not want her newborn may relinquish her child to the care of the state without committing a criminal act; to place authority and responsibility for accepting relinquishment of newborns with certain emergency care facilities; to institute a procedure by which parental rights are terminated so the newborn may be adopted by persons desirous of raising such newborn as their own; to provide limited protection for parental rights which may be asserted after relinquishment; and to provide for related matters.

Read by title.

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Appropriations**

March 28, 2000

To the Speaker and Members of the House of Representatives:

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

House Bill No. 195, by DeWitt  
Reported favorably. (12-0) (Regular)

House Bill No. 214, by DeWitt  
Reported with amendments. (13-0) (Regular)

House Concurrent Resolution No. 1, by Salter  
Reported with amendments. (12-0)

Senate Bill No. 2, by Schedler  
Reported with amendments. (12-0) (Regular)

Senate Bill No. 41, by Romero  
Reported favorably. (11-0) (Regular)

Senate Bill No. 45, by Hainkel  
Reported with amendments. (11-0) (Regular)

JERRY LUKE LEBLANC  
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 41, were referred to the Legislative Bureau.

**Report of the Committee on Commerce**

March 28, 2000

To the Speaker and Members of the House of Representatives:

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

House Bill No. 132, by DeWitt  
Reported with amendments. (15-0) (Regular)

House Bill No. 134, by DeWitt  
Reported with amendments. (15-0) (Regular)

JOHN D. TRAVIS  
Chairman

**Report of the Committee on Environment**

March 28, 2000

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 29, by Holden  
Reported favorably. (12-0)

House Bill No. 139, by Triche  
Reported with amendments. (12-0) (Regular)

House Bill No. 197, by DeWitt  
Reported favorably. (11-0) (Regular)

N. J. DAMICO  
Chairman

**Report of the Committee on  
Transportation, Highways and Public Works**

March 28, 2000

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 12, by Riddle  
Reported favorably. (13-0)

House Bill No. 74, by Scalise  
Reported favorably. (14-0) (Regular)

House Bill No. 91, by Diez  
Reported with amendments. (12-0) (Regular)

House Bill No. 96, by Jane Smith  
Reported with amendments. (13-0) (Regular)

House Bill No. 131, by Dupre  
Reported with amendments. (14-0) (Regular)

House Bill No. 162, by Diez  
Reported favorably. (13-0) (Regular)

House Bill No. 164, by Diez  
Reported favorably. (13-0) (Regular)

House Bill No. 166, by Dupre  
Reported with amendments. (13-0) (Regular)

House Bill No. 167, by Diez  
Reported favorably. (13-0) (Regular)

House Bill No. 168, by Diez  
Reported favorably. (13-0) (Regular)

House Bill No. 215, by Hopkins  
Reported with amendments. (14-0) (Regular)

House Bill No. 219, by Hopkins  
Reported favorably. (14-0) (Regular)

Senate Bill No. 43, by Gautreaux  
Reported favorably. (12-0) (Regular)

Senate Bill No. 59, by Heitmeier  
Reported favorably. (11-0) (Regular)

Senate Bill No. 73, by Chaisson  
Reported favorably. (12-0) (Regular)

JOHN C. DIEZ  
Chairman

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

**Suspension of the Rules**

On motion of Rep. LeBlanc, the rules were suspended in order to take up and consider House and House Concurrent Resolutions contained in the committee report at this time.

**House and House Concurrent Resolutions  
Reported by Committee**

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

**HOUSE CONCURRENT RESOLUTION NO. 1—**  
BY REPRESENTATIVE SALTER AND SENATOR SMITH  
A CONCURRENT RESOLUTION

To prohibit the Office of Elderly Affairs from making certain planning and service area changes and federal funding distribution changes relative to the Older Americans Act.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Concurrent Resolution No. 1 by Representative Salter

AMENDMENT NO. 1

On page 2, line 2, after "consult" and before "beforehand" insert "the Louisiana Legislature"

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

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

**HOUSE CONCURRENT RESOLUTION NO. 12—**  
BY REPRESENTATIVE RIDDLE  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to name that portion of Louisiana Highway 1 lying within the city limits of Marksville, Louisiana, Avoyelles Parish, as the Blue Star Memorial Highway in honor of the citizens of Marksville who have served in the armed forces of the United States.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 29—**  
BY REPRESENTATIVE HOLDEN  
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to deny Louisiana Land Systems, Inc., a permit for the operation of a solid waste, hazardous waste, or industrial waste facility in East Baton Rouge Parish near Alsen, Louisiana.

