

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

THIRD 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 21, 2000

The House of Representatives was called to order at 2:00 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	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

ABSENT

Total—0

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

Prayer

Prayer was offered by Rep. Lucas.

Pledge of Allegiance

Rep. Katz led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

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

On motion of Rep. Walsworth, the Journal of March 20, 2000, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 20, 2000

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. 2
Returned without amendments.

House Concurrent Resolution No. 3

Page 2 HOUSE

3rd Day's Proceedings - March 21, 2000

Returned without amendments.

House Concurrent Resolution No. 5
Returned without amendments.

House Concurrent Resolution No. 6
Returned without amendments.

House Concurrent Resolution No. 8
Returned without amendments.

House Concurrent Resolution No. 9
Returned without amendments.

House Concurrent Resolution No. 11
Returned without amendments.

House Concurrent Resolution No. 16
Returned without amendments.

House Concurrent Resolution No. 18
Returned without amendments.

House Concurrent Resolution No. 19
Returned without amendments.

House Concurrent Resolution No. 20
Returned without amendments.

House Concurrent Resolution No. 21
Returned without amendments.

House Concurrent Resolution No. 22
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 20, 2000

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. 2 and 3

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

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. 23—

BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

To recognize April 4, 2000, as the first annual Louisiana Family Day and to urge the citizens and leaders of Louisiana to appropriately observe and support this significant occasion when the people of the state unite in an effort to strengthen and preserve Louisiana's families.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVES GARY SMITH AND DOWNER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to devise and implement a program to grant high school diplomas to qualifying World War II veterans.

Read by title.

On motion of Rep. Gary Smith, 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. 203—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 11:1386, relative to the Judges' Noncontributory Plan; to provide with respect to cost-of-living adjustments for judges and widows of such judges who did not opt to become members of the Louisiana State Employees' Retirement System; to further provide regarding the procedures for determining the amount of such adjustments; to provide an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 204—
BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 49:214.5 and R.S. 56:428.1 and 432.1(B)(3), relative to oyster leases in coastal restoration impact areas; to require that all oyster leases and renewals of oyster leases shall hold the state harmless for coastal restoration project impacts; to provide for terms of renewal of leases in coastal restoration project impact areas; to provide for retention of an existing lease in a coastal restoration project impact area; to provide for renewal of a retained lease in a coastal restoration project impact area; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 205—
BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 30:21(B)(1)(c), relative to the office of conservation in the Department of Natural Resources; to provide relative to fees imposed by the office of conservation; to provide for the administration, collection, and enforcement of the annual fee; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 206—
BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 17:3048.1(C)(4), to limit award amounts for Opportunity, Performance, Honors, and TOPS-Tech awards pursuant to the Tuition Opportunity Program for Students; to provide for effectiveness; to provide 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.

HOUSE BILL NO. 207—
BY REPRESENTATIVE FAUCHEUX
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.

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

HOUSE BILL NO. 208—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 30:2418(I), relative to waste tires and the Waste Tire Management Fund; to provide for an increase in the fees collected on the sale of new tires; to provide for the use of fees collected; and to provide for related matters.

Read by title.

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

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:

Motion

On motion of Rep. McMains, the Committee on Commerce was discharged from further consideration of House Bill No. 46.

HOUSE BILL NO. 46—
BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS DARDENNE AND HAINKEL
AN ACT

To amend and reenact R.S. 37:516(A)(3) and (7) and to enact R.S. 37:516(A)(8) and (9), relative to cosmetology fees; to provide for a certificate of registration fee; to provide for fees for affidavits of proof of license; to provide for fees for affidavits or documents required for licensing reciprocity; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McMains, the bill was withdrawn from the files of the House.

Motion

On motion of Rep. McMains, the Committee on Commerce was discharged from further consideration of House Bill No. 103.

Page 4 HOUSE

3rd Day's Proceedings - March 21, 2000

HOUSE BILL NO. 103—

BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 37:491, 492(introductory paragraph), (3), (4), (6), (7), and (8), 493(C)(2) and (H)(1)(b), 495, 497(A), 498(A), (B), (C), and (F), 499(A)(1) and (3) and (B)(1) and (2), 499.1, 500(A) and (B)(introductory paragraph), 502(A), 502.1(A)(3) and (4), 503(E), 504(5), 504.1(5), 505, 506(A)(introductory paragraph) and (2), 506.1, 507, 509(A)(2) and (3), 510, 512(B) and (C), 513(9), 514(A), 515, 521(A) and (B), 542(A)(introductory paragraph), (B)(introductory paragraph), and (C), 543, 544, 545, 546(A), 547, 549, 552, 553, 554, and 555 and R.S. 49:992(D)(5), to enact R.S. 37:492(11) and (12), 498(I), 502.2, 506(4), and 513(12) and (13), and to repeal R.S. 37:493(D), 498(D), 499(B)(4), 502(B), 502.1(B), 504.2, 506(B), 509(A)(5), 541, 546(B) and (C), 548, and 556, relative to cosmetology; to provide for definitions; to provide relative to board members and their duties; to provide for a quorum; to provide relative to the executive committee; to provide relative to the duties, obligations, and powers of the board; to provide relative to administrative hearings, notices, and records of proceedings; to provide relative to inspections; to provide for the powers and duties of the executive director; to provide for certificates of registration and qualifications; to provide for reciprocity; to provide relative to schools of cosmetic therapy; to provide relative to licenses to conduct schools of cosmetology and esthetics; to provide relative to satellite classrooms; to provide for certifications of beauty shops and skin care salons; to provide for teacher licenses; to provide relative to licensure of esthetics instructors; to provide for continuing education; to provide for certificates for registered manicurists; to provide for examinations of applicants; to provide relative to meetings of the board; to provide relative to the issuance of a certificate of registration; to provide for the renewal of certificates of registration; to provide for grounds for refusal, suspension, or revocation of certificates; to provide relative to penalties; to provide relative to records; to provide relative to entry and inspection of all places where cosmetology is practiced; to provide relative to appropriate judicial relief for violations; to provide for investigations; to provide relative to confidential information; to provide relative to rules and orders of the board; to provide relative to compensation of certain persons; to provide relative to reports of licensees; to provide for review of board orders; to provide relative to the enforcement; to provide for administrative expenses; to provide relative to other laws and codes; to provide relative to the sanitation code and the powers and duties of the state health officer; to provide relative to the division of administrative law; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McMains, the bill was withdrawn from the files of the House.

