

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

TWELFTH 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

Wednesday, April 16, 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 was called with the following result:

PRESENT

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammitt	Quezairre
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
Fauchoux	Montgomery	Wilkerson

Flavin
 Fontenot
 Forster
 Frith
 Fruge
 Total—104

Morrell
 Morrish
 Murray
 Odinet
 Perkins

Willard-Lewis
 Windhorst
 Winston
 Wright

ABSENT

Jenkins
 Total—1

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

Prayer

Prayer was offered by Rev. J. Roddy Taylor

Pledge of Allegiance

Rep. John Smith 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. Rousselle, the reading of the Journal was dispensed with.

On motion of Rep. Rousselle, the Journal of April 15, 1997, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE 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 concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 107
 Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
 Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
 SENATE CONCURRENT RESOLUTIONS**

April 16, 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. 11, 31, and 57

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 11—
BY SENATOR ULLO

A CONCURRENT RESOLUTION

To create a Select Council on Shrimp Management and a Shrimp Industry Review Panel to study the current and future management of Louisiana's shrimp resources and to make recommendations for future management objectives.

Read by title.

Lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To extend the Public Bid Law Study Commission created by Senate Concurrent Resolution No. 176 of the 1991 Regular Session and to reappoint the current commission members.

Read by title.

Lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

A CONCURRENT RESOLUTION

To request the Supreme Court to promulgate rules which will provide for the suspension of an attorney's license to practice law where the attorney has failed to comply with a subpoena or court order as it pertains to child support payments.

Read by title.

Lies over under the rules.

Privileged Report of the Legislative Bureau

April 15, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 330
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Message from the Senate

SENATE BILLS

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 finally passed the following Senate Bills:

Senate Bill Nos. 364, 504, and 1436

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. McCain, 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. 364—
BY SENATOR GREENE
AN ACT

To enact R.S. 37:2887(C), relative to certified stress analysts; to exempt certain peace officers from licensing requirements for activities conducted in course and scope of employment as peace officers; and to provide for related matters.

Read by title.

SENATE BILL NO. 504—
BY SENATOR HINES
AN ACT

To amend and reenact R.S. 33:381(C)(1)(a), relative to municipal officers; to change the position of the chief of police in the city of Oakdale from that of an appointed position to that of an elected position; to provide for a special election; to provide for effective date; and to provide for related matters.

Read by title.

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

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

Read by title.

**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. 2311—
BY REPRESENTATIVE SHAW

AN ACT

To amend and reenact R.S. 14:68.4, relative to the crime of unauthorized use of a motor vehicle; to provide for the time when that crime becomes applicable to possession of the motor vehicle with the consent of the owner; to provide for the time when that crime becomes applicable if there is a written agreement concerning the possession; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2312—
BY REPRESENTATIVE SHAW

AN ACT

To enact R.S. 14:333.1, relative to crimes affecting the public generally; to provide with respect to the manufacture, distribution, sale, or offer of illegal identification cards; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2313—
BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 30:2418(G), relative to waste tires; to provide that unexpended and unencumbered monies in the fund at the end of a fiscal year shall be credited to and deposited into the state general fund; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2314—
BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 37:1171(5), 1701, 2366, and 2367 and to enact Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2371 through 2379, relative to psychologists; to authorize the State Board of Examiners of Psychologists to certify qualified psychologists to prescribe drugs and to provide for other related powers and duties; to provide for definitions; to provide for the duties of a psychologist certified to prescribe; to allow a psychologist certified to prescribe to give directions to certain other health care providers; to establish the qualifications for psychologists certified to prescribe and the requirements for such certification; to provide for renewal of the certificate; to provide for grounds for discipline, suspension, and revocation of a certificate; to prohibit issuance of a prescription by a psychologist who is not certified to prescribe; to provide a penalty for violations; to provide for prescribing practices; to provide for controlled substance prescriptive authority; to provide for coordination with the Louisiana Board of Pharmacy; to provide for designation of existing law; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

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

HOUSE 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.

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

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.