Read by title.

Reported favorably by the Committee on Environment.

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

**Suspension of the Rules**

On motion of Rep. Diez, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**House Bills on Second Reading  
Reported by Committee**

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

**HOUSE BILL NO. 74—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To enact R.S. 47:463.81, relative to motor vehicle license plates; to provide for a prestige license plate for the Fraternal Order of Police; to provide for its charge; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 91—**  
BY REPRESENTATIVES DIEZ, DEWITT, AND MCMAINS AND  
SENATORS HAINKEL AND DARDENNE  
AN ACT

To amend and reenact R.S. 32:388(B)(1) and 388.1, relative to weight regulations on vehicles; to increase the penalties for overweight vehicles; to provide for instances when two fines will be imposed; 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 Original House Bill No. 91 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "32:388(B)(1)" and before the comma "," delete "and 388.1"

AMENDMENT NO. 2

On page 1, line 4, after "vehicles;" delete the remainder of the line and insert "and"

AMENDMENT NO. 3

On page 1, line 7, after "32:388(B)(1)" and before "hereby" change "and 388.1 are" to "is"

AMENDMENT NO. 4

On page 1, line 11, after "(1)" delete "(a)" and change "drives" to "operates"

AMENDMENT NO. 5

On page 1, line 17, after "weights" insert a comma "," and "whichever results in the" and at the beginning of line 18, insert "higher fine,"

AMENDMENT NO. 6

On page 2, delete lines 24 through 26 in their entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 4 in their entirety and delete lines 6 through 21 in their entirety

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 96—  
BY REPRESENTATIVE JANE SMITH  
AN ACT**

To enact R.S. 47:463.81, relative to motor vehicle license plates; to provide for a prestige license plate for Quota International; to authorize the imposition and provide for the charge for such plate; to provide for disbursement of the monies; to provide for the promulgation of rules and regulations; 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 Original House Bill No. 96 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, delete line 5 and insert in lieu thereof "the payment of a royalty fee; to provide for the use of the monies; to provide for the promulgation of rules"

AMENDMENT NO. 2

On page 1, at the end of line 15, add the following:

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"This prestige license plate shall be issued, upon application, to any citizen of Louisiana in the same manner as any other motor vehicle license plate."

## AMENDMENT NO. 3

On page 2, on line 1, after "annual" and before "fee" insert "royalty" and after "dollars" delete the remainder of the line and delete line 2 and insert "and a handling fee of three"

## AMENDMENT NO. 4

On page 2, between lines 4 and 5 insert the following:

"C.(1) The royalty fee of twenty-five dollars per year for the use of the official logo of the Quota International organization shall be collected by the department and shall be forwarded to the Louisiana Quota District 21 of the Quota International Organization for each prestige license plate issued as provided in this Section."

## AMENDMENT NO. 5

On page 2, delete line 5 and insert in lieu thereof "(2) Upon request of the Louisiana Quota District 21 of the Quota International Organization, the department shall calculate the number of"

## AMENDMENT NO. 6

On page 2, delete lines 9 through 23 and insert in lieu thereof the following:

"(3) The monies received from the royalty fees by Quota International shall be used solely to provide scholarships for students who major in the field of education to attend a Louisiana college or university."

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 131—**

BY REPRESENTATIVES DUPRE, DEWITT, AND MCMAINS AND SENATORS HAINKEL, CAIN, AND DARDENNE  
AN ACT

To amend and reenact R.S. 32:378.2(A)(1) and (2)(a), 414(A)(1)(b), (B)(2)(b), and (D)(1)(b), 667(B)(3), and 668(B)(1)(c) and to repeal R.S. 32:378.2(G), relative to drivers' licenses; to prohibit persons placed on probation for second and third offenses of driving while intoxicated from operating motor vehicles during probation; to remove authorization of issuance of restricted drivers' licenses under certain circumstances; to prohibit persons placed on probation for second or subsequent offenses of driving while intoxicated from applying for a restricted driver's license for a certain period of time; to authorize issuance of restricted drivers' licenses for persons convicted of second or subsequent offenses of driving while intoxicated upon providing

proof their vehicle is equipped with a functioning ignition interlock device; to repeal authorization for restricted driving privileges under certain circumstances; 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 Original House Bill No. 131 by Representative Dupre