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. 60—

BY REPRESENTATIVES HAMMETT, DEWITT, AND MCMAINS AND SENATORS ELLINGTON, DARDENNE, AND HAINKEL

AN ACT

To enact R.S. 37:2157(A)(8), relative to licensing of contractors; to exempt certain persons from the contractors' licensure provisions; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

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	Odinet	Winston
Frige	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. Hammett 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. 72—

BY REPRESENTATIVE DEWITT AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 51:911.28(A) and (B), relative to manufactured housing fees; to increase certain fees imposed by the fire marshal; to provide relative to the disposition of certain fees; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pierre
Alario	Heaton	Pinac
Alexander, E	Hebert	Pitre
Alexander, R	Hill	Powell
Ansardi	Holden	Richmond
Baylor	Hudson	Riddle
Bowler	Hunter	Salter
Bruneau	Iles	Scalise
Carter, K	Jackson, M	Schneider
Carter, R	Johns	Shaw
Cazayoux	Katz	Smith, G.—56th
Crane	Kenney	Smith, J.D.—50th
Curtis	LaFleur	Smith, J.H.—8th
Damico	LeBlanc	Sneed
Dartez	Lucas	Strain
Devallier	Martiny	Thompson
Diez	McCallum	Toomy
Doerge	McMains	Townsend
Dupre	Montgomery	Travis
Durand	Morrell	Triche
Farrar	Morrish	Warner

Faucheux	Murray	Willard
Frith	Nevers	Winston
Frige	Odinet	Wooton
Total—72		

NAYS

Baudoin	Glover	Smith, J.R.—30th
Broome	Guillory	Waddell
Bruce	Hopkins	Walsworth
Clarkson	Jackson, L	Welch
Crowe	McDonald	Wilkerson
Downer	Perkins	Windhorst
Erdey	Pratt	Wright
Flavin	Quezaire	
Futrell	Romero	
Total—25		

ABSENT

Daniel	Kennard	Schwegmann
Donelon	Lancaster	Stelly
Green	Landrieu	
Total—8		

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

HOUSE BILL NO. 95—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact Part V of Chapter 2 of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:275 through 278, relative to horse racing; to provide for the state's participation in the compact; to provide for the purposes of the compact; to provide for definitions; to provide for effectiveness; to provide relative to the eligibility of states to become a party to the compact; to provide for withdrawal from the compact; to provide for the establishment of an interstate compact committee; to provide for the powers and duties of the compact committee; to provide for voting requirements of compact committee members; to provide for the administration and management of the compact committee; to provide for immunity from liability; to provide for rights and responsibilities of party states; to provide for the construction and severability of the compact; to provide for the appointment of the Louisiana compact committee official; to provide for the cooperation of state departments, agencies, and officers; to provide for the preservation of the powers of the Louisiana State Racing Commission; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

Page 6 HOUSE

3rd Day's Proceedings - March 21, 2000

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Guillory	Pinac
Alexander, R	Hammett	Pitre
Ansardi	Heaton	Powell
Baylor	Hebert	Pratt
Bowler	Hill	Quezaire
Bruce	Holden	Richmond
Bruneau	Hopkins	Romero
Carter, K	Hudson	Salter
Carter, R	Hunter	Scalise
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Curtis	Kennard	Smith, J.H.—8th
Damico	Kenney	Sneed
Daniel	LaFleur	Strain
Dartez	Lancaster	Thompson
Devillier	Landrieu	Townsend
Diez	Martiny	Travis
Doerge	McCallum	Triche
Dupre	McDonald	Waddell
Durand	McMains	Warner
Farrar	Montgomery	Welch
Faucheux	Morrell	Willard
Flavin	Morrish	Windhorst
Frith	Murray	Winston
Frige	Odinet	Wooton
Total—81		

NAYS

Alexander, E	Iles	Schneider
Baudoin	Katz	Smith, J.R.—30th
Broome	Lucas	Walsworth
Crowe	Nevers	Wilkerson
Erdey	Perkins	Wright
Futrell	Riddle	
Total—17		

ABSENT

Donelon	LeBlanc	Toomy
Downer	Smith, J.D.—50th	
Green	Stelly	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery 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. 104—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:1235(A), (B), and (H), relative to loan amount restrictions; to set limits on amounts that may be loaned to any one borrower; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Holden	Riddle
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter, K	Hunter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Travis
Doerge	Lucas	Triche
Donelon	Martiny	Waddell
Downer	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Erdey	Montgomery	Wilkerson
Farrar	Morrell	Willard
Faucheux	Morrish	Windhorst
Flavin	Murray	Winston
Frith	Nevers	Wooton
Frige	Odinet	Wright
Total—102		

NAYS

Romero
Total—1

ABSENT

Smith, J.H.—8th Stelly
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 105—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 6:318, relative to banks; to extend authority to banks to utilize letters of credit issued by the Federal Home Loan Bank; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	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	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Morrish	Willard

Faucheux	Murray	Windhorst
Flavin	Nevers	Winston
Frith	Odinet	Wooton
Fruge	Perkins	Wright
Futrell	Pierre	

Total—104

NAYS

Total—0

ABSENT

Stelly
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 106—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:766.1(A), relative to savings and loans and other associations; to provide for disposition of funds in certain accounts upon the death of the depositor; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hunter	Schneider
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
Crane	Kennard	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Stelly

Page 8 HOUSE

3rd Day's Proceedings - March 21, 2000

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
Durand	Morrell	Welch
Erdey	Morrish	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinot	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	
Total—104		

NAYS

Total—0

ABSENT

Hudson

Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 107—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3410(B)(3) and to enact R.S. 12:1308.1, 1308.2, 1350.1, 1353(A)(9) and (E), and 1364(A)(4) and (B)(4), relative to filing of annual reports with the secretary of state; to require annual reports of limited liability companies; to provide for filing fees for limited liability companies and to increase filing fees for registered foreign partnerships; to provide relative to failure to file annual reports, including limitations on doing business with the state and revocation of articles of organization or certificates of authority; to provide for reinstatement of articles of organization; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, E	Hammett	Quezaire
Alexander, R	Heaton	Richmond
Ansardi	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Broome	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Katz	Smith, J.H.—8th
Crane	Kennard	Sneed
Curtis	Kenney	Strain
Damico	LaFleur	Thompson
Daniel	Lancaster	Townsend
Dartez	Landrieu	Travis
Diez	LeBlanc	Triche
Doerge	Lucas	Waddell
Downer	Martiny	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Erdey	McMains	Wilkerson
Farrar	Montgomery	Willard
Faucheux	Morrell	Windhorst
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Odinot	Wright
Futrell	Pierre	
Glover	Pinac	
Total—94		