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

Ordered to the Senate.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing a two-year community college in Ascension Parish to be named the River Parishes Community College, as an institution of higher education under the management of the Board of Trustees for State Colleges and Universities.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 34—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the governor of Louisiana, through the division of administration, to increase the amount of money appropriated to the Parish Transportation Fund.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATORS ELLINGTON AND DARDENNE AND REPRESENTATIVE FORSTER

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to submit recommendations for the governance structure of postsecondary technical training and adult education, including but not limited to proprietary schools, technical colleges, community colleges, junior colleges, and literacy or adult education programs.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 48—
BY SENATOR CAIN AND REPRESENTATIVE HILL
A CONCURRENT RESOLUTION

To direct the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to study further the impact of moving a portion of Deer Hunting Area 2 into Deer Hunting Area 3 for the 1997 deer season and to leave the areas as they presently are.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATOR LAMBERT
A CONCURRENT RESOLUTION

To create the Lower Mississippi River Water Safety Study Commission to study and make recommendations relative to the safety of vessel traffic on the Mississippi River from the northernmost portion of West Feliciana Parish and the northernmost portion of Pointe Coupee Parish which border the river, respectively, south to its mouth at the Gulf of Mexico.

Read by title.

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

**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. 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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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

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

SENATE BILL NO. 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.

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

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.

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

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.

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

SENATE BILL NO. 263 (Duplicate of House Bill No. 1119)—
BY SENATOR HOLLIS AND REPRESENTATIVE TRAVIS AND
COAUTHORED BY REPRESENTATIVE MURRAY
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 asset rates and fees in other states; provides for fees and charges adopted from another state; and to provide for related matters.

Read by title.

Motion

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

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.

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

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.

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

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.

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVES TRICHE AND THORNHILL
A CONCURRENT RESOLUTION

To authorize and direct the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works to study and make recommendations with respect to the abolishment of levee districts and levee and drainage districts and the merging of the districts with a state agency.

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 Concurrent Resolution No. 2 by Representatives Triche and Thornhill

AMENDMENT NO. 1

On page 1, line 2, after "To", delete the remainder of the line and insert the following:

"authorize and direct the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works"

AMENDMENT NO. 2

On page 1, delete line 17, at the beginning of line 18, before "to study" delete "and drainage boards as a special commission," and insert in lieu thereof the following:

"hereby authorizes and directs the House Committee on Transportation, Highways and Public Works and the Senate Committee on Transportation, Highways and Public Works"

AMENDMENT NO. 3

On page 2, delete lines 3 through 14 in their entirety.

AMENDMENT NO. 4

On page 2, line 15 after "that the" and before "shall" delete "commission" and insert "committee"

AMENDMENT NO. 5

On page 2, delete lines 18 through 23 in their entirety.

AMENDMENT NO. 6

On page 2, line 24, after "the" and before "shall" delete "commission" and insert "committee"

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

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

HOUSE CONCURRENT RESOLUTION NO. 91—
BY REPRESENTATIVES LONG AND WRIGHT
A CONCURRENT RESOLUTION

To urge and request the Louisiana Litter Reduction and Public Action Commission to convene a conference for the purposes of conducting a statewide study of the litter program and the enforcement of litter laws.

Read by title.

Reported favorably by the Committee on Environment.

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

**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. 9—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 9:2796(A), relative to offenses and quasi offenses; to limit liability of krewes conducting parades held on streets or waterways, or in buildings; 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. 9 by Representative Bruneau

AMENDMENT NO. 1

On page 2, after line 7, insert the following:

"Section 2. The provisions of this Act shall become effective on January 1, 1998, and apply to all causes of action arising on or after that date."

