

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

ELEVENTH DAY'S PROCEEDINGS

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

House of Representatives
 State Capitol
 Baton Rouge, Louisiana

Tuesday, April 15, 1997

The House of Representatives was called to order at 1:30 P.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	
Total—104		

ABSENT

Jenkins
 Total—1

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

Prayer

Prayer was offered by Mr. Keith Bobb-Semple

Pledge of Allegiance

Rep. LeBlanc 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. Riddle, the reading of the Journal was dispensed with.

On motion of Rep. Riddle, the Journal of April 14, 1997, was adopted.

Privileged Report of the Committee on Enrollment

April 15, 1997

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVES DOERGE AND SHAW

A CONCURRENT RESOLUTION

To declare August 8 and 9, 1997, "Larry and Gladys Hunter Days" and to recognize the numerous contributions of Larry and Gladys Hunter to the youth of Northwest Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 97—

BY REPRESENTATIVES HAMMETT, KENNEY, MCCALLUM, MCDONALD, THOMPSON, AND WRIGHT AND SENATORS BARHAM, ELLINGTON, AND JONES

A CONCURRENT RESOLUTION

To recognize and commend the Macon Ridge Economic Development Region for its contributions to the economic development of northeast Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 98—

BY REPRESENTATIVE POWELL

A CONCURRENT RESOLUTION

To designate September as "American Alligator Resource Month" and to endorse the continued efforts of the Louisiana Alligator Farmers and Ranchers Association to manage and promote the sustainable use of this valuable resource.

HOUSE CONCURRENT RESOLUTION NO. 100—

BY REPRESENTATIVES HOLDEN, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUN, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE,

GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, WINDHORST, WINSTON, AND WRIGHT AND SENATORS BAGNERIS, BAJOE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To commend Dr. Delores Richard Spikes for her eight years of significant achievement as president of the Southern University System; to recognize and record her myriad accomplishments and her remarkable contributions to the university, to her community, and to the state, and to extend to her the best wishes of the legislature as she embarks upon new challenges and endeavors.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Michot, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 14, 1997

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. 103
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 15, 1997

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. 68, 69, and 70

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.

Message from the Senate

SENATE BILLS

April 14, 1997

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

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

Senate Bill Nos. 175, 176, 182, 263, 265, 295, and 307

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 175—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:913(3)(b), 1031(E), 1033, 1035, and 1171(5), relative to registered nurses; to provide for definitions; to provide that the scope of practice of advanced practice registered nursing includes certain acts of medical diagnosis and limited prescriptive authority in accordance with rules and regulations promulgated by the Louisiana State Board of Nursing; to provide for the terms of the members of the Committee on Prescriptive Authority for Advanced Practice

Registered Nurses; to provide for reporting on the activities of the committee; to provide an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 176—

BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 18:1463(B), relative to election offenses; to prohibit the unauthorized use of a person's photograph or likeness on any sample ballot, political campaign pamphlet or other political material which falsely alleges endorsement or support by another candidate or person; and to provide for related matters.

Read by title.

SENATE BILL NO. 182—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:75(B)(13)(a) and R.S. 37:79(C) and to enact R.S. 37:79(D), relative to Certified Public Accountants; to provide for reciprocity of licenses of other states; and to provide for related matters.

Read by title.

SENATE BILL NO. 263—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:548(A), (B), (C), and (G); to provide for the importing and exporting of interest rates and other charges; to allow for the assessment of interest, finance charges and credit services charges which equal or are less than the amounts charged by financial institutions domiciled in other states; to allow a Louisiana creditor to file an affidavit to assess rates and fees in other states; provides for fees and charges adopted from another state; and to provide for related matters.

Read by title.

SENATE BILL NO. 265—

BY SENATOR ULLO

AN ACT

To enact R.S. 22:1474, relative to cash back incentive programs by multi-line insurance companies; to require the commissioner of insurance to promulgate rules and regulations to require insurance companies to offer cash back incentives to certain customers; to provide for restrictions; and to provide for related matters.

Read by title.

SENATE BILL NO. 295—

BY SENATOR JORDAN

A JOINT RESOLUTION

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

Read by title.

SENATE BILL NO. 307—

BY SENATOR DYESS

AN ACT

To authorize and empower the Department of Health and Hospitals to lease certain state property in Rapides Parish to Volunteers of America; to provide for preparation of documents; to provide for certain protections for the lessor; and to provide for related matters.

Read by title.

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

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

HOUSE RESOLUTION NO. 21—

BY REPRESENTATIVE HOLDEN

A RESOLUTION

To commend Dr. Kirk Marshall Clayton, a New Orleans native, upon the occasion of his being inducted into the Greater New Orleans Sports Hall of Fame.

Read by title.

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

**Introduction of House Bills
and Joint Resolutions**

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

HOUSE BILL NO. 1390—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 38:291(K)(2), relative to the Orleans Levee District; to provide for the membership of the board of commissioners; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1405—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 45:123.1 and to repeal R.S. 45:123, relative to public utilities; to repeal the prohibition on "wheeling" in electric public utility service; to provide that the Public Service Commission is authorized to create a pilot program for business and residential electric utility deregulation in East Baton Rouge Parish; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1654—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 45:123.1, relative to electric utility deregulation; to authorize the Public Service Commission to set up a pilot program for business and residential electric utility deregulation in East Baton Rouge Parish; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2302—

BY REPRESENTATIVE RIDDLE
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, comprised of R.S. 19:135 through 135.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for vesting of title; to provide for notice to the owner of the property; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide the penalty for the nonuse of the expropriated property; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2303—

BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 24:204(A)(1), (2), (5), (6), and (8), relative to the purposes and duties of the Louisiana State Law Institute; to authorize the institute to recommend or propose certain changes in law only pursuant to specific request or direction of the legislature; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Civil Law and Procedure

April 15, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 14, 1997, I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 873, by Downer (Joint Resolution)
Reported with amendments. (10-0) (Regular)

F. CHARLES MCMAINS, 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 and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 873—

BY REPRESENTATIVES DOWNER, ALARIO, R. ALEXANDER, BARTON, CRANE, DANIEL, DEWITT, DEVILLE, DIMOS, DONELON, DUPRE, FLAVIN, HEBERT, JETSON, JOHNS, LEBLANC, LONG, McDONALD, MCMAINS, MICHOT, RIDDLE, SCALISE, JOHN SMITH, STELLY, TRICHE, WIGGINS, CLARKSON, FRUGE, AND WRIGHT AND SENATOR EWING

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10(B) and (D)(2) and 10.3 of the Constitution of Louisiana, relative to the expenditure of

state funds; to provide for allowable uses of nonrecurring revenues; to restructure and rename the "Revenue Stabilization/Mineral Trust Fund" within the state treasury; to establish certain accounts within the fund; to provide for deposit of certain monies into the fund; to provide for allowable uses of monies in the fund; 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 Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 873 by Representative Downer, et al.

AMENDMENT NO. 1

On page 8, line 17, delete "a portion" and insert in lieu thereof "fifty percent annually"

AMENDMENT NO. 2

On page 8, line 18, after "casino" and before "and" insert "until such time as one hundred fifty million dollars of such net revenues have been deposited in the fund and thereafter all net revenues received by the state from the casino,"

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

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

Under the rules, placed on the regular calendar.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To designate April 16, 1997, as "Future Farmers of America Day in Louisiana".

Read by title.

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 701—

BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 40:2116(D), relative to the moratorium on Medicaid certified beds for nursing facilities; to exempt applications for new nursing facilities or beds for LaSalle Parish Hospital Service District #1 from the moratorium on certified beds for nursing facilities; 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. 702—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 47:332.18(A), relative to the state sales and use tax; to dedicate a portion of the state tax on hotel/motel occupancy in Iberville Parish; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 703—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 27:301(B)(15), 302(A)(5)(introductory paragraph), and 306(A)(2)(introductory paragraph) and to enact R.S. 27:302(E) and 325, relative to video draw poker devices; to provide that more than card games may be offered on electronic video draw poker devices by certain licensees; to authorize the Louisiana Gaming Control Board by rule to define specifications for these devices; to provide for a local election on the proposition of whether these games may be offered at licensed establishments within the New Orleans International Airport; to provide for the calling of an election by the local governing authority on its own initiative; to provide for election procedures and effects; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

HOUSE BILL NO. 704—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 18:1300.22, relative to elections to allow or prohibit certain gaming activities in the city of Donaldsonville; to provide relative to the calling and conducting of such elections; to provide relative to the effectiveness of the results of such elections; to provide for applicability; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

HOUSE BILL NO. 902—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 33:1236(47) and 1651, relative to the parish of St. Tammany; to provide relative to the location of certain parish agencies, officials, and employees; to authorize their location at a facility outside of the parish seat; 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. 1011—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 11:143(A), relative to state and statewide retirement systems; to allow a member of any public retirement system to transfer service credit from another public retirement system to the system where such member is an active contributing member; 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 Retirement.

HOUSE BILL NO. 1012—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact Chapter 20-B-4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.41 through 3042.47, relative to the Bienville Parish School Board loan program; to authorize the school board to make loans to certain students enrolled in collegiate teacher preparation programs; to provide for legislative findings and purpose, eligibility requirements, board rules and regulations, loan amounts, contract requirements, funding, and board resolution and public hearing requirements; 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. 1402—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 38:334.3, relative to the Red River, Atchafalaya, and Bayou Beouf Levee District; to provide for revenue utilization; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

HOUSE BILL NO. 1403—

BY REPRESENTATIVE WRIGHT AND SENATOR SMITH
AN ACT

To enact R.S. 13:961(F)(1)(g) and (h), relative to court reporters; to provide for fees in civil and criminal cases in the Twenty-eighth and Thirty-fifth Judicial District Courts; 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. 1404—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:1347(C) and (D), relative to the commissioners of the magistrate section of the Criminal District Court for the parish of Orleans; to provide that the commissioners serve at the pleasure of the judges of the court; 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. 1653—
BY REPRESENTATIVES MURRAY AND FORSTER
AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2030—
BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 11:143(C)(introductory paragraph) and (D)(5), relative to state and statewide retirement systems; to allow certain members of the Louisiana judiciary to transfer service credit from any public retirement system to another retirement system without an actuarial cost; 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 Retirement.

HOUSE BILL NO. 2055—
BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact Section 2(B)(8) of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature and Act No. 570 of the 1992 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service District No. 2; to provide relative to the compensation and expenses of board members; 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. 2294—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 14:40.1(B), relative to terrorizing; to increase penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

HOUSE BILL NO. 2295—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 40:1846(B)(3)(f), relative to liquefied petroleum gas; to provide for the commission; to provide for rules; to provide for mobile air conditioning systems; to provide for prohibitions; 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. 2296—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 39:367(F) and to enact R.S. 39:368, relative to unreasonable competition with the private sector by state agencies; to provide legislative findings relative to the sale of certain items by public college or university bookstores; to provide limitations on the sale of certain items by public college or university bookstores; to provide for applicability; to provide for exceptions; to provide for implementation and for the adoption of rules and regulations by public higher education management boards; to provide guidelines for the consideration and adoption of such rules and regulations, including legislative review; to provide for effectiveness; 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. 2297—
BY REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 40:1849(C), relative to the Liquefied Petroleum Gas Commission; to provide for rules; to provide for reciprocal agreements; to provide for examination requirements; 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. 2298—
BY REPRESENTATIVE PINAC
AN ACT

To enact Subpart B of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:361 through 363, and to repeal Subpart B of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:361 through 371, relative to unfair trade; to provide for the regulation of pyramid schemes; to provide for definitions; to provide for violations and penalties; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2299—
BY REPRESENTATIVE THORNHILL
AN ACT

To enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3050 through 3060, and Code of Civil Procedure Art. 970.1, relative to automobile insurance and mediation; to provide for the intent of the legislature; to provide for the office of mediation; to require mediation in certain cases; to provide for the Board of Mediation; to provide for its membership, powers, duties, and responsibilities; to provide for prescription, general appearances, and abeyance of court proceedings with mediation; to provide for fees for mediation; to provide for the qualification and duties of mediators and their appointment; to provide for confidentiality and time frame of mediation proceedings, for penalties, and for post-trial motions; to provide for written settlement agreements and accessibility to courts with mediation; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2300—
BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 9:3861(A)(introductory paragraph) and (1), relative to a military power of attorney; to provide with respect to those who may execute a military power of attorney; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2301—
BY REPRESENTATIVE WARNER
AN ACT

To enact R.S. 40:2154.1, relative to the Adult Residential Care Licensing Law; to prohibit placing an adult residential care home within a one thousand foot radius of another such home; to require a public hearing prior to issuing a license for an adult residential care home to be placed in certain residential districts; to provide for notification; and to provide for related matters.