## AMENDMENT NO. 1

On page 2, line 10, after "(2)(a)" delete the remainder of the line and delete line 11 in its entirety and insert "Any person"

## AMENDMENT NO. 2

On page 4, delete line 3 in its entirety and at the beginning of line 4 delete "Any" and insert "(b) Any"

## AMENDMENT NO. 3

On page 4, line 7, after "restricted" delete "driving license" and insert "driver's license after a period of three months, if the licensee has not been convicted of any other violations,"

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 132—**

BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS HAINKEL AND DARDENNE

## AN ACT

To amend and reenact R.S. 37:3103(11), 3113, 3116, 3117(B) and (C), and 3118 and to repeal Part V of Chapter 42 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:3144 through 3148, relative to the Louisiana Auctioneers Licensing Board; to provide for the licensure of auction businesses; to provide relative to fees assessed by the board; to require bonds of applicants and licensees; to delete provisions relative to the Auctioneers Recovery Fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 132 by Representative DeWitt, et al.

**AMENDMENT NO. 1**

On page 2, line 20, after "States" delete "and a" and insert "or a legal"

**AMENDMENT NO. 2**

On page 5, line 21, after "of" change "one hundred fifty" to "three hundred"

**AMENDMENT NO. 3**

On page 7, line 5, after "in" delete "Subsection C" and insert "Paragraph (4) of this Subsection and in Subsection D"

**AMENDMENT NO. 4**

On page 7, at the end of line 5, delete "an" and at the beginning of line 6, delete "auctioneer or apprentice auctioneer" and insert "a resident auctioneer, apprentice auctioneer, or auction business"

**AMENDMENT NO. 5**

On page 8, between lines 4 and 5, insert the following:

"(4) A licensed resident auctioneer shall not be required to deposit with the board an additional cash amount or an additional surety bond upon application for licensure as an auction business."

**AMENDMENT NO. 6**

On page 9, at the end of line 4, delete "the effective" and at the beginning of line 5, delete "date of this Act" and insert "December 31, 2000,"

**AMENDMENT NO. 7**

On page 9, at the end of line 6, delete "such effective date." and insert "January 1, 2001."

**AMENDMENT NO. 8**

On page 9, after line 10, insert the following:

"Section 5. The provisions of Sections 2 and 3 of this Act shall become effective on January 1, 2001."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 134—**

BY REPRESENTATIVE DEWITT AND SENATORS DARDENNE AND HAINKEL

**AN ACT**

To amend and reenact R.S. 51:911.24(A)(1) and (6), 911.32(D), 912.21(8), 912.22(4), 912.24(1) and (2)(d), 912.25(3), 912.27(A), (B), and (C), and 912.28(A) and to enact R.S. 51:912.21(9), 912.22(9) and (10), 912.29, and 912.30, relative to the state fire marshal; to establish penalties for interference with the duties of the state fire marshal; to create local inspection agencies under the authority of the state fire marshal; to authorize local inspection agencies to inspect the installation and transport of manufactured homes; to establish recordkeeping requirements for manufactured homes; to require that manufactured home transporters be licensed; to require that manufactured homes be installed by licensed installers; to establish penalties for unlicensed manufactured home transporters; to establish penalties for improper transport or installation of a manufactured home; to redefine installation standards for manufactured housing; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 134 by Representative DeWitt, et al.

**AMENDMENT NO. 1**

On page 1, delete lines 2 through 4 in their entirety and at the beginning of line 5, delete "912.29, and 912.30," and insert in lieu thereof the following:

"To amend and reenact R.S. 51:911.24(A)(1) and (6), 911.32(D), 912.21(8), 912.22(introductory paragraph), 912.24(1) and (2)(d), 912.25(3), 912.27(A), (B), and (C), and 912.28(A), to enact R.S. 51:911.24(C)(2), 912.21(9) and (10), 912.27(E), 912.29, and 912.30, and to repeal R.S. 51:911.24(C)(3),"

**AMENDMENT NO. 2**

On page 1, line 5, after "marshal;" and before "to" insert "to provide relative to licensure of manufacturers and dealers;"

**AMENDMENT NO. 3**

On page 1, at the end of line 6, delete "to" and delete lines 7 through 15 in their entirety and insert in lieu thereof the following:

"to provide for definitions; to change installation standards for manufactured housing; to require installation permit stickers to install manufactured homes; to require installation permit stickers for electrical utility services; to establish fees for installation permit