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. 15—

BY REPRESENTATIVE BRUN

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(B) of the Constitution of Louisiana, relative to legislative sessions; to remove certain authority of the governor to call the legislature into extraordinary session; to provide relative to the objects of extraordinary sessions called upon legislative petition; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 293—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3559(A) and 3564(A)(7), relative to consumer loans; to provide that those presently licensed to make supervised loans shall be licensed to make consumer loans; 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. 306—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 32:411(B)(2) and to enact R.S. 32:393(H) and 398(I), relative to drivers' licenses; to require law enforcement officers to take certain actions when it is determined that a driver who has been involved in an accident or is charged with a traffic violation has a medical condition which could result in possible suspension or revocation of his driver's 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. 306 by Representative Downer

AMENDMENT NO. 1

On page 2, line 6, after "to the" and before "office" insert "medical/conviction unit of the"

AMENDMENT NO. 2

On page 2, line 19, after "to the" and before "office" insert "medical/conviction unit of the"

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. 343—

BY REPRESENTATIVES TRICHE AND THORNHILL

AN ACT

To amend and reenact R.S. 38:308(A) and 310 and to enact R.S. 38:329, relative to boards of commissioners of levee and levee and drainage districts; to provide for payment of per diem and reimbursement of travel expenses; to provide for expenses of the board members as delegates to flood relief conventions; to prohibit participation in the State Employees Retirement System or any state health insurance programs; 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. 343 by Representatives Triche and Thornhill

AMENDMENT NO. 1

On page 1, line 2, after "308(A)" delete the comma "," and "310, and 311" and insert "and 310"

AMENDMENT NO. 2

On page 1, line 10, after "(A)" delete the comma "," and "310, and 311" and insert "and 310"

AMENDMENT NO. 3

On page 2, line 4, after "exceed" delete the remainder of the line and insert in lieu thereof "two payments of an amount equal to the same per diem which is authorized for state legislators"

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AMENDMENT NO. 4

On page 2 at the beginning of line 5 delete "dollars per month"

AMENDMENT NO. 5

On page 2, at the beginning of line 8, before "days" change "twelve" to "twenty-four"

AMENDMENT NO. 6

On page 2 at the end of line 14 after "only for" delete the remainder of the line and insert "three meetings"

AMENDMENT NO. 7

On page 2, at the end of line 19 after "of" delete "one" and insert "eight"

AMENDMENT NO. 8

On page 2, delete lines 26 and 27, and insert in lieu thereof the following:

"Individual commissioners, with the exception of the president or his designee, shall be limited to reimbursement of expenses for one out-of-state meeting per year."

AMENDMENT NO. 9

On page 3, delete line 1, and at the beginning of line 2, delete "and control."

AMENDMENT NO. 10

On page 3, delete lines 4 through 15 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 355—

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 34:855.3(E) and (F), relative to personal watercraft safety; to require persons operating a personal watercraft to be of a certain age; 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. 355 by Representative Heaton

AMENDMENT NO. 1

On page 1, line 2, change "enact" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 34:855.3" change "(G)" to "(E) and (F)"

AMENDMENT NO. 3

On page 1, line 3, after "to" delete the remainder of the line and insert in lieu thereof "be of a certain age"

AMENDMENT NO. 4

On page 1, at the beginning of line 4, delete "proof of completion of a water safety course"

AMENDMENT NO. 5

On page 1, line 7, after "R.S. 34:855.3" delete the remainder of the line and insert in lieu thereof "(E) and (F) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 6

On page 1, delete lines 10 through 13 and insert the following in lieu thereof:

"E. No person under the age of ~~thirteen~~ fifteen shall operate a personal watercraft on the waters of this state.

F. It shall be unlawful for the owner of any personal watercraft or any person having charge over or control of a personal watercraft to authorize or knowingly permit the same to be operated by a person under ~~thirteen~~ fifteen years of age in violation of this Section. Any person who violates this Subsection shall be fined not more than one hundred dollars."

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. 391—

BY REPRESENTATIVE TRICHE AND SENATOR DEAN

A JOINT RESOLUTION

Proposing to add Article VI, Section 38(A)(3) and (4) of the Constitution of Louisiana, to provide that the legislature may abolish a levee district or levee and drainage district; to provide for the transfer of the powers, duties, functions, and responsibilities of the board of commissioners; 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 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. 391 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, after "(3)" and before "of the" insert "and (4)"

AMENDMENT NO. 2

On page 1, line 11, after "(3)" and before "of" insert "and (4)" and on page 2, line 19, after "(3)" insert "and (4)"

AMENDMENT NO. 3

On page 2, between lines 8 and 9, insert the following:

"(4) The provisions of this Section shall not apply to a levee district situated entirely in one parish and which has been consolidated and merged into such parish under the terms and conditions and in the manner provided in Section 16 of this Article."