Read by title.

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

Motion

On motion of Rep. DeWitt, the Committee on Appropriations was discharged from further consideration of House Bill No. 1691.

HOUSE BILL NO. 1691—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy in Rapides Parish; to dedicate a portion of the proceeds of such tax to certain funds within the state treasury or for certain purposes; to provide for the allowable uses of such proceeds; and to provide for related matters.

Read by title.

On motion of Rep. DeWitt, the above bill was recommitted to the Committee on Ways and Means.

Motion

On motion of Rep. Landrieu, the Committee on Appropriations was discharged from further consideration of House Bill No. 1700.

HOUSE BILL NO. 1700—
BY REPRESENTATIVES LANDRIEU AND ALARIO
AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy; to dedicate a portion of the tax in certain parishes; to establish a special fund in the state treasury; to provide for deposit of monies into the fund and for allowable uses of monies in the fund; and to provide for related matters.

Read by title.

On motion of Rep. Landrieu, the above bill was recommitted to the Committee on Ways and Means.

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

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

HOUSE RESOLUTION NO. 6—
BY REPRESENTATIVES FAUCHEUX AND POWELL
A RESOLUTION

To create a committee to evaluate and recommend potential sites for a state park in St. John the Baptist Parish and Tangipahoa Parish and to urge and request the office of state parks to study the feasibility of establishing a park at sites recommended by the committee and to report its findings to the legislature.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

To urge and request the office of state parks to study the feasibility of making Fort Jackson in Plaquemines Parish a state commemorative area and to report its findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Education.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVES FAUCHEUX AND POWELL AND SENATORS
HAINKEL AND LANDRY
A CONCURRENT RESOLUTION

To create a committee to evaluate and recommend potential sites for a state park in St. John the Baptist Parish and Tangipahoa Parish and to urge and request the office of state parks to study the feasibility of establishing a park at sites recommended by the committee and to report its findings to the legislature.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 75—
BY REPRESENTATIVE MICHOT
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such action as is necessary to amend the federal regulations regarding commercial driver's license standards.

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 Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 26—
BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(vii) and (viii) and to enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to include the parish of residence code number on 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. 69—
BY REPRESENTATIVES ROUSSELLE AND MCCAIN
AN ACT

To amend and reenact R.S. 47:463.6(B)(3), relative to special license plates for motor vehicles; to provide for the cost of a special plate for volunteer firemen; 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. 90—
BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAUX
AN ACT

To amend and reenact R.S. 33:7712(A)(3), relative to Consolidated Waterworks District No. 1 of the Parish of Terrebonne; to provide for a reduction in the membership of the board of commissioners of the district; to provide for appointment and terms of the commissioners; to limit the number of terms a commissioner may serve; to provide for the terms of the members serving prior to the reduction in membership; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 90 by Representative Dupre, et al.

AMENDMENT NO. 1

On page 1, line 5, between "commissioners;" and "to" insert "to limit the number of terms a commissioner may serve;"

AMENDMENT NO. 2

On page 2, at the end of line 17, change "five" to "four"

AMENDMENT NO. 3

On page 2, at the beginning of line 19, change "year, two" to "year, three"

AMENDMENT NO. 4

On page 2, line 20, after "three years," change "two" to "and three"

AMENDMENT NO. 5

On page 2, line 20, after "four years," delete the remainder of the line and delete line 21 and insert "all as determined by lot. No person shall be appointed to serve more than three four-year terms. The"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 100—
BY REPRESENTATIVES FONTENOT AND POWELL
AN ACT

To enact R.S. 33:2721.10, relative to Livingston Parish; to authorize the governing authority of Livingston Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 115—
BY REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Beauregard Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 163—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.2(B), relative to personalized license plates for motor vehicles; to provide for eligibility for a personalized license plate; 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. 163 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 11, after "private" and before "passenger" delete "or commercial"

AMENDMENT NO. 2

On page 1, line 11, after "vehicle" and before "may" insert "or a commercial passenger vehicle regulated under the provisions of R.S. 47:466"

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. 168—
BY REPRESENTATIVES RIDDLE AND BRUCE
AN ACT

To amend and reenact R.S. 47:463.6(B)(3), relative to special license plates for motor vehicles; to provide for the cost of a special plate for volunteer firemen; 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. 206—
BY REPRESENTATIVES BRUCE, CURTIS, AND HUDSON
AN ACT

To amend and reenact R.S. 32:284(C), relative to riding in the bed of a pickup truck or utility trailer; to increase the age under which persons are prohibited from riding in the open bed of a pickup truck or a utility trailer; 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. 211—
BY REPRESENTATIVES SCALISE AND ANSARDI
AN ACT

To authorize the Jefferson Parish Council to rename the "ShrewCoCenter", located in Jefferson Parish, Louisiana, as the "Hazel Rhea Hurst Center".

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 261—
BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
AN ACT

To enact Part V-C of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:726, relative to the city of Covington; to provide with respect to the disposition of certain immovable property by the governing authority of the city; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 261 by Representative Winston

AMENDMENT NO. 1

On page 3, at the beginning of line 20, change "(4)" to "(4)(a)"

AMENDMENT NO. 2

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

"(b) Any person, other than the person with whom property is exchanged pursuant to this Paragraph, having or claiming to have any right, title, or interest in or to property received by the municipal governing authority in such exchange shall file suit to establish the right claimed within six months after the date of publication of the notice required by Subsection C of this Section or lose by prescription all such right, title, and interest in or to the property. This prescription runs against all persons, including minors and interdicts."

AMENDMENT NO. 3

On page 3, line 25, after "E." and before "Part" change "This" to "With respect only to the city of Covington, this"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 329—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 33:423.9, relative to the city of Crowley; to authorize the chief of police of the city of Crowley to appoint, discipline, and discharge police personnel subject to budgetary limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 363—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Vernon Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 405—
BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 33:381.1, relative to the village of Harrisonburg; to authorize the board of aldermen of the village of Harrisonburg to call a special election by a certain date for the purpose of submitting to the qualified electors of the village the question of whether the chief of police should be appointed by the mayor with the approval of the board of aldermen; to provide for the time of the initial appointment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 405 by Representative Kenney

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 5 in their entirety and insert in lieu thereof:

"amend and reenact R.S. 33:381.1, relative to the village of Harrisonburg; to authorize the board of aldermen of the village of Harrisonburg to call a special election by a certain date for the purpose of submitting to the qualified electors of the village the question of whether the chief of police should be appointed by the mayor with the approval of the board of aldermen; to provide for the time of the initial appointment; and"

AMENDMENT NO. 2

On page 1, line 11, after "Section 1." delete the remainder of the line and delete lines 12 through 17 in their entirety and on page 2, delete lines 1 through 13 in their entirety and insert in lieu thereof the following:

"R.S. 33:381.1 is hereby amended and reenacted to read as follows:

§381.1. Election or appointment of marshal

A.(1) The marshal who is the chief of police in such municipalities shall be elected at large, provided that, notwithstanding any other provisions of law to the contrary, a majority of the qualified electors voting therein may, at a special election called by the board of aldermen for that purpose, authorize the mayor to thereafter appoint a marshal with the approval of the board of aldermen. Such special election shall be called only upon the presentation of a petition, directed to the board of aldermen and signed by at least twenty-five percent of the qualified electors of the municipality. Once such an election has been called and held, no further or other election on the same question shall be held for at least four years.

(2) Notwithstanding any provision of Paragraph A(1), the board of aldermen of the village of Harrisonburg may call a special election no later than January 1, 1999, for the purpose of submitting to the qualified electors in the village the question of whether the marshal should be appointed by the mayor with the approval of the board of aldermen. If a majority of the electors of the village approve the appointment of the marshal by the mayor with the approval of the board of aldermen, the first such appointment shall be at the end of the term of the elected marshal who is in office on the date of the election, except that such appointment may be made immediately if the office of marshal is vacant or filled by an officer temporarily appointed prior to the end of such term.

B. If the people of any municipality vote to authorize the mayor to appoint the marshal, the first such appointment shall be made at the end of the term of the marshal in office at the time the election was held unless at that time the office of marshal is vacant or the incumbent is an appointed official.

C. Upon the expiration of at least four years after the effective date of any such determination that the marshal shall be an appointed rather than an elected official the people of any such municipality may determine that said official shall be elective, but only in the same manner and through the same petition and election procedure as hereinabove set forth."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 413—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact Part XIX of Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.1 through 3577.8, relative to small loans; to provide for fees for making loans for five hundred dollars or less; to provide for penalties; to prohibit certain acts; 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. 413 by Representative Travis

AMENDMENT NO. 1

On page 2, line 12, after "collect" and before "the" insert "no more than" and after "following" and before "fees" insert "origination"

AMENDMENT NO. 2

On page 2, line 13, change "\$100.00" to "\$99.00"

AMENDMENT NO. 3

On page 2, line 14, change "\$101.00" to "\$100.00" and change "\$250.00" to "\$200.00"

AMENDMENT NO. 4

On page 2, line 15, change "\$251.00" to "\$201.00"

AMENDMENT NO. 5

On page 2, line 17, after "shall" and before "thirty" delete "be" and insert in lieu thereof "not exceed"

AMENDMENT NO. 6

On page 2, at the end of line 25, after "check" delete the comma "," and insert a period "." and delete lines 26 and 27 in their 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. 416—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:128(B)(introductory paragraph), 285(C), 420(D), 712(D)(1), and 1187(A) and (B)(5) and to repeal R.S. 6:2(10), relative to regulation of banks and banking; to provide for holidays for financial institutions; to provide for

designation of agent for service of process; to provide for reporting of criminal violations; to provide for corporate names; to provide for proxies; 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. 416 by Representatives Travis and Murray

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 6:128(B)(introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 4, after "banking;" delete the remainder of the line and all of line 5, and on line 6 delete "attesting under oath to a statement of financial condition;"

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." delete the remainder of the line and insert "R.S. 6:128(B)(introductory paragraph),"

AMENDMENT NO. 4

On page 1, delete lines 15 and 16, and on page 2, delete lines 1 through 9

AMENDMENT NO. 5

On page 3, line 8, after "D." insert the following: "Each Unless otherwise notified by the commissioner, each state bank shall simultaneously provide the office of financial institutions with a copy of any report of criminal violations submitted to the Federal Deposit Insurance Corporation, the Federal Reserve Board, or any other federal financial institutions regulatory agency."

AMENDMENT NO. 6

On page 5, after line 3, insert the following:

"Section 3. The Louisiana Law Institute is hereby directed to redesignate the Section heading of R.S. 6:291 from "Relation and liability of directors and officers to state bank and stockholders" to "Relation and liability of directors and officers to bank and bank holding company stockholders."

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. 468—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 32:378.2(N), relative to ignition interlock devices; to provide that persons sentenced to home incarceration for driving while intoxicated may be issued restricted 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. 471—
BY REPRESENTATIVES GREEN AND MURRAY
AN ACT

To amend and reenact R.S. 9:3527(D), relative to consumer credit transactions; to require a creditor to notify a consumer before converting a precomputed consumer credit transaction into a simple interest transaction; 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. 471 by Representatives Green and Murray

AMENDMENT NO. 1

On page 1, at the beginning of line 13, delete "sixty" and insert "ten"

AMENDMENT NO. 2

On page 2, lines 2 and 3, delete "The extender of credit must also provide the consumer with an amortization schedule."