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stickers; to provide for the disposition of certain fees; to establish penalties for improper installation of manufactured homes; to provide for rules and regulations; and to"

## AMENDMENT NO. 4

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

"Section 1. R.S. 51:911.24(A)(1) and (6), 911.32(D), 912.21(8), 912.22(introductory paragraph), 912.24(1) and (2)(d), 912.25(3), 912.27(A), (B), and (C), and 912.28(A) are hereby amended and reenacted and R.S. 51:911.24(C)(2), 912.21(9) and (10), 912.27(E), 912.29, and 912.30 are hereby enacted to read as follows:"

## AMENDMENT NO. 5

On page 2, line 15, after "any" and before "manufactured" delete "mobile home or" and insert in lieu thereof "new"

## AMENDMENT NO. 6

On page 2, between lines 19 and 20, insert the following:

"C.

\* \* \*

(2) Each applicant for an original dealer's license shall have first served actively for one year as a salesman or shall have purchased an existing licensed dealership and have been domiciled in Louisiana for not less than six months.

\* \* \*

## AMENDMENT NO. 7

On page 3, delete lines 5 through 7 in their entirety

## AMENDMENT NO. 8

On page 3, delete lines 12 through 21 in their entirety and insert in lieu thereof the following:

"(8) "Transporter" means an individual who transports the manufactured home or mobile home to the site of installation but does not perform the blocking ~~and~~ or anchoring of the home.

(9) "Installation permit" means a permit issued by the fire marshal to a licensed installer or the homeowner who must certify that the home is in compliance with this Part.

(10) "Installation permit sticker" means a sticker issued by the fire marshal, along with an installation permit, which is to be affixed to the home to signify that the home is in compliance with this Part."

## AMENDMENT NO. 9

On page 3, line 24, after "manufactured" and before "meet" delete "home and mobile home installations shall" and insert in lieu thereof "homes and mobile homes built after 1976 shall be installed to"

## AMENDMENT NO. 10

Delete page 4 in its entirety

## AMENDMENT NO. 11

On page 5, line 9, after "of" and before "in" change "three feet" to "thirty inches"

## AMENDMENT NO. 12

On page 6, at the end of line 12 insert "; disposition of fees"

## AMENDMENT NO. 13

On page 6, line 15, delete "and transporters"

## AMENDMENT NO. 14

On page 6, at the end of line 16, delete ", which" and insert in lieu thereof "and an installation permit sticker fee. The"

## AMENDMENT NO. 15

On page 6, at the end of line 17, after "license" and before the period "." insert a comma "," and "and the installation permit sticker fee shall be fifteen dollars"

## AMENDMENT NO. 16

On page 6, line 18, after "person" and before "to" insert a comma "," and "other than the homeowner or a licensed installer."

## AMENDMENT NO. 17

On page 6, line 21, delete "or transporter installing or transporting" and insert in lieu thereof "or homeowner installing"

## AMENDMENT NO. 18

On page 6, line 23, after "obtain" and before the period "." delete "a license from the fire marshal" and insert in lieu thereof "an installation permit sticker from the fire marshal which shall be affixed to the side of the home at the point where electrical power is connected to the home"

## AMENDMENT NO. 19

On page 7, between lines 3 and 4 insert the following:

"E. All fees collected pursuant to Subsection A of this Section shall be used exclusively for the maintenance and operation of the manufactured home division of the office of the state fire marshal, code enforcement and building safety."



AMENDMENT NO. 20

On page 7, delete line 11 in its entirety and insert in lieu thereof "Any installer, transporter, or other person who performs"

AMENDMENT NO. 21

On page 7, line 17, after "license" and before "any" delete "and" and insert in lieu thereof "or a fine of up to one thousand dollars. Violators shall also be subject to"

AMENDMENT NO. 22

On page 7, delete lines 20 through 25 in their entirety, delete page 8 in its entirety, and on page 9, delete lines 1 through 20 in their entirety and insert in lieu thereof the following:

"§912.29. Electrical utility services

It shall be a violation of this Part for any electrical utility company to provide electricity to any manufactured home or mobile home built after 1976 which does not have the appropriate installation permit sticker affixed to the side of the home at the point where electrical power is connected to the home.

§912.30. Administration and enforcement; powers of fire marshal

The office of state fire marshal, code enforcement and building safety may adopt, pursuant to the Administrative Procedure Act, such rules and regulations as are necessary for the administration and enforcement of this Part.