NAYS

Carter, K	Nevers	Smith, J.R.—30th
Crowe	Perkins	Toomy
Devilleier	Pitre	
Total—8		

ABSENT

Donelon	Hudson	Stelly
Total—3		

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

HOUSE BILL NO. 108—

BY REPRESENTATIVE TRAVIS AND SENATOR HOLLIS
AN ACT

To enact R.S. 37:74.1, relative to the Board of Certified Public Accountants; to provide for the imposition and collection of fees; to provide for rules and regulations; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Frue	Murray
Alexander, E	Futrell	Odinet
Alexander, R	Glover	Pierre
Ansardi	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Powell
Bowler	Heaton	Pratt
Broome	Holden	Quezaire
Bruce	Hudson	Riddle
Bruneau	Hunter	Romero
Carter, K	Iles	Salter
Carter, R	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Curtis	Katz	Smith, J.D.—50th
Damico	Kennard	Smith, J.H.—8th
Daniel	Kenney	Sneed
Dartez	Lancaster	Strain
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Travis
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Erdey	McMains	Welch
Farrar	Montgomery	Wilkerson
Faucheux	Morrell	Willard
Total—84		

NAYS

Cazayoux	LaFleur	Smith, J.R.—30th
Crowe	Nevers	Triche
Flavin	Perkins	Waddell
Hebert	Richmond	Windhorst
Hill	Scalise	Winston
Hopkins	Schneider	Wright
Total—18		

ABSENT

Donelon
Total—3

Stelly

Wooton

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

HOUSE BILL NO. 109—

BY REPRESENTATIVE TRAVIS AND SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 12:1011(A), 1012, 1015(B), 1016(A), 1017(A) and (C), and 1024, to enact R.S. 12:1011(C), and to repeal R.S. 12:1014, 1015(C), 1021(B), and 1022, relative to professional accounting corporations; to provide for the Louisiana Accountancy Act; to provide for permits; to provide for ownership and voting requirements; to provide for stockholder requirements; to provide for stock certificates; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	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

Page 10 HOUSE

3rd Day's Proceedings - March 21, 2000

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

Suspension of the Rules

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

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. 25—

BY REPRESENTATIVES WILKERSON, BAUDOUIN, BOWLER, BROOME, BRUCE, K. CARTER, CLARKSON, DARTEZ, DEVILLIER, DOERGE, DURAND, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, JANE SMITH, SNEED, WELCH, WILLARD, AND WINSTON AND SENATORS IRONS, BAJOE, AND MOUNT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Ellen Bryan Moore, and to recognize and record her distinguished career and her contributions to the state of Louisiana.

Read by title.

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

Ordered to the Senate.

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. 209—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 30:79.1, relative to the office of conservation; to provide for determining whether immovable property has been the site of discharge or disposal of oil field waste, to provide for assisting in the development and implementation of remedial action; to provide for fees for participation and for approval of remedial plans; to provide for reimbursement of costs; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 210—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To amend and reenact R.S. 46:2633(B)(1), relative to the Louisiana Traumatic Head Injury and Spinal Cord Injury Trust Fund; to increase fees on certain motor vehicle operations and crimes to be deposited in the fund; 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 21, 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. 42, by LeBlanc
Reported favorably. (12-0) (Regular)

House Bill No. 54, by McMains
Reported with amendments. (12-0) (Regular)

House Bill No. 102, by Crowe
Reported with amendments. (14-0) (Regular)

House Bill No. 114, by DeWitt
Reported favorably. (12-0) (Regular)

House Bill No. 143, by McMains
Reported with amendments. (14-0) (Regular)

House Bill No. 146, by McMains
Reported with amendments. (13-0) (Regular)

House Bill No. 152, by McMains
Reported favorably. (13-0) (Regular)

House Bill No. 161, by LeBlanc
Reported favorably. (14-0) (Regular)

House Bill No. 163, by DeWitt
Reported favorably. (14-0) (Regular)

House Bill No. 178, by Daniel
Reported with amendments. (14-0) (Regular)

House Bill No. 179, by Daniel (Joint Resolution)
Reported with amendments. (14-0)

House Bill No. 185, by LeBlanc
Reported with amendments. (13-0) (Regular)

JERRY LUKE LEBLANC
Chairman

Report of the Committee on Civil Law and Procedure

March 21, 2000

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure
to submit the following report:

House Bill No. 14, by Martiny
Reported favorably. (7-0) (Regular)

House Bill No. 84, by McMains
Reported with amendments. (8-0) (Regular)

House Bill No. 94, by McMains
Reported with amendments. (8-0) (Regular)

House Bill No. 142, by McMains
Reported with amendments. (7-1) (Regular)

F. CHARLES MCMAINS, JR.
Chairman

Report of the Committee on Commerce

March 21, 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. 85, by DeWitt
Reported with amendments. (12-4) (Regular)

House Bill No. 111, by Travis

Page 12 HOUSE

3rd Day's Proceedings - March 21, 2000

Reported with amendments. (16-0) (Regular)

House Bill No. 128, by DeWitt
Reported with amendments. (17-0) (Regular)

House Bill No. 129, by DeWitt
Reported with amendments. (16-0) (Regular)

House Bill No. 154, by Montgomery
Reported favorably. (16-0) (Regular)

House Bill No. 157, by Pinac
Reported with amendments. (16-0) (Regular)

House Bill No. 182, by Durand
Reported with amendments. (16-0) (Regular)

House Bill No. 183, by McMains
Reported with amendments. (16-0) (Regular)

JOHN D. TRAVIS
Chairman

Report of the Committee on Ways and Means

March 21, 2000

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 122, by Hammett
Reported with amendments. (16-0-1) (Regular)

House Bill No. 155, by Johns
Reported favorably. (15-0-1) (Regular)

House Bill No. 156, by Johns
Reported favorably. (15-0-1) (Regular)

House Bill No. 174, by Hammett
Reported with amendments. (15-0-1) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Suspension of the Rules

On motion of Rep. McMains, 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. 14—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:1464(B)(1), relative to ex officio notaries public for sheriffs; to authorize the administration of certain oaths and the execution of certain affidavits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 42—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:87.4(A), relative to performance-based budgeting; to provide for circumstances under which rewards and penalties may be granted; 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. 54—

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

To amend and reenact R.S. 13:5106(B)(3)(a), to enact R.S. 39:1533.2, and to repeal R.S. 13:5106(B)(3)(b) and (D)(3) and R.S. 39:1533.1, relative to suits against the state, state agencies, or political subdivisions; to establish the "Future Medical Care Fund" in the state treasury; to provide for payment of future medical expenses and related benefits; to provide for the deposit of certain monies in the fund; to provide for the administration of the fund; to repeal the "Master Reversionary Trust Fund"; to repeal certain provisions related to reversionary trusts; 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. 54 by Representative McMains, et al.