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. 499—
BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 51:1909.1(A) and to enact R.S. 51:1901(8) and 1901.2, relative to commercial co-venturers; to provide a definition; to provide for final accounting for charitable sales promotions; to provide for the promulgation of rules for disclosure of the percentage of funds collected by commercial co-venturers that actually goes to the charitable organization; to provide for violations and penalties; 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. 499 by Representative Michot

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" and before "enact" insert "amend and reenact R.S. 51:1909.1(A) and to"

AMENDMENT NO. 2

On page 1, line 6, after "organization;" and before "and" insert "to provide for violations and penalties;"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." and before "R.S." insert "R.S. 51:1909.1(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 3, after line 12 insert the following:

** * *

§1909.1. Violations; penalties

A. Any person who ~~fails to register as a professional solicitor as required by~~ violates any provision of this Chapter shall, after a hearing in a court of competent jurisdiction, be fined ~~not more than two thousand dollars; not less than two thousand five hundred dollars nor more than five thousand dollars for the first offense and not less than five thousand dollars nor more than ten thousand dollars for any subsequent offense.~~

* * *

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. 515—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2123, relative to powers of a trustee; to provide that a trustee may become a member of a limited liability company; 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. 516—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2026(1) and 2064, relative to the termination or modification of a trust; to provide that a trust may be terminated or modified upon an application of all interested parties or after a contradictory proceeding; to provide for a contradictory proceeding; 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. 517—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:1961 and 1964, relative to trusts; to provide that the trust instrument may provide for the allocation of income under objective standards; to provide that the settlor may give a trustee the discretion, without objective standards, to allocate income in different amounts; 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. 518—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2004, relative to seizure of a beneficiary's interest in a trust; to provide that a creditor may seize a beneficiary's interest in income and principal to the extent that a beneficiary has donated property to the trust, directly or indirectly; 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. 519—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:1895(A), 1973, and 1978, all relative to the Louisiana Trust Code; to provide for a shifting of interest in principal; to provide with respect to the effect of the death of a class member during the term of a class trust; to authorize a shifting of interest in principal if a beneficiary is a descendant of the settlor; 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. 529—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 32:667(H)(1) and to repeal R.S. 32:414(K), 430(N), and 667(H)(2), relative to drivers' licenses; to provide for the reinstatement of drivers' licenses of persons charged with crimes involving driving while intoxicated; 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. 529 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 5, after "intoxicated;" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 6, delete "reinstatement fees;"

AMENDMENT NO. 3

On page 2, line 20, after "license" insert a period "." and delete the remainder of the line

AMENDMENT NO. 4

On page 2, at the beginning of line 21, delete "appropriate reinstatement fee."

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. 538—
BY REPRESENTATIVES MCCAIN, BRUCE, AND PINAC
AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for special prestige license plates for members of Lions International; to provide for fees; to provide for the disbursement of those fees; to provide for the procedure for issuing the plates; 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. 541—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To enact R.S. 33:321.1, relative to municipalities governed by the Lawrason Act; to authorize the board of aldermen in any such municipality to refer to itself as a village, town, or city council, as appropriate, and to the members thereof as council members; to provide for related name changes; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 541 by Representative Marionneaux

AMENDMENT NO. 1

On page 1, line 13, after "council" delete the comma ",."

AMENDMENT NO. 2

On page 1, line 14, after "appropriate" delete the comma ",."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 545—

BY REPRESENTATIVES MURRAY, BARTON, DUPRE, FLAVIN, FRITH, HILL, HOPKINS, POWELL, THOMPSON, AND TRAVIS
AN ACT

To amend and reenact R.S. 9:3542(B), relative to credit life insurance; to reduce the per-dollar premium rate assessed and collected on credit life insurance, joint credit life insurance, level term credit life insurance, and joint level term insurance; 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. 545 by Representative Murray, et al.

AMENDMENT NO. 1

On page 2, line 14, delete "of payments" and insert in lieu thereof "sum"

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. 552—

BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:333(A)(2) and R.S. 9:3571(A), to enact R.S. 6:333(A)(10)(g), and to repeal R.S. 9:3571(B) through (E), relative to disclosure of financial records by financial institutions; to expand definitions; to delete certain requirements relative to the dissemination of credit information; 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. 587—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Civil Code Article 3533, relative to conflict of laws as to the succession of immovables situated in this state; to provide when the law of forced heirship does not apply; 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. 653—

BY REPRESENTATIVE LONG
AN ACT

To amend and reenact the title of Chapter 19 of Title 48 of the Louisiana Revised Statutes of 1950 and R.S. 48:1751(1) and 1752, relative to highways; to change the name of the MISS-LA-TEX East-West Corridor Commission; 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. 659—

BY REPRESENTATIVE PINAC
AN ACT

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

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 713—

BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(viii) and 410(A)(3)(a)(i) and (viii) and to repeal R.S. 32:409.1(A)(2)(d)(vi) relative to drivers' licenses; to delete the requirements that an applicant for a license shall furnish his social security number and that the number shall appear on the face of the license; 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. 713 by Representative Brun

AMENDMENT NO. 1

On page 2, at the end of line 6, after "number." insert "The provisions of this Section shall not apply to an applicant for a commercial driver's license."

AMENDMENT NO. 2

On page 2, at the end of line 21, after "number." insert "The provisions of this Section shall not apply to an applicant for a commercial driver's license."

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. 831—

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 47:463.48, relative to motor vehicle registration; to provide for special prestige license plates for Laos War veterans; 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. 933—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact R.S. 47:463.10, relative to special license plates; to provide for the cost of special license plates for members of the Louisiana National Guard; 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. 1083—

BY REPRESENTATIVES TRAVIS AND MURRAY

AN ACT

To amend and reenact R.S. 6:124, relative to financial institutions; to provide relative to reports made by financial institutions to the commissioner of financial institutions; 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. 1083 by Representatives Travis and Murray

AMENDMENT NO. 1

On page 1, line 8, delete "; notice"

AMENDMENT NO. 2

On page 1, line 9, delete "A."

AMENDMENT NO. 3

On page 1, line 11, after "him" insert "in the manner prescribed,"

AMENDMENT NO. 4

On page 1, line 12 after "condition" insert a period "." and delete the remainder of line 12 and delete line 13.

AMENDMENT NO. 5

On page 1, delete lines 14 through 17, and on page 2, delete lines 1 through 5.

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. 1084—

BY REPRESENTATIVES TRAVIS AND MURRAY

AN ACT

To repeal R.S. 9:3566, relative to consumer credit sales; to repeal certain provisions requiring retention of records of consumer credit sales.

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. 1095—

BY REPRESENTATIVES GREEN AND MURRAY
AN ACT

To amend and reenact R.S. 6:315.1(A), relative to banks and banking; to provide for the transfer of small deposits to the surviving spouse or heirs upon the death of an intestate depositor; 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. 1095 by Representatives Green and Murray

AMENDMENT NO. 1

On page 1, at the beginning of line 16, insert "and heirs, if any,"

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. 1107—

BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To repeal Part XVII of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3575.1 through 3575.10, relative to refund anticipation loans; to repeal the Refund Anticipation Loan Act.

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. 1119—

BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:548(A), (B), (C), and (G), relative to interest rate parity; to provide that Louisiana creditors may charge the same interest rates and fees as nonresident creditors charge; to provide for the filing of an affidavit to assess rates and fees; 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. 1120—

BY REPRESENTATIVES TRAVIS, MURRAY, AND FRITH
AN ACT

To amend and reenact R.S. 6:793(B)(1), relative to audit reports of savings and loan associations; to require annual audits to be verified by independent certified public accountants; 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. 1121—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 9:3535, relative to multiple agreements; to prohibit the division of credit transaction into multiple agreements for purposes of obtaining additional fees and charges; 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. 1123—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:791(A), relative to savings associations; to provide relative to records which must be kept by savings associations; 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. 1127—

BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 47:463.46 and R.S. 56:10(B)(8), relative to motor vehicle registration; to provide for special prestige license plates for Ducks Unlimited; to provide for fees; to provide for the disposition of those fees; to provide for the establishment of an account in the Conservation Fund; 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. 1127 by Representative Wright

AMENDMENT NO. 1

On page 1, at the end of line 3 after "for" delete the remainder of the line and at the beginning of line 4, delete "of"

AMENDMENT NO. 2

On page 1, line 9, after "for" and before "Ducks" delete "members of"

AMENDMENT NO. 3

On page 1, at the end of line 13, after "Louisiana" delete the remainder of the line and at the beginning of line 14 delete "of" and insert in lieu thereof "for"

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. 1147—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 6:956(F)(2), relative to retail installment contracts; to provide relative to the premium rates charged for credit life insurance; 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. 1156—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:254(A)(introductory paragraph), relative to authority of state banks; to provide relative to approval of and notice to commissioner of issuance of rights and options; 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. 1157—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:261, relative to capital, surplus, and dividends; to provide for the allocation of consideration received upon initial issuance of shares; 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. 1157 by Representative Travis, et al.

AMENDMENT NO. 1

On page 1, line 11, after "remainder" delete "may" and insert "shall"

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. 1182—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.23(B) and 463.30, relative to prestige license plates for professional firefighters; to provide for an initial fee; to provide for the revocation of such plates; 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. 1189—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To amend and reenact R.S. 30:2017, relative to public hearings by the Department of Environmental Quality; to provide for local citizen participation; 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. 1189 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 4, delete "to provide for additional time;"

AMENDMENT NO. 2

On page 2, line 2, after "speaking" and before "to" insert "in the first hour of each hearing"

Page 18 HOUSE

11th Day's Proceedings - April 15, 1997

AMENDMENT NO. 3

On page 2, line 5, at the end of the line after the period insert the following:

"Hereafter, each hour of the hearing shall alternate between those who are in support of the proposed permit and those who are opposed to the proposed permit."

AMENDMENT NO. 4

On page 2, delete lines 6 through 11 in their entirety.

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. 1215— BY REPRESENTATIVES MCMAINS AND DEWITT AN ACT

To amend and reenact Code of Civil Procedure Art. 970(A), (B), and (C), relative to the motion for judgment on an offer of judgment; to provide for time for service of the offer, inadmissibility in other proceedings, and exclusion of attorney fees in the assessment of costs; and to provide for related matters.

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. 1228— BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER AN ACT

To amend and reenact Code of Civil Procedure Art. 1561 and to enact Code of Civil Procedure Art. 253.2, relative to transfer, reassignment, and consolidation of pending cases in the same court; to provide for procedures for consolidation of actions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1228 by Representative McMains, et al.

AMENDMENT NO. 1

On page 1, line 4, after "to" delete the remainder of the line and insert "provide for procedures for consolidation of actions;"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "the parties;"

AMENDMENT NO. 3

On page 2, line 1, delete "; joint trial of common issues;"

AMENDMENT NO. 4

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

"When two or more separate suits involving a common issue of law or fact are actions are pending in the same court, the section or division of the court, at any time prior to trial, in which the first filed action is pending may order the consolidation of the suits actions for trial or may order a joint trial of any of the upon completion of sufficient discovery, after a contradictory hearing, and upon a finding that common issues of fact and law predominate."

Consolidation shall not be ordered if it would do any of the following: cause jury confusion, prevent a fair and impartial trial, give one party an undue advantage, or prejudice the rights of any party."

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. 1230— BY REPRESENTATIVES MCMAINS AND DEWITT AN ACT

To amend and reenact Code of Civil Procedure Arts. 966(C) and (E) and 1915 and to repeal Code of Civil Procedure Art. 966(F) and (G), relative to motions for summary judgment; to establish and allocate the burden of proof; to authorize partial summary judgments; to provide with respect to renditions of partial summary judgments; 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. 1230 by Representative McMains, et al.

AMENDMENT NO. 1

On page 1, line 3, change "1915(A)(3)" to "1915"

AMENDMENT NO. 2

On page 2, line 19, change "1915(A)(3)" to "1915"

AMENDMENT NO. 3

On page 2, line 21, after "judgment" insert "; partial exception; partial summary judgment"

AMENDMENT NO. 4

On page 2, line 23, after "party" and before "all" insert "or parties"

AMENDMENT NO. 5

On page 2, delete line 25 in its entirety and insert in lieu thereof the following:

"(1) Dismisses the suit as to less than all of the parties, defendants, third party plaintiffs, third party defendants, or intervenors.