Section 2. R.S. 51:911.24(C)(3) is hereby repealed in its entirety."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 139—**

BY REPRESENTATIVES TRICHE, DEWITT, AND MCMAINS AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 30:2075.2(A)(1) and to enact R.S. 30:2075.2(A)(6), relative to the Department of Environmental Quality and financial security requirements for privately owned sewage treatment facilities; to provide that the secretary of the Department of Environmental Quality may waive the bond or other financial security of applicants for discharge permits for privately owned sewage treatment facilities under certain circumstances; to provide for the issuance, renewal, modification, or transfer of permits without financial security; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 139 by Representative Triche

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## AMENDMENT NO. 1

On page 2, line 3, after "security instrument." delete "Such" and insert "Any such"

## AMENDMENT NO. 2

On page 2, line 5, delete "full and satisfactory performance of" and insert "substantial compliance with"

## AMENDMENT NO. 3

On page 2, line 8, after "state." delete the remainder of the line and delete lines 9 through 12 and on line 13 delete "other instrument is not necessary."

## AMENDMENT NO. 4

On page 2, delete lines 21 through 25 and on page 3, delete lines 1 through 6 and insert the following:

"(6)(a) After a permittee has provided a bond or other acceptable financial security instrument under this Section and has maintained the financial security for not less than three years, the permittee may petition the secretary for a waiver or reduction of the financial security. The secretary may, in his discretion, grant the petition, if:

(i) The facility has been in substantial compliance with the required permits under the Louisiana Water Control Law for not less than three years; and

(ii) The permittee provides the secretary with a letter from the Louisiana Public Service Commission stating that the permittee is in good standing and that the commission has no objection to the waiver or reduction of the financial security.

(b) The secretary may, in his discretion, issue, renew, modify, or transfer a permit without the required financial security being provided by the permittee, if:

(i) The permittee has made a reasonable, good faith effort to obtain the required financial security, but has been unable to do so;

(ii) The issuance, renewal, modification, or transfer of the permit is necessary to ensure uninterrupted sewage treatment, or is otherwise necessary to protect human health or the environment; and

(iii) The permittee provides the secretary with a letter from the Louisiana Public Service Commission stating that the permittee is in good standing and that the commission has no objection to the issuance, renewal, modification, or transfer.

(c) In no case shall a discharge be allowed by permit to continue for more than six months without the required bond or other financial security being provided by the permittee as required by this Section, unless the permittee has petitioned for and has been granted a release

from the requirement to provide and maintain such financial security as provided in Subsection A.

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 162—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:412.1 and to enact R.S. 32:429.2, relative to the office of motor vehicles; to provide for a fee increase for handling charges; to create the Office of Motor Vehicle Customer Service and Technology Fund; to provide for the deposit of monies into the fund and for the use of such monies; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 164—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:728, relative to motor vehicles; to increase fees for certificates of title; to provide for a portion of the fee to be deposited into the Office of Motor Vehicle Customer Service and Technology Fund; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 166—**

BY REPRESENTATIVES DUPRE, DEWITT, AND MCMAINS AND SENATORS HAINKEL, CAIN, AND DARLENNE

AN ACT

To enact R.S. 32:300, relative to motor vehicles; to prohibit the possession of open alcoholic beverage containers in motor vehicles; to prohibit the consumption of alcoholic beverages in the passenger area of motor vehicles; to provide for definitions; to provide for penalties; to provide for exceptions; to provide relative to enforcement; 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 Original House Bill No. 166 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 5, after "penalties;" delete "to provide" and at the beginning of line 6, delete "for exceptions;"

AMENDMENT NO. 2

On page 1, delete lines 11 through 18 and insert the following:

"A. It shall be unlawful for the operator of a motor vehicle, when the motor vehicle is on a"

AMENDMENT NO. 3

On page 2, at the beginning of line 4, change "C." to "B."

AMENDMENT NO. 4

On page 2, line 22, after "(3)" and before "Open" insert "(a)"

AMENDMENT NO. 5

On page 2, at the beginning of line 25, change "(a)" to "(i)"

AMENDMENT NO. 6

On page 2, at the beginning of line 26, change "(b)" to "(ii)"

AMENDMENT NO. 7

On page 2, after line 26, add the following:

"(b) "Open alcoholic beverage container" shall not mean any bottle, can, or other receptacle that contains any amount of frozen alcoholic beverage unless the lid is removed or a straw protrudes therefrom."