AMENDMENT NO. 1

On page 2, line 22, after "monies" and before "appropriated to" insert "transferred or"

AMENDMENT NO. 2

On page 2, at the end of line 24, delete "The state" and delete line 25 in its entirety.

AMENDMENT NO. 3

On page 3, delete lines 1 and 2 in their entirety and insert:

"All costs or expenses of administration of the fund shall be paid from the fund."

AMENDMENT NO. 4

On page 3, line 3, after "administered by" and before "the office" insert "the treasurer on behalf of"

AMENDMENT NO. 5

On page 3, line 6, after "judgment" delete the remainder of the line, delete lines 7 through 10 in their entirety, and insert "Except for costs or expenses of administration, this fund shall be used only for payment of losses associated with such claims. At the close of each fiscal year, the treasurer shall transfer to the Future Medical Care Fund from the Self-Insurance Fund an amount equal to the monies expended from the Future Medical Care Fund during that fiscal year. Monies"

AMENDMENT NO. 6

On page 3, delete lines 16 through 22 in their entirety.

AMENDMENT NO. 7

On page 3, between lines 24 and 25, insert:

"Section 4. The treasurer shall transfer the sum of Ten Million and No/100 (\$10,000,000.00) Dollars from the Self-Insurance Fund for deposit in and credit to the Future Medical Care Fund."

AMENDMENT NO. 8

On page 3, delete lines 25 and 26 and on page 4, delete lines 1 through 4, and insert: "Section 5. The provisions of this Act shall become effective July 1, 2000."

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. 84—
BY REPRESENTATIVE MCMAINS
AN ACT

To enact Code of Civil Procedure Article 253.3, relative to random assignment of cases; to authorize duty judges to hear emergency and related matters; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 84 by Representative McMains

AMENDMENT NO. 1

On page 1, line 17, after "petitions" and before the comma "," insert "when no trial date has been assigned"

AMENDMENT NO. 2

On page 1, line 17, after "demands" and before "and" delete the comma ",", and insert in lieu thereof "when no trial date has been assigned, orders allowing additional time to answer,"

AMENDMENT NO. 3

On page 2, between lines 20 and 21, insert the following:

"B. In any case assigned pursuant to Article 253.1, a duty judge shall only sign orders for issuing the following:

Orders to show cause; orders directing the issuance and providing the security to be furnished by a party for the issuance of a writ of attachment or sequestration; orders directing the release of property seized under a writ of attachment or sequestration and providing the security to be furnished therefor; orders for the issuance of a writ, or alternative writ, of habeas corpus, mandamus, or quo warranto; and orders for appeal.

C. In any case assigned pursuant to Article 253.1, a duty judge may sign any order specifically and expressly authorized by the judge to whom the case is assigned."

AMENDMENT NO. 4

On page 2, at the beginning of line 21, change "B." to "D."

AMENDMENT NO. 5

Page 14 HOUSE

3rd Day's Proceedings - March 21, 2000

On page 2, line 21, after "matter" and before "pursuant" insert "or signs any order or judgment"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 85— BY REPRESENTATIVE DEWITT AN ACT

To enact R.S. 4:149.5, relative to horse racing; to provide for the definition of "account wagering"; to authorize the commission to promulgate rules regulating account wagering; to provide for eligibility; to provide relative to revenues derived from account wagering; to authorize a licensee to conduct account wagering; to provide for the deduction of fees; to provide for the applicability of certain laws; to provide relative to the distribution of shares of the takeout; to prohibit certain wagers; 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. 85 by Representative DeWitt

AMENDMENT NO. 1

On page 2, delete lines 12 through 15 in their entirety and insert in lieu thereof the following:

"(2) Notwithstanding any other provision of law to the contrary, a facility authorized to conduct account wagering shall pay to the licensed racing facilities in the state located within the same area as provided for in R.S. 4:214(A)(3) the highest source market percentage paid to the licensee by any other account wagering carrier located outside of the state.

(3) Any source market commission outside of the area provided for in R.S. 4:214(A)(3) shall be divided equally among active account operators residing in the state of Louisiana."

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. 94—

BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Title IX of Book I of the Civil Code, presently composed of Articles 389 through 426, to comprise Articles 389 through 399, Civil Code Articles 1482 and 2319, Title VIII of Book VII of the Code of Civil Procedure, presently composed of Articles 4541 through 4557, to comprise Articles 4541 through 4556 and Articles 4561 through 4569, and to repeal R.S. 9:1001 through 1004, all relative to interdiction and curatorship; to provide for full interdiction, limited interdiction, temporary interdiction, and preliminary interdiction; to provide for curatorship, curators, and undercurators; to provide for the effects of interdiction, the modification of interdiction, the termination of interdiction, and the wrongful filing of a petition for interdiction; to provide for the proof of the incapacity of a person to donate; to provide for the responsibility of a curator or an undercurator for the delictual obligations of an interdict; to provide for the petition for interdiction; to provide for the venue for an interdiction proceeding; to provide for the service of citation upon the defendant and notice to interested persons; to provide for the appointment of an attorney for the defendant; to provide for the appointment of an examiner for the defendant; to provide for the fixing of a hearing or a trial; to provide for the burden of proof in an interdiction proceeding; to provide for the judgment of interdiction; to provide for the recordation of a notice of suit for interdiction and of the judgment of interdiction; to provide for the inventory and security of a curator, the oath of a curator and of an undercurator, and the letters of curatorship; to provide for the costs of an interdiction proceeding and attorney fees; to provide for the appeal of a judgment or order relative to interdiction or curatorship; to provide for the management of an interdict's affairs and the expenses of an interdict and his legal dependents; to provide for the modification and termination of the appointment of a curator or an undercurator, the post-judgment monitoring and reporting, and the procedures relative to an ancillary proceeding; to repeal special statutes for the interdiction of inebriates; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 94 by Representative McMains

AMENDMENT NO. 1

On page 14, line 17, after "by" delete the remainder of the line and insert in lieu thereof "certified mail, return receipt requested"

AMENDMENT NO. 2

On page 14, at the beginning of line 18 before the comma ",," delete the word "prepaid"

AMENDMENT NO. 3

On page 32, line 10, after "facility" and before "a" delete "absent" and insert in lieu thereof "in absence of good cause shown at"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 102—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 38:2251(B)(3), (D), (E), (G), and (H)(1) and (3) and R.S. 39:1595(B) and (D) through (G), 1595.3, and 1595.5(A), all relative to certain Public Bid Law and central purchasing procurement preferences of the procurement code; to provide for raising certain purchasing and procurement preferences to ten percent; 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. 102 by Representative Crowe