(2) Grants a motion for judgment on the pleadings, as provided by Articles 965, 968, and 969."

AMENDMENT NO. 6

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

"(4) Signs a judgment on either the principal or incidental demand, when the two have been tried separately, as provided by Article 1038.

(5) Signs a judgment on the issue of liability when that issue has been tried separately by the court, or when, in a jury trial, the issue of liability has been tried before a jury and the issue of damages is to be tried before a different jury.

B.(1) The court may render partial judgments, partial exceptions, and partial summary judgments as to one or more but less than all of the claims, demands, defenses, issues, or parties whether in an original demand, reconventional demand, cross-claim, third party claim, or intervention.

(2) A partial judgment, partial exception, or partial summary judgment shall not constitute a final judgment unless specifically designated by the court after an expressed determination that there is no just reason for delay and upon an expressed direction for the entry of judgment.

(3) Unless designated as final, any order or decision which provides for an adjudication affecting less than all of the claims, demands, issues, or rights and liabilities of less than all the parties shall not terminate the action as to any of the claims or parties. Any such order or decision issued may be revised at any time prior to the entry of a designation as a final judgment.

(4) The provisions of this Paragraph shall not limit the applicability of Paragraph A.

BC. If an appeal is taken from such a any judgment rendered under the provisions of this Article, the trial court nevertheless shall retain jurisdiction to adjudicate the remaining issues in the case."

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. 1263—

BY REPRESENTATIVES MARTINY AND MICHOT
AN ACT

To amend and reenact R.S. 9:2782(B) and (C)(1), relative to the fees charged for checks that are dishonored for nonsufficient funds; to increase the fee from fifteen dollars to thirty dollars; 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. 1263 by Representatives Martiny and Michot

AMENDMENT NO. 1

On page 1, line 4, after "thirty" delete "-five"

AMENDMENT NO. 2

On page 1, line 12, after "exceed" and before "dollars" delete "thirty-five" and insert in lieu thereof "thirty"

AMENDMENT NO. 3

On page 2, line 6, after "thirty" delete "-five"

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. 1267—

BY REPRESENTATIVES SALTER AND THORNHILL
AN ACT

To repeal R.S. 32:411(B)(1)(b), relative to taking of a driver's license upon issuance of a traffic citation; to repeal certain exceptions to the prohibition on such taking; 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. 1334—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 33:1236(47) and 1651, relative to the parish of St. Tammany; to provide relative to the location of the main administrative facility of the parish; to provide for location of such facility outside of the parish seat; to provide relative to housing of certain parish officials at such facility; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

Page 20 HOUSE

11th Day's Proceedings - April 15, 1997

HOUSE BILL NO. 1363—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To enact R.S. 6:121.3, R.S. 9:3556.2, R.S. 37:1806.1, and R.S. 51:1929.1 and 2389.1, relative to advisory opinions of the commissioner; to provide that advisory opinions shall not be considered as rules subject to the provisions of the Louisiana Administrative Procedure Act; 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. 1363 by Representative Travis, et al.

AMENDMENT NO. 1

On page 1, at the end of line 10, after "office" delete ", and any" and delete lines 11 through 14 in their entirety and insert in lieu thereof "shall"

AMENDMENT NO. 2

On page 2, at the end of line 3, after "office" delete ", and any" and delete lines 4 through 7 in their entirety and insert in lieu thereof "shall"

AMENDMENT NO. 3

On page 2, at the end of line 13, after "office" delete ", and any" and delete lines 14 through 17 in their entirety and insert in lieu thereof "shall"

AMENDMENT NO. 4

On page 2, at the end of line 24, after "office" delete ", and any" and delete lines 25 through 27 in their entirety and on page 3 delete line 1 in its entirety and insert in lieu thereof "shall"

AMENDMENT NO. 5

On page 3, at the end of line 7, after "office" delete ", and any" and delete lines 8 through 11 in their entirety and insert in lieu thereof "shall"

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. 1440—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 36:259(BB)(3) and R.S. 40:5.11, relative to fluoridation of certain public water systems; to create the Fluoridation Advisory Board in the Department of Health and Hospitals and provide for the composition, powers, duties, functions, and compensation thereof; to establish a water fluoridation program in the Department of Health and Hospitals, office of public health, and provide for the functions thereof; to

authorize rulemaking related to the fluoridation of public water systems; 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. 1529—

BY REPRESENTATIVE WARNER
AN ACT

To designate that portion of Louisiana Highway 46 in St. Bernard Parish as the "St. Bernard Veterans Memorial Highway"; 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. 1535—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, DIMOS, DUPRE, FLAVIN, JOHNS, LEBLANC, MCDONALD, MCMAINS, MICHOT, JOHN SMITH, STELLY, TRICHE, WIGGINS, ALARIO, CRANE, DANIEL, DEVILLE, DEWITT, DONELON, HEBERT, JETSON, LONG, AND RIDDLE
AN ACT

To amend and reenact the heading to Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, R.S. 39:54(B), 91, 92(A), and 93 and to enact R.S. 39:91(B)(3), relative to the expenditure of state funds; to provide for certain allowable uses of nonrecurring revenues; to restructure and rename the "Revenue Stabilization/Mineral Trust Fund" within the state treasury; to establish certain accounts within the fund; to provide for deposit of certain monies into the fund; to provide for allowable uses of monies in the fund; to provide for effective dates; 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. 1535 by Representative Downer, et al.

AMENDMENT NO. 1

On page 1, line 3 after "R.S." delete the remainder of the line and insert: "39:54(B), 91, 92(A)"

AMENDMENT NO. 2

On page 1, line 7 after "treasury;" and before "to provide" insert:

"to establish certain accounts within the fund;"

AMENDMENT NO. 3

On page 2, line 5 after "R.S." and before "92(A)" change "39:91," to "39:54(B), 91,"

AMENDMENT NO. 4

On page 2, between lines 6 and 7 insert the following:

"§54. Use of official forecast

* * *

B. Except as otherwise provided in the Constitution of Louisiana, appropriation of any money designated in the official forecast as nonrecurring shall be made only for capital outlay, for the purpose of retiring or defeasing bonds in advance and in addition to the existing amortization requirements of the state, or for expenses determined by the legislature to be extraordinary and nonrecurring in nature: the following purposes:

(1)(a) Retiring or defeasance of bonds in advance and in addition to the existing amortization requirements of the state.

(b) Providing for payments against the unfunded accrued liability of the public retirement systems which are in addition to any payments required for the annual amortization of the unfunded accrued liability of the public retirement systems, as required by Article X, Section 29(E)(2)(c) of the Constitution of Louisiana; however, any such payments to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.

(c) Providing funding for capital outlay projects in the comprehensive state capital budget.

(d) Providing for allocation or appropriation for deposit into the Budget Stabilization Fund established in Article VII, Section 10.3 of the Constitution of Louisiana.

* * *"

AMENDMENT NO. 5

On page 2, delete lines 7 and 8 and insert:

"PART II-A REVENUE STABILIZATION/MINERAL TRUST
FUND SPECIAL FUNDS; EXPENDITURE LIMIT"

AMENDMENT NO. 6

On page 3, delete line 16 and at the beginning of line 17 change "twenty-five" to "(3) Twenty-five"

AMENDMENT NO. 7

On page 3, between lines 19 and 20 insert:

"(4) Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year as required by Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in the fund one-half of the net revenues received by the state in each fiscal year from gaming activities conducted at the official gaming establishment as defined by law until such time as one hundred fifty million dollars of such net revenues in the aggregate have been deposited in the fund; thereafter

all of such net revenues received by the state shall be deposited in the fund."

AMENDMENT NO. 8

On page 3, at the beginning of line 20 change "(4)" to "(5)"

AMENDMENT NO. 9

On page 3, delete lines 24 through 27 and on page 4, delete lines 1 through 5.

AMENDMENT NO. 10

On page 4, at the beginning of line 7 change "R.S. 39:92" to "R.S. 39:92 and 93"

AMENDMENT NO. 11

On page 4, at the end of line 9 insert: "All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund."

AMENDMENT NO. 12

On page 4, between lines 9 and 10 insert:

"D.(1) There shall be established within the fund the Revenue Reserve Account and the Fiscal Responsibility Account. Money deposited in the fund shall be credited to the accounts as provided in this Subsection.

(2) Deposits made to the fund shall be credited to the Revenue Reserve Account until the balance in the account is equal to seven percent of the official forecast for the previous fiscal year. The balance in the account shall not at any time exceed seven percent of the official forecast for the previous fiscal year. If the balance in the account becomes less than seven percent of the official forecast for the previous fiscal year, deposits to the fund shall commence to be credited to the account as provided in this Paragraph.

(3) Deposits made to the fund which are not credited to the Revenue Reserve Account as provided in this Subsection shall be credited to the Fiscal Responsibility Account.

(4) If the balance in the Revenue Reserve Account at the beginning of a fiscal year is less than seven percent of the official forecast for the preceding fiscal year, unencumbered monies in the Fiscal Responsibility Account shall be credited to the Revenue Reserve Account until the balance in the Revenue Reserve Account is equal to seven percent of the official forecast for the preceding fiscal year."

AMENDMENT NO. 13

On page 4, delete lines 10 through 16 and insert:

"§92. Use of the fund; procedure Revenue Reserve Account

A. The monies in the fund Revenue Reserve Account shall not be available for appropriation or use except under the following conditions:

(1) If the official forecast of recurring money for the next fiscal year is less than revenues received by the state the official forecast of recurring money for the preceding current fiscal year, the difference, which shall not exceed one-third of the fund may account shall be incorporated into the official forecast. The amount of the fund account"

Page 22 HOUSE

11th Day's Proceedings - April 15, 1997

AMENDMENT NO. 14

On page 4, at the beginning of lines 25 and 26 change "fund" to "account"

AMENDMENT NO. 15

On page 5, delete line 12 and insert:

"§93. ~~Use of investment earnings~~ Fiscal Responsibility Account"

AMENDMENT NO. 16

On page 5, delete lines 13 through 27 and insert:

"The monies in the Fiscal Responsibility Account may be appropriated but only for the following purposes:

(1) To provide for payments against the unfunded accrued liability of the public retirement systems which are in addition to any payments required for the annual amortization of the unfunded accrued liability of the public retirement systems, required by Article X, Section 29 of the Constitution of Louisiana, however, any such payment to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.

(2) To provide for retiring or defeasance of bonds in advance and in addition to the existing amortization requirements of the state.

(3) To provide for funding for capital outlay projects in the comprehensive state capital budget."

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. 1628—

BY REPRESENTATIVES DIMOS AND MCMAINS
AN ACT

To amend and reenact Chapters 4, 5, 6, and 13 of Title I of Book III of the Civil Code, heretofore comprised of Articles 934 through 1074 and Articles 1415 through 1466, to comprise Articles 934 through 968 and Articles 1415 through 1429, Chapter 6 of Title II of Book III of the Civil Code, heretofore comprised of Articles 1570 through 1723, to comprise Articles 1570 through 1616, Civil Code Article 3506, Code of Civil Procedure Articles 427, 2825, 2826, 2852, 2856, 2891, 2932, 2951, 3001, 3004, 3031, 3228, 3301 through 3304, 3332, 3361, 3362, 3371, 3393, and 3394, R.S. 9:1521 and R.S. 9:2501; to enact R.S. 9:2441; to transfer and redesignate Civil Code Article 890.1 as R.S. 9:1400, and R.S. 9:1471 through 1474 as Code of Civil Procedure Articles 3295 through 3298 of Section 5 of Chapter 6 of Title III of Book VI; to redesignate Civil Code Article 1497 as Civil Code Article 1515; and to repeal Code of Civil Procedure Articles 2887, 2933, and 3155.1, and R.S. 9:2442 through 2445, all relative to the revision of the law of successions; to provide for intestate successions and the usufruct of the surviving spouse; to provide for commencement of successions, loss of succession rights, acceptance and renunciation of successions, and payment of the debts of an estate; to provide for testamentary dispositions; to provide for probate procedure; to provide for public sale of succession property; to provide for transitional provisions; 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. 1628 by Representatives Dimos and McMains

AMENDMENT NO. 1

On page 30, line 3, after "of" and before "successors" insert "universal"

AMENDMENT NO. 2

On page 30, line 4, delete "Successors are solidarily" and insert "Universal successors are"

AMENDMENT NO. 3

On page 30, line 5, after "debts" and before the comma "," insert "in proportion to the part which each has in the succession"

AMENDMENT NO. 4

On page 30, at the beginning of line 9, before "successor" insert "universal"

AMENDMENT NO. 5

On page 30, line 11, after "La." and before "Art. 427." change "C.C." to "C.C.P."