AMENDMENT NO. 8

On page 3, delete lines 12 through 17

AMENDMENT NO. 9

On page 3, at the beginning of line 18, change "E." to "C."

AMENDMENT NO. 10

On page 4, at the beginning of line 1, change "F." to "D."

AMENDMENT NO. 11

On page 4, at the beginning of line 4, change "G." to "E."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 167—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:413(B) and to enact R.S. 32:413(D), relative to driver's licenses; to provide for an increase in the fee for issuance of duplicate driver's licenses; to provide for the disposition of a certain portion of such fees into the Office of Motor Vehicles Customer Service and Technology Fund; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 168—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:412(A)(5) and (6) and (B)(7)(e)(i) and (ii) and to enact R.S. 32:412(I), relative to Class "E" drivers' license fees; to increase the fees for Class "E" drivers' licenses; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 195—**

BY REPRESENTATIVES DEWITT, BRUNEAU, AND LEBLANC AND SENATORS HAINKEL, LAMBERT, AND DARDENNE  
AN ACT

To appropriate the sum of One Million Four Hundred Six Thousand Three Hundred Ninety-six and No/100 (\$1,406,396.00) Dollars, or so much thereof as may be necessary, out of the state general fund, to defray the expenses of the First Extraordinary Session of 2000 of the Louisiana Legislature, by providing funds for payment of mileage and per diem of members of the legislature, for payment of per diem, salaries, and/or expense allowances of legislative officers, employees, and staff, for payment of costs of printing and supplies and for other expenses of the legislature at this session and to provide for retention and use of such funds by the two houses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 197—**

BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS HAINKEL AND DARDENNE  
AN ACT

To amend and reenact R.S. 30:2484(10), relative to the oil spill contingency fund; to extend the time limit for the completion of the environmental baseline inventory; to provide for disbursement of funds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 214 (Duplicate of Senate Bill No. 37)—**

BY REPRESENTATIVES DEWITT AND MURRAY AND SENATORS DARDENNE AND HAINKEL  
AN ACT

To enact R.S. 27:271.1, relative to casino gaming operations; to provide relative to the distribution of casino revenue; to provide for credit for certain payments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 214 by Representative DeWitt, et al.

AMENDMENT NO. 1

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

"Section 2. The provisions of this Act shall become null and void on June 30, 2001."

AMENDMENT NO. 2

On page 3, line 5, change "Section 2." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 215—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To amend and reenact R.S. 32:412(D)(3)(b), (c), and (d), (4)(introductory paragraph), (6), and (7) and to enact R.S. 32:412(D)(8), relative to driver's license renewals; to authorize Class "D" or "E" driver's license renewals by mail or electronic commerce under certain circumstances; to authorize a late fee for renewal of expired Class "D" or "E" drivers' licenses by mail or electronic commerce; to provide for the disposition of the late fee into the Office of Motor Vehicles Customer Service and Technology Fund; to authorize the promulgation of rules and regulations; 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 Original House Bill No. 215 by Representative Hopkins

**AMENDMENT NO. 1**

On page 2, line 21, after "dollars" insert a period "." delete the remainder of the line and insert "There shall be"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 219—**

BY REPRESENTATIVE HOPKINS  
AN ACT

To enact R.S. 40:1321(I), relative to special identification cards; to provide for renewals; to provide for the adoption of rules; to provide for a late fee; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**Suspension of the Rules**

On motion of Rep. LeBlanc, the rules were suspended in order to take up and consider Senate Bills on Second Reading contained in the committee report at this time.

**Senate Bills on Second Reading  
Reported by Committee**

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

**SENATE BILL NO. 41—**

BY SENATOR ROMERO  
AN ACT

To amend and reenact Section 6 of Act No. 20 of the 1999 Regular Session of the Legislature, relative to the comprehensive capital budget; to increase the cap on interest earnings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Under the rules, the bill was recommitted to the Committee on Ways and Means.

**Suspension of the Rules**

On motion of Rep. McMains, the rules were suspended to permit the Committee on Civil Law and Procedure to meet upon adjournment on Tuesday, March 28, 2000, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 9

**Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on Wednesday, March 29, 2000.

**Adjournment**

On motion of Rep. Riddle, at 7:00 P.M., the House agreed to adjourn until Wednesday, March 29, 2000, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, March 29, 2000.

ALFRED W. SPEER  
Clerk of the House