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

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

HOUSE BILL NO. 487—
BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 30:2531(D)(5), relative to penalties to be imposed for littering; to provide for the penalty to be imposed for littering on a Louisiana Byway; 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. 514—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To enact Chapter 3 of the Louisiana Code of Evidence, to be comprised of Articles 301 through 308, and to enact Louisiana Code of Evidence Article 804(B)(5), to repeal Civil Code Articles 1849, 1850, 1851, and 1852, and to provide for the redesignation of Louisiana Code of Evidence Articles 804(B)(5) and (6), all relative to evidence in civil proceedings; to provide for the definition, effect, and application of presumptions and prima facie evidence as used in legislation governing civil proceedings; to provide for definitions; to provide with respect to conclusive and rebuttable presumptions; to provide for jury instructions; to provide for a residual hearsay exception when the declarant is unavailable to testify; to repeal certain Civil Code Articles relative to presumptions; 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. 542—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 38:291(D)(2) and 304(B) and to enact R.S. 38:304.2, relative to the East Jefferson Levee District; to provide for the membership of the board of commissioners of the district; to provide for the appointment of an additional member; 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. 549—
BY REPRESENTATIVES RIDDLER, A. ALEXANDER, CARTER, GUILLOREY,
MCCALLUM, AND THOMPSON
A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide by law for the operation and management of public hospitals and their programs by the Board of Regents or by any board having powers of management over public institutions of higher education; to exclude certain institutions and programs from such authorization; to provide for legislative oversight; 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. 549 by Representative Riddle, et al.

AMENDMENT NO. 1

On page 2, delete lines 18 through 22 and insert the following:

"supervision of the operation and management of certain public hospitals and their programs which come under the management of a public higher education board created by the Louisiana Constitution. (Adds"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 583—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Articles 6, 925, 1671, 2002, and 5091(A)(1)(a), R.S. 13:1704(A)(3), R.S. 34:807, and Children's Code Articles 644(B) and 1024(B) and to repeal Code of Civil Procedure Article 7, relative to personal jurisdiction; to repeal the general appearance by a party in all

proceedings; to repeal the implied waiver of objections by general appearance; to provide that objection to jurisdiction is waived unless a declinatory exception is timely filed; 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. 584—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Arts. 72, 82, 123(A), 928(A), 929, 964, and 967, all relative to the continuous revision of the Code of Civil Procedure; to provide for the effect of judgments in certain actions involving property, venue in actions to partition community property, transfer of venue, time of pleading and trial of exceptions, motions to strike, and the use of affidavits of expert witnesses in motions for summary judgment; 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. 585—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Articles 1236, 1314, 1424, 1464, 1551, and 5091.2, R.S. 13:3203 and 3206, and R.S. 22:655(B)(1)(introductory paragraph) and to enact Code of Civil Procedure Articles 1443(D), 2087(D), and 2123(C), all relative to the continuous revision of the Code of Civil Procedure and ancillary procedural provisions; to provide for service on a physician, service on the clerk of court, the scope of discovery, restrictions on instructing a deponent not to answer, orders for physical or mental examinations by licensed examiners, pretrial and scheduling conferences, premature appeals, curators ad hoc in certain proceedings, venue under long-arm proceedings, "non-resident" under long-arm jurisdiction, and venue in direct action proceedings; 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. 586—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Children's Code Articles 1001, 1003, 1004, 1007, 1009, 1015, 1019, 1020, and 1031 through 1038 and to enact Children's Code Articles 1001.1, 1025.1, 1025.2, 1025.3, 1025.4, 1036.1, and 1037.1, all relative to the judicial certification of children for adoption; to provide for the continuous revision of Title X of the Children's Code; to provide for the purpose thereof; to provide for the priority of docketing, definitions, filing and contents of the petition, records, disclosure, grounds, notice, appearance to answer, stipulation, failure to appear and its effect, pre-hearing conferences, hearings, continuances, evidence and examination of witnesses, burden of proof, proof of parental misconduct, proof of a prior child in need of care judgment, termination judgments, continued contact with biological relatives, and the effect of a termination judgment; 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. 601—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 34:2471, relative to port commissions; to provide with respect to the appointment and confirmation of the members of the South Louisiana Port Commission; 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. 601 by Representative Fauchoux