AMENDMENT NO. 6

On page 30, delete lines 12 through 38 and on page 31, delete lines 1 through 50, and on page 32, delete lines 1 and 2

AMENDMENT NO. 7

On page 99, line 2, after "1998" change the semicolon ";" to a period "." and delete the remainder of the line and delete lines 3 through 5 in their entirety

AMENDMENT NO. 8

On page 99, after line 5, insert the following:

"Section 12. In accordance with Joint Rule No. 10 of the Joint Rules of the Senate and House of Representatives, the Louisiana State Law Institute is hereby urged and directed to include comments consistent with the provisions of this Act."

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. 1750—

BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 33:103(C)(1)(j) and 2536.3 and R.S. 40:401.10, relative to the compensation of members of certain boards in certain municipalities; to authorize payment of per diem to

members of such boards for attendance at meetings and to provide otherwise relative to such per diem; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1826—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 30:2011.2, relative to environmental justice; to provide for studies; to provide for minority populations; to provide for toxic discharges; 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. 1826 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 8 after "The" delete the remainder of the line.

AMENDMENT NO. 2

On page 1, line 9, after "department" and before "shall" delete the comma " , "

AMENDMENT NO. 3

On page 1, line 9, delete "relationship between the"

AMENDMENT NO. 4

On page 1, line 11, after "color" and before "that" insert "or economically disadvantaged"

AMENDMENT NO. 5

On page 1, line 16, after "color" and before "The" delete the period "." and insert in lieu thereof "and the percent which constitutes the economically disadvantaged."

AMENDMENT NO. 6

On page 2, line 4, change "section" to "department"

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. 1830—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 47:463.3(A), 463.9(B), 463.14(B), 463.22(B), 463.32(E), 463.39(C), 463.40(C), and 463.41(E) and to repeal R.S. 47:463.39(D) and 463.40(D) and (E), relative to motor vehicle registration; to repeal the fees for certain prestige license plates; 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. 1830 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:463.3(A)," delete the remainder of the line and insert the following in lieu thereof:

"463.5(B), 463.6(B)(3), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.22(B), 463.23(B), 463.24(B), 463.28(C), 463.30(B),"

AMENDMENT NO. 2

On page 1, line 3, after "463.32(E)," delete the remainder of the line and insert the following in lieu thereof:

"463.33(B), 463.36(B), 463.37(B), 463.39(C), 463.40(C), 463.41(E), and 463.42(B) and to repeal R.S."

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 47:463.3(A)," delete the remainder of the line and insert the following in lieu thereof:

"463.5(B), 463.6(B)(3), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.22(B), 463.23(B), 463.24(B), 463.28(C), 463.30(B),"

AMENDMENT NO. 4

On page 1, line 9, after "463.32(E)," delete the remainder of the line and insert the following in lieu thereof:

"463.33(B), 463.36(B), 463.37(B), 463.39(C), 463.40(C), 463.41(E), and 463.42(B) are hereby amended and"

AMENDMENT NO. 5

On page 2, line 12, after "fee" delete the period "." and insert "and an additional fee of one dollar."

AMENDMENT NO. 6

On page 2, between lines 13 and 14, insert the following:

"§463.5. Private bus; recreational vehicles

* * *

B. Such vehicle also shall be eligible for prestige plates as provided for in R.S. 47:463.2, 463.18, and 463.31 upon payment of a fee of twenty-five dollars a year for each plate, which shall be in addition to the regular motor vehicle registration license fee.

* * *

§463.6. Volunteer fire departments and volunteer firemen

* * *

B.

* * *

(3) ~~The fee for each plate of twenty-five dollars a year shall be paid for each plate, which shall be in addition to~~ shall be the regular motor vehicle registration license fee. The special plates may be transferred to an owner's subsequent vehicle and the fee for such transfer shall be three dollars.

* * **

AMENDMENT NO. 7

On page 2, between lines 21 and 22, insert the following:

"§463.10. Special license plates for members of the Louisiana National Guard

The secretary of the Department of Public Safety and Corrections shall establish special license plates for passenger cars, pickup trucks, vans, and motor homes that may be issued to any active member of the Louisiana National Guard upon such member's application. The license plate shall bear either the official emblem of the guard or the letters "LANG" followed by such numbers as the secretary finds expedient, and he shall establish such rules and regulations as are necessary. Oversight review of the secretary's rules and regulations shall be conducted by the Joint Legislative Committee on Transportation, Highways and Public Works. ~~A fee of twenty-five dollars a year shall be paid for each plate, which shall be in addition to~~ The fee for each plate shall be the regular motor vehicle license fee. The adjutant general is authorized to recognize not more than one hundred personal staff members, battalion commanders, directors of various facilities, full colonels and above, and others by designating the issue of special prestige license plates numbered "1" through "100". The adjutant general is responsible for furnishing the secretary necessary information to effect issue of the plates. The secretary shall issue replacement plates for those special prestige license plates so surrendered. Upon termination of status as a member of the Louisiana National Guard, a member with less than twenty years of service shall surrender the special plates provided for herein to the secretary. A member with twenty years or more of service in good standing shall continue to have the option to renew his special plates annually.

* * *

§463.12. Street rod license plates

* * *

B. The fee for issuing the street rod license plate provided for in this Section shall be ~~twenty-five dollars a year for each plate which shall be in addition to~~ the regular motor vehicle registration license fee.

* * **

AMENDMENT NO. 8

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

"§463.15. Special license plates for Louisiana members and retired members of the reserve forces of the U.S.

* * *

C. ~~A fee of twenty-five dollars a year shall be paid for each plate, which shall be in addition to~~ The fee for each plate shall be the regular motor vehicle registration license fee for number plates.

* * *

§463.16. Special license plates or authorized identification for World War II, Korean War, and other military vehicles

* * *

D. The fee for issuing the license plates or authorized identification provided for in this Section shall be ~~a fee of twenty-five dollars a year for each plate, which shall be in addition to~~ the regular motor vehicle registration license fee for the military personalized prestige plates. The fee for transferring such plate or authorized identification to a subsequent owner of the vehicle shall be three dollars.

* * **

AMENDMENT NO. 9

On page 3, between lines 9 and 10, insert the following:

"§463.23. Special license plates for active and retired firefighters

* * *

B. The fee for issuing the special active full-time professional and the retired firefighter plate shall be ~~twenty-five dollars a year for each plate, which shall be in addition to~~ the regular motor vehicle registration license tax.

* * *

§463.24. Special license plates for retired law officers

* * *

B. The fee for issuing the special retired law officer plate shall be ~~twenty-five dollars a year for each plate, which shall be in addition to~~ the regular motor vehicle registration license fee.

* * *

§463.28. Special license plates for members of the Civil Air Patrol

* * *

C. ~~A~~ The fee of twenty-five dollars a year shall be paid for each plate, which shall be in addition to shall be the regular motor vehicle registration license fee.

* * *

§463.30. Special license plates for active full-time professional firefighters

* * *

B. The fee for issuing the special active full-time professional firefighter plate shall be ~~twenty-five dollars a year, which shall be paid for each plate and which shall be in addition to~~ the regular motor vehicle registration license fee.

* * *

AMENDMENT NO. 10

On page 3, between lines 17 and 18, insert the following:

"§463.33. Street cruiser license plates

* * *

B. ~~On and after August 15, 1995, the~~ The fee for issuing the street cruiser license plate provided for in this Section shall be ~~twenty-five dollars a year for each plate, which shall be in addition to~~ the regular motor vehicle registration license fee.

* * *

§463.36. Special prestige license plates; clergy

* * *

B. The charge for this special license plate shall be ~~twenty-five dollars a year for each plate, which shall be in addition to~~ the regular motor vehicle registration license fee charged under the provisions of R.S. 47:463.

* * *

§463.37. Special prestige license plates; retired legislators

* * *

B. The charge for this special license plate shall be ~~twenty-five dollars a year for each plate, which shall be in addition to~~ the regular motor vehicle registration license fee charged under the provisions of R.S. 47:463.

* * *

AMENDMENT NO. 11

On page 4, between lines 19 and 20, insert the following:

"§463.42. Special prestige license plates for certain veterans of the United States Marine Corps

* * *

B. The prestige license plates shall be issued in the same manner as other motor vehicle license plates. The charge for the issuance or renewal of a prestige license plate under this Section shall be ~~twenty-five dollars a year for each plate, which charge shall be in addition to~~ the regular motor vehicle license fee. Each person who applies for the issuance or renewal of a prestige license plate under this Section shall present to the secretary such proof of service in the Marine Corps and membership in the Marine Corps League as is acceptable to the secretary.

* * *

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. 1861—

BY REPRESENTATIVES WRIGHT AND BRUCE
AN ACT

To amend and reenact R.S. 30:2531(D)(1), relative to littering offenses; to provide for penalties; 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. 1958—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 33:381(A) and (B), 386(D), 404(A)(1), 426, and 441(B) and to enact R.S. 33:406(A)(3), relative to Lawrason Act municipalities; to provide relative to the authority of the mayor and the board of aldermen on matters including revenues and debt, the adoption of resolutions, oversight of the street commissioner, and the appointment of a municipal magistrate; to provide relative to terms of certain municipal officials; to provide relative to other positions which mayors and aldermen may hold; to provide relative to limits on the authority of the mayor; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 1958 by Representative Pinac

AMENDMENT NO. 1

On page 1, lines 2 and 13, after "R.S. 33:381(A) and (B)," and before "404(A)(1)," change "386(C) and (D)," to "386(D),"

AMENDMENT NO. 2

On page 1, at the beginning of line 6, delete "employment of attorneys, the"

AMENDMENT NO. 3

On page 2, delete lines 11 through 20

AMENDMENT NO. 4

On page 2, delete lines 25 and 26 and on page 3, delete lines 1 and 2 and insert the following:

"attorney, and court magistrate shall end at the time of the first regular meeting of the board of aldermen succeeding each regular municipal election."

Page 26 HOUSE

11th Day's Proceedings - April 15, 1997

AMENDMENT NO. 5

On page 3, line 20, between "provide for" and "the incurrence" insert "the appropriation of funds."

AMENDMENT NO. 6

On page 3, line 21, after "of debt" insert a comma ",."