AMENDMENT NO. 1

On page 1, at the end of line 3, after "1595.5(A)," and before "all" insert the following:

"reenact R.S. 38:2251(B)(3), (D), (E), (G), and (H)(1) and (3) and R.S. 39:1595(B) and (D) through (G), 1595.3, and 1595.5(A), and to enact R.S. 38:2251(J) and R.S. 39:1595(H) and (I),"

AMENDMENT NO. 2

On page 1, line 10, after "reenacted" and before "to read" insert "and R.S. 38:2251(J) is hereby enacted"

AMENDMENT NO. 3

On page 2, lines 17, 18, and 20, after "domesticated" and before "catfish" insert "or wild"

AMENDMENT NO. 4

On page 2, at the end of line 21, add "or wild"

AMENDMENT NO. 5

On page 3, between lines 23 and 24, insert the following:

"J. Notwithstanding any other provision of this Section to the contrary, such preferences shall only apply to bidders whose business workforce is comprised of a minimum of ten percent Louisiana residents."

AMENDMENT NO. 6

On page 3, line 25, after "reenacted" and before "to read" insert "and R.S. 39:1595(H) and (I) are hereby enacted"

AMENDMENT NO. 7

On page 4, lines 24 and 26, after "domesticated" and before "catfish" insert "or wild"

AMENDMENT NO. 8

On page 5, line 1, after "domesticated" and before "catfish" insert "or wild"

AMENDMENT NO. 9

On page 5, between lines 21 and 22, insert the following:

"H. Each procurement officer, purchasing agent, or similar official who procures or purchases materials, supplies, products, provisions, or equipment under the provisions of this Chapter may purchase such materials, supplies, products, provisions, or equipment which are produced, manufactured, or assembled in Louisiana, as defined in Paragraph (C)(6) of this Section, and which are equal in quality to other materials, supplies, products, provisions, or equipment, provided that all of the following conditions are met:

(1) The cost of such items does not exceed the cost of other items which are manufactured, processed, produced, or assembled outside the state by more than ten percent.

(2) The vendor of such Louisiana items agrees to sell the items at the same price as the lowest bid offered on such items.

(3) In cases where more than one bidder offers Louisiana items which are within ten percent of the lowest bid, the bidder offering the lowest bid on Louisiana items is entitled to accept the price of the lowest bid made on such items.

I. Notwithstanding any other provision of this Section to the contrary, such preferences shall only apply to bidders whose business workforce is comprised of a minimum of ten percent Louisiana residents."

AMENDMENT NO. 10

Page 16 HOUSE

3rd Day's Proceedings - March 21, 2000

On page 6, delete line 16 in its entirety and insert in lieu thereof the following:

"Section 3. 38:2251(B)(3), (D), (E), (G), and (H)(1) and (3) are hereby reenacted to read as follows:

§2251. Preference for products produced or manufactured in Louisiana; exceptions

* * *

B. Each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Chapter shall procure or purchase Louisiana products provided the following conditions are met:

* * *

(3) The cost of the product shall not exceed the cost of other products by more than seven percent except as otherwise provided in this Chapter as a specific exception.

* * *

D. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase meat and meat products which are further processed in Louisiana under the grading and certification service of the Louisiana Department of Agriculture and which are equal in quality to other meat and meat products, provided the cost of the further processed meat and meat products does not exceed the cost of other meat or meat products by more than four percent.

E. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase domesticated catfish which are processed in Louisiana but grown outside of Louisiana and which are equal in quality to domesticated catfish which are processed outside of Louisiana provided the cost of the domesticated catfish which are processed in Louisiana does not exceed the cost of the domesticated catfish which are processed outside of Louisiana by more than four percent.

* * *

G. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase produce processed in Louisiana but grown outside of Louisiana and which is equal in quality to produce processed and grown outside of Louisiana provided the cost of the produce processed in Louisiana does not exceed the cost of the produce processed outside of Louisiana by more than four percent.

H. Each procurement officer, purchasing agent, or similar official who procures or purchases materials, supplies, or equipment

under the provisions of this Chapter may purchase materials, supplies, or equipment which are Louisiana products, as defined in Paragraph (A)(2) of this Section, and which are equal in quality to other materials, supplies, or equipment, provided that all of the following conditions are met:

(1) The cost of the Louisiana products does not exceed the cost of other materials, supplies, or equipment which are manufactured, processed, produced, or assembled outside the state by more than seven percent.

* * *

(3) In cases where more than one bidder offers Louisiana products which are within seven percent of the lowest bid, the bidder offering the lowest bid on Louisiana products is entitled to accept the price of the lowest bid made on such products.

* * *

Section 4. R.S. 39:1595(B) and (D) through (G), 1595.3, and 1595.5(A) are hereby reenacted to read as follows:

§1595. Preference for all types of products produced, manufactured, assembled, grown, or harvested in Louisiana

* * *

B. Each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Chapter shall procure or purchase Louisiana products which are equal in quality to other products, provided the cost of the Louisiana products does not exceed the cost of other products by more than seven percent.

* * *

D. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Chapter shall procure or purchase meat and meat products which are further processed in Louisiana under the grading and certification service of the Louisiana Department of Agriculture and which are equal in quality to other meat and meat products, provided the cost of the further processed meat and meat products does not exceed the cost of other meat or meat products by more than four percent.

E. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase domesticated catfish which are processed in Louisiana but grown outside of Louisiana and which are equal in quality to domesticated catfish which are processed outside of Louisiana provided the cost of the domesticated catfish which are processed in Louisiana does not exceed the cost of the domesticated catfish which are processed outside of Louisiana by more than four percent.

F. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Part shall procure or purchase produce processed in Louisiana but grown outside of Louisiana and which is equal in quality to produce processed and grown outside of Louisiana, provided the cost of the produce processed in Louisiana does not exceed the cost of the produce processed outside of Louisiana by more than four percent.

G. Notwithstanding any other provision of this Section to the contrary, each procurement officer, purchasing agent, or similar official who procures or purchases products under the provisions of this Chapter shall procure or purchase eggs or crawfish which are further processed in Louisiana under the grading service of the Louisiana Department of Agriculture and Forestry and which are equal in quality to other eggs or crawfish, provided the cost of the further processed eggs or crawfish does not exceed the cost of other eggs or crawfish by more than four percent.

* * *

§1595.3. Preference in awarding contracts for certain services

In the awarding of contracts by any public entity, for services to organize or administer rodeos and livestock shows, where state-owned facilities will be used to house or contain such activities, and where both in-state and out-of-state vendors are bidding, in-state vendors shall be given preference, provided such services are equal in quality and do not exceed in cost by more than five percent those services available from outside the state.