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 34:2471" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, at the beginning of line 6, delete "certain members of port commissions;"

AMENDMENT NO. 4

On page 5, delete lines 15 through 27

AMENDMENT NO. 5

On page 6, delete lines 1 through 4

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. 627—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 17:157(C), relative to the Sunshine Bridge; to provide for student toll exemption hours; 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. 637—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Art. 1672(A), relative to the dismissal of civil actions; to authorize the trial judge to dismiss an action for failure of the parties to appear at trial; 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. 648—
BY REPRESENTATIVE FRITH
AN ACT

To enact R.S. 34:851.20(M), relative to registration of motorboats and sailboats; to require inspection of homemade boats; to provide for the fee for such registration; 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. 667—
BY REPRESENTATIVES BRUNEAU AND WINDHORST
A JOINT RESOLUTION

Proposing to amend Article I, Section 18 of the Constitution of Louisiana, relative to right to bail; to provide that a defendant is not bailable if after a hearing a judge determines that he may

flee or poses a danger to others; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 707—
BY REPRESENTATIVE BARTON
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to amend Article VIII, Sections 5, 6, and 7 and to add Article VIII, Section 16 of the Constitution of Louisiana, all to provide with respect to the administration of education, including governance; to provide for the membership of the Board of Regents, including appointment, confirmation, terms of office, and vacancies; to provide for initial implementation of membership provisions; to provide that the Board of Regents shall plan, coordinate, and have budgetary responsibility for public institutions of higher education offering a baccalaureate level degree or higher and that the board shall supervise and manage all such institutions and their programs; to provide additionally for the powers, duties, and responsibilities of the Board of Regents relative to public institutions of higher education offering a baccalaureate level degree or higher; to provide that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Trustees for State Colleges and Universities shall be advisory boards to the Board of Regents on matters within the Board of Regents' jurisdiction; to provide for enacting law applicable to a public education institution or the governing authority of such institution, or both, relative to the transfer and acceptance of course credits between public educational institutions, the establishment of nonresident attendance fees and charges at public educational institutions and the authority to waive such fees and charges, the offering of remedial education courses, and the applicability of the Administrative Procedure Act; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 708—
BY REPRESENTATIVES BARTON, BAUDOIN, BRUN, CRANE, POWELL,
KENNEY, AND WINSTON
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana to amend Article VIII, Sections 2, 3, 4, 5(D)(introductory paragraph), 9(B), 10(A), and 13(A) and (B) and to add Article VIII, Section 16 of the Constitution of Louisiana, all to provide with respect to the administration of education, including governance and funding; to provide for the title of the state superintendent of

education; to provide for the appointment of the state superintendent by the governor; to provide for the creation, function, appointment, and membership of the State Board of Elementary and Secondary Education as an advisory board; to transfer certain powers, duties, and functions of the board to the state superintendent, including the powers and functions of the board related to the Louisiana Quality Education Support Fund; to authorize the state superintendent to develop and propose annually to the legislature a minimum foundation program formula; to provide for the establishment of the qualifications and duties of parish superintendents by law; to provide exceptions; to provide for implementation; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on 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. 708 by Representative Barton, et al.

AMENDMENT NO. 1

On page 2, at the end of line 8, add "Article VIII,"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 716—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Title XV of Book III of the Civil Code, presently comprised of Civil Code Articles 2985 through 3034, to be comprised of Civil Code Articles 2985 through 3032, all relative to representation, mandate, and procuration; to provide for representation, mandate, and procuration; to provide for the rights and obligations of the principal, the mandatary, and third persons; to provide for the termination of the mandate and of the authority of the mandatary; to provide for the application of this Act to existing mandates and procurations; to provide for an effective date; 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. 776—
BY REPRESENTATIVE WINDHORST
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) of the Constitution of Louisiana, relative to sessions of the legislature; to provide for annual general sessions of the legislature; to provide limitations;

to provide deadlines for certain legislative action; 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. 776 by Representative Windhorst