AMENDMENT NO. 7

On page 3, line 22, after "ordinance." delete the remainder of the line and delete line 23 and insert the following:

"Notwithstanding the provisions of Paragraph (2) of this Subsection, the board may by resolution adopted by the affirmative vote of a majority of the members of the board require the expenditure of funds previously appropriated. Such resolution shall be presented to"

AMENDMENT NO. 8

On page 4, line 1, after "Street" delete the remainder of the line and insert "commissioner; duties"

AMENDMENT NO. 9

On page 4, at the beginning of line 2, insert "The mayor may appoint a street commissioner subject to confirmation by the board of aldermen."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2073— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 33:4570.11, to create a recreation and park commission in certain parishes; to provide for the composition, operation, powers, and duties of such commission which powers shall include, subject to voter approval, the incurrence of debt and the levy of ad valorem taxes; to provide for a recreation director, who shall be an employee of the board, and his duties and responsibilities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 2073 by Representative Faucheux

AMENDMENT NO. 1

On page 1, at the end of line 13, change "thirty-nine" to "ten"

AMENDMENT NO. 2

On page 1, line 14, between "then" and "thousand" change "forty-one" to "forty-nine"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2245— BY REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 33:404.1 and 405(G) and to repeal R.S. 33:405(H), relative to the compensation of municipal officials; to provide relative to the compensation of aldermen; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2293 (Substitute for House Bill No. 24 by Representative Flavin, et al.)—

BY REPRESENTATIVES FLAVIN, A. ALEXANDER, CLARKSON, DIEZ, DIMOS, DOWNER, DUPRE, FONTENOT, FRITH, FRUGE, GUILLORY, HEATON, HILL, HUDSON, ILES, JOHNS, MARTINY, McDONALD, MCMAINS, MICHOT, MITCHELL, ODINET, PIERRE, ROUSSELLE, SALTER, SHAW, STELLY, STRAIN, AND TRICHE AND SENATORS BARHAM, BEAN, COX, DEAN, HAINKEL, ROBICHAUX, SCHEDLER, AND SHORT

AN ACT

To amend and reenact Code of Criminal Procedure Art. 219, relative to agents of the Federal Bureau of Investigation; to grant the agents qualified immunity under certain circumstances; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 466— BY SENATOR BAGNERIS AN ACT

To amend and reenact R.S. 43:31(B) and to enact R.S. 43:31(A)(5), relative to printing of state government entities; to authorize the Department of Culture, Recreation and Tourism to print new promotional materials that enhance the development and implementation of its programs when funds have been appropriated for that purpose; to exempt those new promotional materials from the required cost to produce statement; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 674—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 36:204(A)(7), relative to the powers and duties of the secretary of culture, recreation and tourism; to permit the secretary to authorize the printing of materials which assist in the promotion of the cultural, natural, historic, and recreational resources and programs of the state; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 674 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 12 after "law," and before "shall:" delete "he" and insert "the secretary"

AMENDMENT NO. 2

On page 1, line 16, after "thereof" delete the remainder of the line and on page 2, delete lines 1 through 3 and insert the following:

"The secretary shall not authorize reports and recommendations which include the issue, publication, or distribution of general information documents or pamphlets, which are published on a regular basis and are generally known as newsletters; except that the secretary may"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 1057—
BY REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 17:8(J), relative to textbooks for public elementary and secondary schools; to require the State Board of Elementary and Secondary Education to establish a procedure enabling the governing authority of a public elementary or secondary school to order and receive certain textbooks directly from textbook

publishers; to provide certain guidelines; to provide for implementation; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Engrossed House Bill No. 1057 by Representative Doerge

AMENDMENT NO. 1

On page 2, at the end of line 3, add the following:

"However, any textbook purchased under the provisions of this Paragraph shall be purchased at the same price or a lower price than such textbook can be purchased from any source other than the publisher."

Rep. Travis moved the adoption of the amendments.

Rep. Wright objected.

By a vote of 67 yeas and 22 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Frith
Fruge
Total—100

Pierre
Pinac

NAYS

Total—0

ABSENT

Alexander, A.—93rd
Glover
Total—5

Jenkins
Kenney

Mitchell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Doerge 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. Downer, the rules were suspended in order to take up House Bill No. 873 just ordered reengrossed at this time.

HOUSE BILL NO. 873—

BY REPRESENTATIVES DOWNER, ALARIO, R. ALEXANDER, BARTON, CRANE, DANIEL, DEWITT, DEVILLE, DIMOS, DONELON, DUPRE, FLAVIN, HEBERT, JETSON, JOHNS, LEBLANC, LONG, McDONALD, MCMAINS, MICHOT, RIDDLE, SCALISE, JOHN SMITH, STELLY, TRICHE, WIGGINS, CLARKSON, FRUGE, AND WRIGHT AND SENATOR EWING

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10(B) and (D)(2) and 10.3 of the Constitution of Louisiana, relative to the expenditure of state funds; to provide for allowable uses of nonrecurring revenues; to restructure and rename the "Revenue Stabilization/Mineral Trust Fund" within the state treasury; to establish certain accounts within the fund; to provide for deposit of certain monies into the fund; to provide for allowable uses of monies in the fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barton to Reengrossed House Bill No. 873 by Representative Downer, et al.

AMENDMENT NO. 1

On page 4, delete lines 21 through 26; and on page 5 delete lines 1 through 5

AMENDMENT NO. 2

On page 5, at the beginning of line 6 change "(5)" to "(4)"

AMENDMENT NO. 3

On page 8, delete lines 17 through 20; and at the beginning of line 21 delete "from the casino," and insert "state"

Rep. Barton moved the adoption of the amendments.

Rep. Downer objected.

By a vote of 38 yeas and 57 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Landrieu to Reengrossed House Bill No. 873 by Representative Downer, et al.

AMENDMENT NO. 1

On page 3, delete lines 8 and 9 in their entirety

AMENDMENT NO. 2

On page 3, at the beginning line of 10, change "(d)" to "(c)"

AMENDMENT NO. 3

On page 7, delete lines 25 and 26 in their entirety

AMENDMENT NO. 4

On page 9, line 4, after "state debt," and before "payments" insert "and"

AMENDMENT NO. 5

On page 9, delete line 5 in its entirety and insert in lieu thereof:

"the public retirement systems. (Amends"

Rep. Landrieu moved the adoption of the amendments.

Rep. Downer objected.

By a vote of 41 yeas and 59 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Reengrossed House Bill No. 873 by Representative Downer, et al.

AMENDMENT NO. 1

On page 2, delete lines 24 and 25 and insert in lieu thereof the following:

"(a) Retirement in advance of maturity through redemption, purchase, or repayment of debt of the state pursuant to a plan proposed by the State Bond commission which maximizes the savings to the state. The amount of the reduction in debt service payment in the fiscal year succeeding the fiscal year in which debt is retired pursuant to this Subparagraph and which is attributable to the debt retired shall be deemed to be nonrecurring revenue for purposes of this Subparagraph."

AMENDMENT NO. 2

On page 7, delete lines 20 through 24 in their entirety and insert in lieu thereof the following:

"(b) To provide for retirement in advance of maturity through redemption, purchase, or repayment of debt of the state pursuant to a plan proposed by the State Bond commission which maximizes the

savings to the state. The amount of the reduction in debt service payment in the fiscal year succeeding the fiscal year in which debt is retired pursuant to this Subparagraph and which is attributable to the debt retired shall be deemed to be nonrecurring revenue for purposes of this Subparagraph."

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

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

Motion

Rep. Landrieu moved to make House Bill No. 873 Special Order of the Day No. 1 for Monday, April 21, 1997.

Rep. Downer objected.

As a substitute motion, Rep. Downer moved that the previous question be ordered on the entire subject matter.

Rep. Landrieu objected.

The vote recurred on the substitute motion.

By a vote of 74 yeas and 21 nays, the House agreed to order the previous question on the entire subject matter.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Green	Powell
Alexander, R.—13th	Hammett	Quezaire
Bowler	Heaton	Riddle
Bruce	Hebert	Romero
Brun	Hill	Salter
Bruneau	Holden	Scalise
Carter	Hopkins	Schneider
Chaisson	Iles	Shaw
Clarkson	Johns	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Damico	Kenney	Stelly
Daniel	Lancaster	Strain
Deville	LeBlanc	Thomas
DeWitt	Long	Thompson
Diez	Marionneaux	Thornhill
Dimos	Martiny	Toomy
Doerge	McCain	Travis
Donelon	McCallum	Triche
Dupre	McDonald	Vitter
Durand	McMains	Walsworth
Farve	Michot	Warner
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Odinet	Windhorst
Frith	Perkins	Wright
Fruge	Pierre	
Total—83		

NAYS

Ansardi	Landrieu	Winston
Baudoin	Rousselle	

Total—5

ABSENT

Alexander, A.—93rd	Guillory	Murray
Barton	Hudson	Pratt
Baylor	Hunter	Theriot
Copelin	Jenkins	Welch
Curtis	Jetson	Weston
Glover	Mitchell	
Total—17		

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

Speaker Downer in the Chair

HOUSE BILL NO. 1149—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:700.1(1), relative to the Fisherman's Gear Compensation Fund; to provide definitions; to define "income" to exclude income of a spouse; and to provide for related matters.

Read by title.

Rep. Odinet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Page 30 HOUSE

11th Day's Proceedings - April 15, 1997

Forster	Perkins	Winston
Frith	Pierre	Wright
Frige	Pinac	
Gautreaux	Powell	
Total—97		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Guillory	Martiny
Ansardi	Jenkins	Mitchell
Farve	Lancaster	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Odinet 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. 1150—

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 56:8(76.1), relative to fishing; to define "private pond" for the purposes of the production and harvesting of crawfish and catfish; and to provide for related matters.

Read by title.

Rep. Riddle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Powell
Alario	Gautreaux	Pratt
Ansardi	Glover	Quezaire
Barton	Green	Riddle
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Bruce	Holden	Scalise
Brun	Hopkins	Schneider
Bruneau	Hudson	Smith, J.D.—50th
Carter	Hunter	Stelly
Chaisson	Iles	Strain
Clarkson	Jetson	Theriot
Copelin	Johns	Thomas
Crane	Kennard	Thompson
Curtis	Kenney	Thornhill
Damico	Landrieu	Toomy
Daniel	LeBlanc	Travis
Deville	Long	Triche
DeWitt	Marionneaux	Vitter
Diez	Martiny	Walsworth
Dimos	McCain	Warner
Doerge	McCallum	Welch
Donelon	McDonald	Weston
Dupre	McMains	Wiggins
Durand	Michot	Wilkerson
Farve	Montgomery	Willard-Lewis
Faucheux	Morrish	Windhorst
Flavin	Murray	Winston

Fontenot	Odinet	Wright
Forster	Pierre	
Frith	Pinac	
Total—94		

NAYS

Perkins
Total—1

ABSENT

Alexander, A.—93rd	Jenkins	Shaw
Alexander, R.—13th	Lancaster	Smith, J.R.—30th
Guillory	Mitchell	
Hammett	Morrell	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1204—

BY REPRESENTATIVES FORSTER, DEWITT, GAUTREAUX, JOHNS, THORNHILL, AND VITTER AND SENATOR DYESS

AN ACT

To amend and reenact R.S. 46:153(G) and to enact R.S. 36:259(I)(6), relative to the Medicaid estate recovery program; to provide with respect to the amount which can be recovered from the estate of the decedent or recipients of the decedent's property; to provide for those individuals from which the department can recover; to authorize the department to waive certain claims; to create the Louisiana Estate Recovery Waiver Board; to provide for the purpose of the board; to provide for the appointment of board members; to provide for definitions; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1393—

BY REPRESENTATIVES SCHNEIDER, FAUCHEUX, HEATON, KENNARD, MCCAIN, MORRISH, PERKINS, ROMERO, AND TRICHE

AN ACT

To enact R.S. 14:103.1, relative to offenses affecting the general peace and order; to prohibit the emanation of excessive sound or noise by use of a sound amplification system; to provide exceptions thereto; to provide penalties for violations thereof; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1393 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 2, line 1, after "(b)" delete the remainder of the line and delete line 2 and insert "Public or private property when the owner or lessee of such property does not hold a parish or municipal occupational license."

AMENDMENT NO. 2

On page 2, at the end of line 4 change "or" to "and"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1393 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 2, between lines 16 and 17 insert the following:

"(4) Any local governmental subdivision the governing authority of which has adopted ordinances governing the use of sound amplification systems."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Engrossed House Bill No. 1393 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 2, delete lines 18 and 19 in their entirety and insert in lieu thereof "one hundred dollars for a first offense, and not less than two hundred dollars nor more than five hundred dollars for second and subsequent offenses."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1393 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 1, line 13, after "any" delete "of" delete line 14 and at the beginning of line 15 delete "(a) Any"

AMENDMENT NO. 2

On page 2, delete lines 1 and 2

AMENDMENT NO. 3

On page 2, at the end of line 4, change "or" to "and"

AMENDMENT NO. 4

On page 2, line 6, after "to the" delete "following:" and at the beginning of line 7 delete "(1) The"

AMENDMENT NO. 5

On page 2, delete lines 11 through 16

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marionneaux to Engrossed House Bill No. 1393 by Representative Schneider, et al.