* * *

§1595.5. Preference for items purchased from Louisiana retailers

A. When purchasing items at retail, every procurement officer under the provisions of this Chapter or other person acting as purchasing agent shall purchase items from a retail dealer located in the state of Louisiana which items are equal in quality to items purchased from a retail dealer located outside the state, provided the cost of items purchased from a retail dealer located in this state does not exceed by more than five percent the cost of items purchased from a retail dealer located outside the state.

* * *

Section 5. If any provision of Sections 1 and 2 of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application.

Section 6.A. Sections 1, 2, 5, and 6 of this Act shall become effective on July 1, 2000.

B. In the event that any provision of Section 1 of this Act, or the application thereof, is held invalid, and a court shall determine that such provisions, items, or applications cannot be given effect

without the invalid provision, item, or application, Section 3 of this Act shall become effective.

C. In the event that any provision of Section 2 of this Act, or the application thereof, is held invalid, and a court shall determine that such provisions, items, or applications cannot be given effect without the invalid provision, item, or application, Section 4 of this Act shall become effective."

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. 111— BY REPRESENTATIVE TRAVIS AN ACT

To amend and reenact R.S. 6:1002(1) and (3), 1005, and 1009(A), relative to currency exchange services; to exempt certain entities from licensure and other requirements; to provide for qualifications; to provide for regulation of fees; 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. 111 by Representative Travis

AMENDMENT NO. 1

On page 2, at the end of line 6, change "one dollar" to "two dollars"

AMENDMENT NO. 2

On page 2, delete lines 7 and 8 in their entirety and insert in lieu thereof "and"

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. 114— BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS HAINKEL AND DARDENNE AN ACT

To enact R.S. 39:1482(K), relative to procurement of services; to exempt certain contracts of public institutions of higher education and agencies of higher education from requirements of

Page 18 HOUSE

3rd Day's Proceedings - March 21, 2000

Chapter 16 of Title 39 in certain circumstances; to provide for requirements for such exempt procurements; 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. 122 (Duplicate of Senate Bill No. 56)—
BY REPRESENTATIVES HAMMETT, DEWITT, AND MCMAINS
AND SENATORS BARHAM, HAINKEL, AND DARDENNE
AN ACT

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

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 122 by Representative Hammett, et al.

AMENDMENT NO. 1

On page 1, at the end of line 4, insert "to require the use of certified mail when sending notices of assessment;"

AMENDMENT NO. 2

One page 2, line 1, between "entity" and "or from", insert "which will provide such address free of charge"

AMENDMENT NO. 3

On page 2, line 13, after "obtainable from" delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete line 14, and insert "the U.S."

AMENDMENT NO. 5

On page 2, line 22, between "by" and "to", delete "registered mail" and insert "certified mail, return receipt requested"

AMENDMENT NO. 6

On page 2, line 25, between "entity" and "or from", insert "which will provide such address free of charge"

AMENDMENT NO. 7

On page 3, line 1, between "software." and "This" insert the following:

"If no report has been timely filed, the secretary shall send a notice by certified mail, return receipt requested, to the taxpayer against whom the assessment is imposed at any address obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including, but not limited to, the United States Postal Service or from United States Postal Service certified software."

AMENDMENT NO. 8

On page 3, line 12, delete "registered mail" and insert "certified mail, with return receipt requested"

AMENDMENT NO. 9

On page 3, line 14, between "entity" and "or", insert "which will provide such address free of charge"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 128—
BY REPRESENTATIVE DEWITT AND SENATORS HAINKEL AND DARDENNE
AN ACT

To amend and reenact R.S. 40:1574.1(A)(introductory paragraph), (1), (3), (4), (7), (10), (11), and (12) and to enact R.S. 40:1574.1(A)(13) and (14), relative to the state fire marshal; to increase the fees for reviewing project plans; to establish a fee for reviewing handicapped accessibility appeals; to establish a fee for performance based reviews; 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. 128 by Representative DeWitt, et al.

AMENDMENT NO. 1

On page 1, line 4, after "(14)" and before the comma "," insert "and (D)"

AMENDMENT NO. 2

On page 1, line 6, after "reviews;" and before "and" insert "to provide relative to the disposition of certain fees;"

AMENDMENT NO. 3

On page 1, line 11, after "(14)" and before "are" insert "and (D)"

AMENDMENT NO. 4

On page 4, after line 22, insert the following:

"D. All fees collected pursuant to Subsection A of this Section shall be used exclusively for the maintenance and operation of the planning review section of the office of the state fire marshal, code enforcement and building safety."

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. 129—

BY REPRESENTATIVE DEWITT AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 23:537(A)(2), 541(A), 543(B) and (D), and 544(B), relative to boiler fees; to increase inspection, permitting, installation, and licensing fees; 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. 129 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 3, after "544(B)" and before the comma "," insert "and to enact R.S. 23:544.1"

AMENDMENT NO. 2

On page 1, line 4, after "fees;" and before "and to" insert "to provide for the disposition of fees;"

AMENDMENT NO. 3

On page, 1, line 7, after "reenacted" and before "to" insert "and R.S. 23:544.1 is hereby enacted"

AMENDMENT NO. 4

On page 2, at the end of line 5, change "\$20.00" to "\$15.00" and at the end of line 6, change "\$50.00" to "\$35.00"

AMENDMENT NO. 5

On page 2, line 14, change "\$30.00" to "\$20.00" and change "\$60.00" to "\$50.00"

AMENDMENT NO. 6

On page 2, line 18, change "\$60.00" to "\$35.00" and change "\$120.00" to "\$75.00"

AMENDMENT NO. 7

On page 3, line 3, change "\$100.00" to "\$70.00" and change "\$200.00" to "\$150.00"

AMENDMENT NO. 8

On page 3, line 10, change "\$60.00" to "\$50.00"

AMENDMENT NO. 9

On page 3, line 14, change "\$300.00" to "\$250.00"

AMENDMENT NO. 10

On page 3, line 17, change "\$600.00" to "\$500.00"

AMENDMENT NO. 11

On page 3, line 23, change "\$300.00" to "\$250.00"

AMENDMENT NO. 12

On page 4, line 1, change "\$600.00" to "\$400.00"

AMENDMENT NO. 13

On page 4, line 5, change "\$300.00" to "\$250.00"

AMENDMENT NO. 14

On page 4, line 8, change "\$600.00" to "\$400.00"

AMENDMENT NO. 15

On page 4, line 18, change "one hundred" to "seventy-five"

AMENDMENT NO. 16

On page 5, line 2, change "thirty" to "twenty-five"

AMENDMENT NO. 17

Page 20 HOUSE

3rd Day's Proceedings - March 21, 2000

On page 5, after line 2, insert the following:

"§544.1. Disposition of fees

All fees collected pursuant to R.S. 23:537, 541, 543, and 544 shall be used exclusively for the operation and maintenance of the boiler section within the office of the state fire marshal, code enforcement and building safety."