AMENDMENT NO. 1

On page 6, line 6, after "nature" change the comma "," to a semicolon ";" and before "measure" delete "except that no" and insert "to prohibit the legislature from considering any"

AMENDMENT NO. 2

On page 6, line 7, after increasing a "tax" and before "in" delete "may be considered"

AMENDMENT NO. 3

On page 6, line 12, after "deadlines" and before the period "." insert "for filing legislation and for taking certain legislative action"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 872—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To repeal Civil Code Article 3506(4), (6), (7), (9), (10), (11), (13) through (22), and (24) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficious", "judge", "litigious rights", "notification", "notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged."

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. 991—
BY REPRESENTATIVES MCCAIN AND BAUDOIN
AN ACT

To enact R.S. 30:2157, relative to standards for landfills; to provide for emergency response; to provide for hazardous materials; to

provide for medical care; to provide for permits; and to provide for related matters.

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. 1087—
BY REPRESENTATIVE WIGGINS
AN ACT

To enact R.S. 30:2181, relative to commercial hazardous waste permits; to provide for ownership; to provide for qualifications; to provide for disapproval; to provide for criminal and civil violations; to provide for financial interest; to provide for rules; to provide for criminal penalties; to provide for nullification of acquisition; and to provide for related matters.

Reported by substitute by the Committee on Environment.

The substitute was read by title as follows:

HOUSE BILL NO. 2309 (Substitute for House Bill No. 1087 by Representative Wiggins)—
BY REPRESENTATIVE WIGGINS
AN ACT

To enact R.S. 30:2014.2, relative to permits; to provide for applications; to provide for ownership; to provide for qualifications; to provide for criminal and civil violations; to provide for controlling interest; to provide for rules; and to provide for related matters.

Read by title.

On motion of Rep. Damico, the substitute was adopted and became House Bill No. 2309 by Rep. Wiggins, on behalf of the Committee on Environment, as a substitute for House Bill No. 1087 by Rep. Wiggins.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 1122—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3576.3(2)(b)(viii), 3576.9(C)(2), 3576.15(B) and (C), and 3576.22(B), relative to collection agencies; to provide relative to the definition of "debt collector" or "collection agency"; to provide relative to licensing and penalties; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Commerce.

The substitute was read by title as follows:

HOUSE BILL NO. 2310 (Substitute for House Bill No. 1122 by Representative Travis)—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3576.3(2)(a) and (4) 3576.5(A), 3576.9(C)(2), 3576.10(B), 3576.11(B), 3576.14, 3576.15(B) and (C) 3576.18(A), 3576.21(K) and 3576.22(B) and to enact R.S. 9:3576.5(C) and (D) and 3576.18(G), relative to the Collection Agency Regulation Act; to provide relative to the definition of "debt collector" or "collection agency" and "client",

"Louisiana client" or "customer"; to provide for investigations and proceedings and powers of the commissioner; to provide relative to licensing and penalties; to delete references to the attorney general as being able to initiate investigations; to provide relative to licensing fees and branch office certificates, trust fund accounts, and administrative hearings; to provide relative to operating a collection agency without a license; and to provide for related matters.

Read by title.

On motion of Rep. Travis, the substitute was adopted and became House Bill No. 2310 by Rep. Travis, on behalf of the Committee on Commerce, as a substitute for House Bill No. 1122 by Rep. Travis.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 1254—
BY REPRESENTATIVES WINDHORST, DEWITT, CLARKSON, FRUGE,
JOHNS, MCCALLUM, MCMAINS, WIGGINS, AND WRIGHT
AN ACT

To enact Part XVI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1181 through 1190, relative to suits by prisoners; to enact the Prison Litigation Reform Act, providing for civil actions with respect to prison conditions, the remedies or relief that may be granted and conditions and restrictions thereon, the effects of consent decrees and private settlement agreements, the appointment of experts, the award of attorney fees, and the assessment, disposition, and consequences of actions that are malicious, frivolous, groundless, or otherwise lacking in merit; to provide for the payment of filing fees and costs and for the use of compensatory damages to pay outstanding restitution orders; and to provide for related matters.