AMENDMENT NO. 1

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

"(c) Any licensed high or low alcoholic beverage retailer"

AMENDMENT NO. 2

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

"D. The provisions of this Section shall apply only in parishes with a population of fifty thousand or less."

Rep. Marionneaux moved the adoption of the amendments.

Rep. Travis objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Baudoin	Frith	Morrish
Baylor	Glover	Murray
Bruce	Guillory	Odinot
Carter	Hammett	Perkins
Clarkson	Hill	Pierre
Copelin	Hunter	Quezaire
Curtis	Landrieu	Romero
Daniel	Marionneaux	Warner
Deville	McCain	Welch
Dimos	McDonald	
Total—32		

NAYS

Alario	Iles	Smith, J.D.—50th
Bowler	Johns	Smith, J.R.—30th
Brun	Kenney	Stelly
Bruneau	Lancaster	Strain
Chaisson	LeBlanc	Theriot
Crane	Long	Thomas
Damico	Martiny	Thompson
DeWitt	McCallum	Thornhill
Diez	McMains	Toomy
Doerge	Michot	Travis
Donelon	Mitchell	Triche
Durand	Montgomery	Vitter
Farve	Pinac	Walsworth

Page 32 HOUSE

11th Day's Proceedings - April 15, 1997

Flavin	Powell	Wiggins
Forster	Pratt	Wilkerson
Früge	Riddle	Willard-Lewis
Green	Rousselle	Windhorst
Heaton	Salter	Winston
Holden	Scalise	Wright
Hopkins	Schneider	
Total—59		

ABSENT

Alexander, A.—93rd	Fontenot	Jetson
Alexander, R.—13th	Gautreaux	Kennard
Ansardi	Hebert	Shaw
Barton	Hudson	Weston
Dupre	Jenkins	
Total—14		

The amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Glover	Powell
Barton	Green	Pratt
Baudoin	Guillory	Quezairé
Baylor	Hammett	Romero
Bowler	Heaton	Rousselle
Bruce	Hill	Salter
Brun	Holden	Scalise
Bruneau	Hopkins	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Strain
Curtis	Lancaster	Theriot
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	McCain	Toomy
Diez	McCallum	Travis
Dimos	McDonald	Triche
Doerge	McMains	Vitter
Donelon	Michot	Walsworth
Farve	Mitchell	Warner
Faucheux	Montgomery	Welch
Flavin	Morrell	Wiggins
Fontenot	Murray	Wilkerson
Forster	Odinet	Willard-Lewis
Frith	Perkins	Windhorst
Früge	Pierre	Wright
Total—90		

NAYS

Durand	Riddle
Morrish	Winston
Total—4	

ABSENT

Alexander, A.—93rd	Hebert	Marionneaux
Alexander, R.—13th	Hudson	Martiny
Ansardi	Jenkins	Weston
Dupre	Jetson	

Total—11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1512— BY REPRESENTATIVE DONELON AN ACT

To amend and reenact R.S. 22:669(A)(1) and (2), relative to health insurance policies; to provide for benefits for the treatment of certain mental illnesses; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 1512 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 4, following "illnesses;" and before "and" insert "to define serious emotional disturbances;"

AMENDMENT NO. 2

On page 2, line 8, following "(2)" and before "If" insert "(a)"

AMENDMENT NO. 3

On page 2, line 18, before "Schizophrenia" change "(a)" to "(i)"

AMENDMENT NO. 4

On page 2, line 19, before "Bipolar" change "(b)" to "(ii)"

AMENDMENT NO. 5

On page 2, line 20, before "Pervasive" change "(c)" to "(iii)"

AMENDMENT NO. 6

On page 2, line 21, before "Panic" change "(d)" to "(iv)"

AMENDMENT NO. 7

On page 2, line 22, before "Obsessive" change "(e)" to "(v)"

AMENDMENT NO. 8

On page 2, line 23, before "Major" change "(f)" to "(vi)"

AMENDMENT NO. 9

On page 2, line 24, before "For" change "(3)" to "(b)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Donelon to Engrossed House Bill No. 1512 by Representative Donelon

AMENDMENT NO. 1

On page 2, line 4, after "illnesses" delete the remainder of the line.

AMENDMENT NO. 2

On page 2, at the end of line 7, insert the following:

"Such policies, contracts, and plans shall also offer to the policyholder in all group, blanket, and franchise policies an optional provision in the policy, contract, benefit plan, agreement, or program which states that benefits shall be payable for services rendered for the treatment of mental or nervous disorders, or both, under the same circumstances and conditions as benefits are paid under those policies, contracts, benefit plans, agreements, or programs for all other diagnoses, illnesses, or accidents."

AMENDMENT NO. 3

On page 2, line 8, insert the following:

"If the policyholder elects not to purchase ~~this~~ the optional coverage, the insurer shall not be required to notify the policyholder in any renewal, reinstatement, or modified policy as to the availability of the optional coverage. However, the policyholder may request the optional coverage in writing on any anniversary date of the policy."

AMENDMENT NO. 4

On page 2, line 14, after "illnesses" insert a colon ":" and delete the remainder of the line and lines 15 through 17 in their entirety.

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 3, delete lines 1 through 7 in their entirety.

AMENDMENT NO. 7

On page 3, after line 8, insert the following:

"Section 2. The coverages for severe mental illnesses created in this Act shall be null and void on January 1, 2000."

Motion

Rep. Travis moved the previous question be ordered on the amendments.

By a vote of 64 yeas and 29 nays, the House agreed to order the previous question on the amendments.

Rep. Donelon moved the adoption of the amendments.

Rep. Travis objected.

By a vote of 80 yeas and 12 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Diez to Engrossed House Bill No. 1512 by Representative Donelon

AMENDMENT NO. 1

On page 1, delete line 10 and insert in lieu thereof the following:

"A.(1) Every person authorized to issue a hospital"

AMENDMENT NO. 2

On page 1, line 11, delete "insurance"

AMENDMENT NO. 3

On page 2, at the end of line 7, add the following:

"The provisions of this Subsection shall not apply to employers with fifty or more employees."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Ansardi	Hammett	Pratt
Barton	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hudson	Scalise
Bruneau	Iles	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Daniel	Long	Thompson
Deville	Marionneaux	Thornhill
DeWitt	McCain	Travis
Dimos	McCallum	Triche
Doerge	McDonald	Vitter
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard-Lewis
Frith	Odinot	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Total—90		

NAYS

Page 34 HOUSE

11th Day's Proceedings - April 15, 1997

Brun	Fruge	Schneider
Crane	Hopkins	Toomy
Diez	Lancaster	
Forster	Martiny	
Total—10		

ABSENT

Alexander, A.—93rd	Hunter	Romero
Alexander, R.—13th	Jenkins	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1624—
BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact R.S. 17:414.2, relative to assessment of academic achievement of students by public elementary and secondary school teachers; to prohibit certain actions relative to influencing, altering, or otherwise affecting grades; to prohibit, with certain exceptions and then only in accordance with certain procedures, the alteration or change in any manner of a grade; to provide limitations on the use of certain grade determinations for assessment and evaluation of a teacher's performance; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Brun moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Faucheux	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	
Gautreaux	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Hudson	Romero
Diez	Jenkins	Vitter
Flavin	Johns	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1640—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 17:154.1(B), 154.2(B)(1), 225, 236, 346.1, 421.3(A)(introductory paragraph), 496.1, and 497(A)(2), relative to the school year; to provide for an incremental increase in the number of instructional days and the minimum session of attendance; to provide relative to the effectiveness of such increases; and to provide for related matters.

Read by title.

Rep. Stelly moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Powell
Alario	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Salter
Baudoin	Hebert	Scalise
Baylor	Holden	Schneider
Bowler	Hunter	Shaw
Bruce	Iles	Smith, J.D.—50th
Brun	Jetson	Smith, J.R.—30th
Bruneau	Kennard	Stelly
Chaisson	Kenney	Strain
Clarkson	Lancaster	Theriot
Copelin	Landrieu	Thomas
Crane	LeBlanc	Thompson
Curtis	Long	Thornhill
Damico	Martiny	Toomy
Daniel	McCain	Travis
Deville	McCallum	Triche
DeWitt	McDonald	Vitter
Dimos	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston

Farve	Morrell	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Murray	Willard-Lewis
Forster	Odinot	Windhorst
Frith	Perkins	Winston
Fruge	Pierre	Wright
Gautreaux	Pinac	
Total—92		

NAYS

Carter	Hill	Rousselle
Doerge	Marionneau	
Fontenot	Romero	
Total—7		

ABSENT

Alexander, A.—93rd	Hopkins	Jenkins
Diez	Hudson	Johns
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Stelly 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. 1671—

BY REPRESENTATIVES DONELON, ANSARDI, CHAISSON, JOHNS, MARTINY, MCMAINS, MONTGOMERY, JACK SMITH, AND BAYLOR AND SENATORS LENTINI, BEAN, CRAVINS, HEITMEIER, HINES, AND TARVER

AN ACT

To amend and reenact R.S. 22:844(A)(7) and (8), (B), and (D)(3), and 846(C) and to enact R.S. 22:844(A)(17) and (18), relative to domestic insurers; to provide for investment in securities; to provide for investments in equipment trust obligations; to provide for investments in asset-backed securities; and to provide for related matters.

Read by title.

Rep. Donelon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneau	Travis
Dimos	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinot	Wright
Total—102		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Jenkins	Shaw
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Faucheux, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 1810—

BY REPRESENTATIVES DONELON, ANSARDI, CHAISSON, JOHNS, MARTINY, MCMAINS, MICHOT, MONTGOMERY, PIERRE, JACK SMITH, STELLY, WINDHORST, AND BAYLOR AND SENATORS LENTINI, BEAN, CRAVINS, HEITMEIER, HINES, AND TARVER

AN ACT

To enact Part XVII-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:820 and 821 and R.S. 22:1004.1 through 1004.8, relative to domestic mutual insurance companies; to permit the conversion of the corporate status of domestic insurers; to provide certain criteria, including the prior approval of the commissioner of insurance and certain policyholders; to permit the domestic mutual company to convert to an intermediate holding company and mutual insurance holding company; to provide delineated authority of the commissioner for the intermediate and mutual holding companies; to provide that the mutual insurance holding company and the intermediate holding company not to be considered engaging in the business of insurance; to provide certain definitions; to provide certain participation by the holding company in certain insurer's delinquency proceedings; to provide that a majority of the voting shares of the capital stock of the reorganized companies will be held by the mutual insurance holding company; to exempt membership interests in the domestic mutual insurance holding company from the requirements of securities law; to provide majority ownership of the mutual insurance holding company to the intermediate holding company; to provide that a good faith lack of compliance with the notice requirements would not impair the conversion; and to provide for related matters.

Read by title.

Rep. Donelon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

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

NAYS

Total—0

ABSENT

Alexander, A.—93rd Jenkins Thomas
Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1853—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:1388, relative to the Louisiana Insurance Guaranty Association (LIGA); to provide that the commissioner of insurance shall only determine LIGA's accounting and reporting methods; to provide for retroactivity; and to provide for related matters.

Read by title.

Rep. Donelon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

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

NAYS

Total—0

ABSENT

Alexander, A.—93rd Hudson McDonald
Faucheux Jenkins
Total—5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1854—

BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 22:1379(3)(e), relative to the Louisiana Insurance Guaranty Association; to provide the time period to file proof of claim against the association; to provide for retroactivity; and to provide for related matters.

Read by title.