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. 142—

BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 13:5104(D) and R.S. 17:1519.9, relative to venue; to provide for venue in negligence actions against the faculty or staff of the Louisiana State University Board of Supervisors, the Louisiana State Medical School, or the Louisiana State Health Sciences Center; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 142 by Representative McMains

AMENDMENT NO. 1

On page 1, at the end of line 16, delete "actual harm to the"

AMENDMENT NO. 2

On page 1, at the beginning of line 17, delete "patient occurred or where the"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 143—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(a) and R.S. 42:821(A)(4) and 851(A)(4), all relative to state group insurance; to provide for duration of private contracts for group insurance coverages; 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. 143 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." and before "42:821(A)(4) delete "39:1514(A)(1)(a) and R.S."

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." delete the remainder of the line and delete lines 8 through 20 in their entirety.

AMENDMENT NO. 3

On page 2, at the beginning of line 1, delete "Section 2."

AMENDMENT NO. 4

On page 2, line 25, change "Section 3." to "Section 2."

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. 146—

BY REPRESENTATIVE MCMAINS AND SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 42:821(A)(4) and 851(A)(1)(c)(i), (4), and (5)(b)(i) and (iii) and to repeal R.S. 42:881, relative to the State Employees Group Benefits Program; to remove the two-year limitation on the term contracts for life insurance and health and accident insurance; to provide for risk classifications; 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. 146 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, change "851(A)(1)(c)(i), (4), and" to "851(A)(4),"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert the following:

"relative to the State"

AMENDMENT NO. 3

On page 1, delete line 6 in its entirety and insert "insurance; and to provide for related"

AMENDMENT NO. 4

On page 1, line 9, change "851(A)(1)(c)(i), (4), and (5)(b)(i) and" to "851(A)(4)" and at the beginning of line 10, delete "(iii)"

AMENDMENT NO. 5

On page 2, delete lines 8 through 22 in their entirety and insert in lieu thereof "A."

AMENDMENT NO. 6

On page 3, delete lines 5 through 23 in their entirety and delete line 5 in its entirety

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. 152—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 42:851(A)(1)(c)(i) and (5)(b)(i) and (iii) and to repeal R.S. 42:881, relative to the State Employees Group Benefits Program health and accident benefit programs; to provide for rating classifications of members; to repeal the requirement for risk rating employees of certain entities which became participants in the State Employees Group Benefits Program on or after July 1, 1993; 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. 154—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 4:213.2, relative to offtrack wagering facilities; to allow persons licensed by the commission to enter offtrack wagering facilities at no charge; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 155—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 27:392(B)(3)(c), relative to the disposition of certain proceeds derived from slot machine gaming at a live horseracing facility in Calcasieu Parish; to create the Calcasieu Parish Education Excellence Fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for the allowable uses of monies in the fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 156—

BY REPRESENTATIVE JOHNS

AN ACT

To enact Chapter 41 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9571, relative to the creation of a special taxing district in Calcasieu Parish; to create such district; to provide for the purpose for which such district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district, including the power to levy a tax and assess fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Page 22 HOUSE

3rd Day's Proceedings - March 21, 2000

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 157—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:969.18(F) and R.S. 9:3514(A), relative to credit transactions; to provide relative to certain disclosures; to provide relative to agreements to contract; to provide for prospective and retroactive application; 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. 157 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "3514(A)" and before the comma "," insert "and 3541.1(D)"

AMENDMENT NO. 2

On page 1, line 3, after "transactions" and before the semicolon ";" insert "and check solicitation sales"

AMENDMENT NO. 3

On page 1, line 5, after "application;" and before "and" insert "to provide for obligations of the consumer;"

AMENDMENT NO. 4

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

"Section 3. R.S. 9:3541.1(D) is hereby amended and reenacted to read as follows:

"§3541.1. Consumer's right to cancel mail and check solicitation sales

* * *

D. The cancellation of the mail and check solicitation sale shall occur even if the consumer has cashed the check or utilized the credit, loan account, or credit card. However, such cancellation shall not relieve the consumer of any obligation to repay any unpaid debt created by the cashing of such check or utilization of such credit, loan account, or credit card.

* * *

AMENDMENT NO. 5

On page 2, line 24, after "Section" and before the period "." change "3" to "4"

AMENDMENT NO. 6

On page 2, line 24, after "of" and before "this" and insert "Sections 1 and 2 of"

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. 161—

BY REPRESENTATIVE LEBLANC AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 13:5062(9)(a) and (10) and 5063(C)(2)(b), relative to requirements for certain tobacco product manufacturers who did not participate in the Master Settlement Agreement; to make certain technical changes; 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. 163 (Duplicate of Senate Bill No. 83)—

BY REPRESENTATIVES DEWITT AND MCMAINS AND SENATORS HAINKEL AND DARDENNE

AN ACT

To amend and reenact R.S. 38:2223(A)(1) and to enact R.S. 39:1556(28), relative to the public contracts; to provide for the definition of "written" and "in writing" in the Louisiana Procurement Code and concerning the issuance of work orders and the commencement of work under the public bid law; 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. 174—

BY REPRESENTATIVE HAMMETT AND BARHAM

AN ACT

To amend and reenact R.S. 6:327(B), 372(C)(5)(b), and 770(B), R.S. 9:153(1), R.S. 12:145(F), and 253(E), and R.S. 33:4067.1, relative to the Uniform Unclaimed Property Act of 1997; to move the administration of such Act to the Department of the Treasury; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 174 by Representative Hammett

AMENDMENT NO. 1

On page 3, line 18, change "secretary of the Department of the Treasury" to "state treasurer"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 178—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 39:75(C)(1) and (D) and to enact R.S. 39:75(E), relative to the expenditure of state funds and budgetary procedure; to provide a limit on certain reductions in appropriations from the state general fund; to provide for procedures for reductions in certain appropriations; to require legislative approval of certain gubernatorial budget reductions; 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. 178 by Representative Daniel

AMENDMENT NO. 1

On page 2, delete lines 10 through 13 in their entirety.

AMENDMENT NO. 2

On page 2, at the beginning of line 14, change "(d)" to "(c)"

AMENDMENT NO. 3

On page 2, at the beginning of line 18, change "(e)" to "(d)"

AMENDMENT NO. 4

On page 3, line 16, after "Bill Number" delete "___" and insert "179"

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. 179—

BY REPRESENTATIVE DANIEL

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.

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. 179 by Representative Daniel

AMENDMENT NO. 1

On page 3, line 6, after "reduced" delete the remainder of the line and delete line 7 in its entirety and insert:

"state general fund appropriations which are not required by the constitution by an aggregate amount equal to at least one percent of the total of such state general fund appropriations for that fiscal year."

AMENDMENT NO. 2

On page 4, line 25, after "one percent" and before "from the" insert "of nonmandatory appropriations"

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

Page 24 HOUSE

3rd Day's Proceedings - March 21, 2000

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

HOUSE BILL NO. 182—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 32:774(I) and 775(A)(7)(c), relative to used motor vehicle dealers; to exempt dealers from maintaining minimum required liability insurance coverage on certain all-terrain vehicles; to provide relative to denial, revocation, or suspension of licenses; 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. 182 by Representative Durand

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before the comma ",", delete "R.S. 32:774(I) and 775(A)(7)(c)" and insert in lieu thereof "R.S. 32:774(B)(3)(b)(i) and (I) and 775(A)(7)(c) and to enact R.S. 32:771(24), 773.1(A)(2)(o), and 775(A)(9)"

AMENDMENT NO. 2

On page 1, line 3, after "dealers;" and before "to" insert "to provide relative to definitions; to provide relative to unlawful acts; to provide relative to educational seminar requirements;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and line 9 in their entirety and insert in lieu thereof "R.S. 32:774(B)(3)(b)(i) and (I) and 775(A)(7)(c) are hereby amended and reenacted and R.S. 32:771(24), 773.1(A)(2)(o), and 775(A)(9) are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§771. Definitions

As used in this Chapter:

* * *

(24) "Marine product line" means a particular model of a marine product designed for recreational or commercial use on water.

* * *

§773.1. Manufacturers and distributors; unlawful acts

A. It shall be unlawful and constitute a violation of this Chapter:

* * *

(2) For a manufacturer, distributor, wholesaler, distributor branch or factory branch, or officer, agent, or other representative thereof:

* * *

(o) To enter into a franchise, sales and service, or similar agreement for the same marine product line regardless of brand name within the area of responsibility of an existing same marine product line dealer.

* * *"

AMENDMENT NO. 5

On page 1, between lines 14 and 15, insert the following:

"B.

* * *

(3)

* * *

(b)(i) On and after January 1, ~~2001~~ 2002, every application for the issuance of a used motor vehicle dealer's license shall be accompanied by, or supported by, such evidence as the commission shall prescribe, documenting that the dealership's general manager, office manager, title clerk, or other responsible representative of the dealership, has attended a four-hour educational seminar or has registered to attend such seminar within sixty days after issuance of the license. The failure to attend the seminar shall be considered a violation of this Chapter. The educational seminar shall include but is not limited to the dealer requirements of this Chapter and the rules promulgated to implement, enforce, and administer this Chapter. Additionally, the seminar materials shall include a presentation of the requirements of the Louisiana Department of Public Safety and Corrections, office of motor vehicles, the Louisiana Department of Revenue, and such other information that will promote good business practices. Such educational seminar requirement shall not include written or oral exams.

* * *"

AMENDMENT NO. 6

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

"(9) Being a used motor vehicle dealer who enters into a franchise, sales and service, or similar agreement, for the same marine product line regardless of brand name within the area of responsibility of an existing same marine product line dealer.

* * *

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. 183—

BY REPRESENTATIVES MCMAINS AND TRAVIS
AN ACT

To amend and reenact R.S. 6:1083(4), (6), and (12), 1087(B)(introductory paragraph), (1), (10) and (11), (C)(1)(introductory paragraph) and (b) and (2) (introductory paragraph), (b), and (c), (D), and (E), 1088(B)(1) and (6), (E)(introductory paragraph), and (F)(1) and (2), 1089(A)(1), 1094(C)(1), 1095(A), 1096(A) and (B), and 1097, R.S. 9:3516(19) and 3552(C), and R.S. 51:1406(1) and to enact R.S. 6:1083(13) and (14), 1087(B)(12) and (C)(2)(d), 1088(F)(4), and 1092(F), R.S. 9:3560(A)(10) and 3572.2(B)(8), and R.S. 51:1910(1)(b)(x), relative to residential mortgage brokers and lenders; to provide for definitions; to provide for annual registration statements, fees, and exemptions; to provide for applications for licensure, issuance of licenses, and application and renewal fees; to provide for a name or location change; to provide for the commissioner's advisory opinions or interpretations by the commissioner of the office of financial institutions; to provide for reinstatement or renewal of licenses; to provide relative to the scope of the provisions; to provide relative to residential mortgage loans, fees, and charges; to provide for the effect of violations on the rights of parties; to provide for exemptions from licensure; 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. 183 by Representative Travis

AMENDMENT NO. 1

On page 20, line 5, after "institutions" delete "and" and insert a comma ",."

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. 185—

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

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1999-2000 Fiscal Year; to provide for reductions to certain appropriations; 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. 185 by Representative LeBlanc, et al.

Page 26 HOUSE

3rd Day's Proceedings - March 21, 2000

AMENDMENT NO. 1

On page 1, delete lines 8 and 9 in their entirety and insert the following:

"Section 1. The sum of Eleven Million Eight Hundred Forty-two Thousand One Hundred Sixty-two and No/100 (\$11,842,162.00) Dollars is hereby"

AMENDMENT NO. 2

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

01-199 EXECUTIVE OFFICE

Payable out of the State General Fund (Direct)
to the Administrative Program for the Office
of Rural Development for the Erath
safe drinking water project (\$200,000)
and the Delcambre water well
project (\$25,000) \$225,000"

AMENDMENT NO. 3

On page 1, delete lines 20 through 22 in their entirety and insert the following:

"for repairs to the Gillis Long Center
and Jackson Barracks \$894,750"

AMENDMENT NO. 4

On page 4, delete lines 2 and 3 in their entirety and insert the following:

"amount of Seven Million Seven Hundred Twenty-seven Thousand Five Hundred Twelve and No/100 (\$7,727,512.00) shall be comprised of any unexpended,"

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.

Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended to permit the Committee on Natural Resources to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 209

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended to permit the Committee on Retirement to meet at adjournment on Wednesday, March 22, 2000.

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 22, 2000.

Adjournment

On motion of Rep. Riddle, at 3:20 P.M., the House agreed to adjourn until Wednesday, March 22, 2000, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Wednesday, March 22, 2000.

ALFRED W. SPEER
Clerk of the House