Rep. Donelon moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

Ansardi	Johns	Salter
Clarkson	Kenney	Scalise
Damico	LeBlanc	Smith, J.R.—30th
Daniel	Long	Stelly
Diez	Marionneaux	Thompson
Donelon	McMains	Triche
Fontenot	Michot	Walsworth
Fruge	Montgomery	Warner
Gautreaux	Morrell	Wiggins
Hebert	Morrish	Winston
Hill	Odinet	Wright
Total—33		

NAYS

Alario	Forster	Perkins
Alexander, R.—13th	Frith	Pierre
Baudoin	Glover	Pinac
Baylor	Green	Powell
Bowler	Guillory	Pratt
Bruce	Hammett	Quezaire
Brun	Heaton	Riddle
Bruneau	Holden	Schneider
Carter	Hopkins	Shaw
Chaisson	Hunter	Smith, J.D.—50th
Copelin	Iles	Strain
Crane	Kennard	Theriot
Curtis	Lancaster	Thomas
Derville	Landrieu	Thornhill
DeWitt	Martiny	Travis
Dimos	McCain	Vitter
Doerge	McCallum	Welch
Dupre	McDonald	Wilkerson
Farve	Mitchell	Willard-Lewis
Faucheux	Murray	Windhorst
Total—60		

ABSENT

Mr. Speaker	Flavin	Romero
Alexander, A.—93rd	Hudson	Rousselle
Barton	Jenkins	Toomy
Durand	Jetson	Weston
Total—12		

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 1867—
BY REPRESENTATIVES CLARKSON AND LONG
AN ACT

To enact R.S. 49:193(B)(10) and (E)(17), relative to the termination and re-creation of statutory entities; to require certain information from the statutory entities; to provide for the evaluation and review of the statutory entity; and to provide for related matters.

Read by title.

Rep. Clarkson 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, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Derville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wright
Gautreaux	Pierre	
Glover	Pinac	
Total—100		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Doerge	Morrell
Barton	Jenkins	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Clarkson 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. 2010—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(m), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. DeWitt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Riddle
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Mitchell	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	
Gautreaux	Pierre	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd Jenkins
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. DeWitt 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. 2141—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:968(B)(2), relative to the oversight powers of the House Committee on Administration of Criminal Justice; to provide the committee with oversight of matters concerning concealed weapons and concealed weapon permits; and to provide for related matters.

Read by title.

Rep. Windhorst moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Baudoin	Heaton	Riddle
Baylor	Hebert	Romero
Bowler	Hill	Rousselle
Bruce	Holden	Salter
Brun	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Deville	Landrieu	Thompson
DeWitt	LeBlanc	Thornhill
Diez	Long	Toomy
Dimos	Marionneaux	Travis
Doerge	Martiny	Triche
Donelon	McCain	Vitter
Dupre	McCallum	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Forster	Morrish	Willard-Lewis
Frith	Murray	Windhorst
Fruge	Odinet	Wright
Gautreaux	Pierre	
Total—108		

NAYS

Total—0

ABSENT

Alexander, A.—93rd Jenkins Winston
Barton McDonald
Daniel Perkins
Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Windhorst 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. 2233—
BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE,
FARVE, MCDONALD, POWELL, PRATT, SALTER, SHAW, AND WRIGHT
AN ACT

To enact R.S. 17:24.9, relative to the Quality Early Reading Initiative; to provide for the development and implementation of the Quality Early Reading Initiative; to provide for legislative findings; to provide for criteria and evaluation of the initiative; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 2233 by Representative Long, et al.

AMENDMENT NO. 1

On page 2, between lines 12 and 13, insert the following:

"(5) A program that provides phonics as a component."

Rep. Perkins moved the adoption of the amendments.

Rep. Hudson objected.

By a vote of 95 yeas and 7 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Alexander, A.—93rd Flavin Smith, J.D.—50th

Damico Hudson
Faucheux Jenkins
Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

April 15, 1997

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

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

Senate Concurrent Resolution Nos. 20, 34, 42, 48, and 75

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Introduction of Resolutions, House and House Concurrent

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

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the state Department of Education to refrain from scheduling Louisiana Educational Assessment Program tests and the Graduation Exit Exam the week immediately following the change to Daylight Saving Time.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 106—

BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To commend and congratulate Mr. Wylie J. Harvey of the office of state parks within the Department of Culture, Recreation and Tourism upon his retirement after thirty-three years of

distinguished service to the state of Louisiana, and to wish him continued success in all of his future endeavors.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 107—

BY REPRESENTATIVE TOOMY
A CONCURRENT RESOLUTION

To express the condolences of the legislature to the family of Louis "Rags" Scheuermann.

Read by title.

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

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 2304—

BY REPRESENTATIVE WELCH
AN ACT

To amend and reenact Code of Evidence Art. 510(A)(2), relative to privileged communications between health care providers and patients; to make changes in the definition of a health care provider; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2305—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 33:4574.1-A(A)(1)(mm) and (G), relative to hotel occupancy taxes; to authorize a convention and visitors commission created for, or by the governing authority of, a parish with a population of between three hundred eighty thousand and four hundred thousand to levy a four percent tax upon the occupancy of hotel rooms; to provide for the use of the proceeds of such tax; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2306—

BY REPRESENTATIVES FORSTER AND BRUNEAU
AN ACT

To enact R.S. 17:3217.1, relative to public postsecondary education; to merge the Orleans Regional Vocational-Technical Institute with Delgado Community College in the University of Louisiana system; to transfer the funds, property, obligations, functions, and programs of the technical institute from the State Board of Elementary and Secondary Education to the Board of Trustees for State Colleges and Universities; to provide for the duties and responsibilities of the Board of Trustees for State Colleges and Universities; to provide with regard to the students, faculty, and employees of the technical institute at the time of merger; to provide for effectiveness; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2307—

BY REPRESENTATIVE THORNHILL
AN ACT

To enact R.S. 22:1118(F)(4), relative to insurance agents; to permit insureds and applicants to select their insurance agents in certain instances; to prohibit commissions to be paid to agents in certain instances; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2308—

BY REPRESENTATIVE HOPKINS AND BRUN
AN ACT

To amend and reenact R.S. 34:2303, relative to the Red River Waterway District Commission; to provide with respect to membership; to further provide regarding nomination and appointments thereto; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Ways and Means

April 15, 1997

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. 1437, by Alario
Reported with amendments. (10-0) (Regular)

JOHN A. ALARIO, JR.
Chairman

Report of the Committee on Civil Law and Procedure

April 15, 1997

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. 9, by Bruneau
Reported with amendments. (10-0) (Regular)

House Bill No. 15, by Brun (Joint Resolution)
Reported without amendments. (7-0) (Regular)

House Bill No. 514, by Dimos
Reported favorably. (8-0) (Regular)

House Bill No. 549, by Riddle (Joint Resolution)
Reported with amendments. (7-0) (Regular)

House Bill No. 583, by Dimos
Reported favorably. (7-0) (Regular)

House Bill No. 584, by Dimos
Reported favorably. (7-0) (Regular)

House Bill No. 585, by Dimos
Reported favorably. (11-0) (Regular)

House Bill No. 586, by Dimos
Reported favorably. (12-0) (Regular)

House Bill No. 637, by Bruneau
Reported favorably. (10-0) (Regular)

House Bill No. 667, by Bruneau (Joint Resolution)
Reported without amendments. (8-0) (Regular)

House Bill No. 707, by Barton (Joint Resolution)
Reported without amendments. (8-0) (Regular)

House Bill No. 708, by Barton (Joint Resolution)
Reported with amendments. (9-0) (Regular)

House Bill No. 716, by Dimos
Reported favorably. (11-0) (Regular)

House Bill No. 776, by Windhorst (Joint Resolution)
Reported with amendments. (9-0) (Regular)

House Bill No. 872, by Dimos
Reported favorably. (11-0) (Regular)

House Bill No. 1254, by Windhorst
Reported favorably. (13-0) (Regular)

House Bill No. 1388, by McMains
Reported favorably. (12-0) (Regular)

House Bill No. 1420, by LeBlanc
Reported favorably. (12-0) (Regular)

House Bill No. 1687, by Ansardi
Reported with amendments. (10-0) (Regular)

House Bill No. 2053, by Ansardi
Reported with amendments. (9-3) (Regular)

Senate Bill No. 330, by Dardenne (Joint Resolution)
Reported without amendments. (9-0) (Regular)

F. CHARLES MCMAINS, JR.
Chairman

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

Report of the Committee on Commerce

April 15, 1997

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. 293, by Travis
Reported favorably. (10-0) (Regular)

House Bill No. 1122, by Travis
Reported by substitute. (10-0)

House Bill No. 1364, by Travis
Reported favorably. (8-0) (Regular)

House Bill No. 1528, by Travis
Reported with amendments. (8-0) (Regular)

House Bill No. 1592, by Travis
Reported with amendments. (8-0) (Regular)

House Bill No. 1955, by Travis
Reported with amendments. (9-0) (Regular)

House Bill No. 1962, by Travis
Reported favorably. (9-0) (Regular)

House Bill No. 1968, by Travis
Reported favorably. (8-0) (Regular)

House Bill No. 2052, by Travis
Reported with amendments. (10-0) (Regular)

House Bill No. 2058, by Travis
Reported favorably. (10-0) (Regular)

House Bill No. 2060, by Travis
Reported with amendments. (12-0) (Regular)

House Bill No. 2078, by Travis
Reported with amendments. (10-0) (Regular)

House Bill No. 2156, by Travis
Reported with amendments. (10-0) (Regular)

House Bill No. 2205, by Travis
Reported favorably. (9-0) (Regular)

JOHN D. TRAVIS
Chairman

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

April 15, 1997

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. 2, by Triche
Reported with amendments. (12-0)

House Bill No. 306, by Downer
Reported with amendments. (9-0) (Regular)

House Bill No. 343, by Triche
Reported with amendments. (12-0) (Regular)

House Bill No. 355, by Heaton
Reported with amendments. (12-0) (Regular)

House Bill No. 391, by Triche
Reported with amendments. (9-0) (Regular)

House Bill No. 542, by Martiny
Reported favorably. (9-0) (Regular)

House Bill No. 601, by Fauchaux
Reported with amendments. (10-0) (Regular)

House Bill No. 627, by Quezaire
Reported favorably. (13-0) (Regular)

House Bill No. 648, by Frith
Reported favorably. (9-0) (Regular)

Page 42 HOUSE

11th Day's Proceedings - April 15, 1997

House Bill No. 1277, by Durand
Reported with amendments. (9-0) (Regular)

House Bill No. 1281, by Faucheux
Reported with amendments. (9-0) (Regular)

House Bill No. 1396, by Dupre
Reported with amendments. (13-0) (Regular)

House Bill No. 1480, by Triche
Reported with amendments. (9-0) (Regular)

House Bill No. 1670, by Clarkson
Reported with amendments. (11-0) (Regular)

JOHN C. DIEZ
Chairman

Report of the Committee on Environment

April 15, 1997

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. 91, by Long
Reported favorably. (9-0)

House Bill No. 487, by Weston
Reported favorably. (10-0) (Regular)

House Bill No. 991, by McCain
Reported favorably. (8-0) (Regular)

House Bill No. 1087, by Wiggins
Reported by substitute. (11-0)

House Bill No. 1491, by Fontenot
Reported with amendments. (11-0) (Regular)

House Bill No. 1492, by Fontenot
Reported with amendments. (10-0) (Regular)

House Bill No. 1762, by Damico
Reported favorably. (9-0) (Regular)

House Bill No. 1764, by Damico
Reported with amendments. (10-0) (Regular)

House Bill No. 1790, by DeWitt
Reported favorably. (11-0) (Regular)

N. J. DAMICO
Chairman

Privileged Report of the Committee on Enrollment

April 15, 1997

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 20— BY REPRESENTATIVE WILKERSON A RESOLUTION

To express the condolences of the House of Representatives upon the death of Minister Willie Randle, community leader and respected man of God.

HOUSE RESOLUTION NO. 21— BY REPRESENTATIVE HOLDEN A RESOLUTION

To commend Dr. Kirk Marshall Clayton, a New Orleans native, upon the occasion of his being inducted into the Greater New Orleans Sports Hall of Fame.

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.

Leave of Absence

Rep. Jenkins - 1 day

Adjournment

On motion of Rep. Lancaster, at 6:30 P.M., the House agreed to adjourn until Wednesday, April 16, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Wednesday, April 16, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*