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. 1277—
BY REPRESENTATIVE DURAND AND SENATOR DYESS
AN ACT

To amend and reenact R.S. 47:463.8, relative to motor vehicles and motorcycles; to provide for license plates for antique motor vehicles and motorcycles; to provide for collector plates for special interest motor vehicles; to provide for fees; 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. 1277 by Representative Durand

AMENDMENT NO. 1

On page 1, line 2, after "vehicles" and before the semi-colon ";", insert "and motorcycles"

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AMENDMENT NO. 2

On page 1, line 3, after "vehicles" and before the semi-colon ";" insert "and motorcycles"

AMENDMENT NO. 3

On page 1, line 10, after "vehicles" insert "and motorcycles"

AMENDMENT NO. 4

On page 1, line 12, after "vehicles" and before "and" insert "and motorcycles"

AMENDMENT NO. 5

On page 1, line 13 after "vehicles" insert "and motorcycles"

AMENDMENT NO. 6

On page 2, line 3, after "plate," and before "the applicant" insert "for an antique motor vehicle"

AMENDMENT NO. 7

On page 2, line 5, after "plates" and before "shall" insert "for antique motor vehicles"

AMENDMENT NO. 8

On page 2, at the end of line 19, insert "The license plates issued for antique motorcycles shall be used in lieu of the regular registration license plates and shall be issued for the life of the motorcycle."

AMENDMENT NO. 9

On page 2, at the end of line 22, after "motor vehicle" insert "or motorcycle"

AMENDMENT NO. 10

On page 2, line 24, after "vehicles" insert "or motorcycles"

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. 1281— BY REPRESENTATIVE FAUCHEUX AND SENATOR LANDRY AN ACT

To amend and reenact R.S. 40:1749.12(3), (4), (6), (9), and (10), 1749.13(A) and (B)(1) and (2), 1749.14(C)(1) and (D), 1749.15, 1749.16(4), 1749.17, 1749.19, 1749.20, and 1749.21 and to enact R.S. 40:1749.12(11) and (12), 1749.13(B)(5) and (D), 1749.14(E) and (F), 1749.23, 1749.24, and 1749.25, all relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide definitions; to provide relative to excavation and demolition notification procedures and requirements; to provide for immunity from civil liability under certain circumstances; to provide relative to marking of facilities; to require certain actions by excavators and demolishers when there has been damage to an underground facility or utility; to provide relative to participation by municipalities or parish governments under certain circumstances; to provide for violations and penalties, including civil penalties and costs; to provide for enforcement by the

Department of Public Safety and Corrections; to provide for proceedings and adjudications for the levying of civil penalties; to provide for the distribution of civil penalties; to create the Underground Damages Prevention Fund within the state treasury and provide for disbursements from such fund; to provide for the uses of monies in such fund; to provide for compliance by the Department of Transportation and Development; 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. 1281 by Representative Fauchoux

AMENDMENT NO. 1

On page 1, line 5, after "1749.12(11)" and before the comma insert "and (12)"

AMENDMENT NO. 2

On page 1, line 5, after "1749.14(E)" and before the comma insert "and (F)"

AMENDMENT NO. 3

On page 2, line 9, after "1749.12(11)" and before the comma insert "and (12)"

AMENDMENT NO. 4

On page 2, line 9, after "1749.14(E)" and before the comma insert "and (F)"

AMENDMENT NO. 5

On page 2, delete lines 17 and 18 in their entirety and insert in lieu thereof:

"crisis situation which poses an imminent threat or danger to life, health, or property and requires immediate action."

AMENDMENT NO. 6

On page 4, line 2, after "the" change "approximate" to "specific"

AMENDMENT NO. 7

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

"(12) "Demolisher" means any person engaged in the act of demolishing as defined in R.S. 40:1749.12(2)."

AMENDMENT NO. 8

On page 4, line 20, after "of the" and before "excavation" insert "commencement of any"

AMENDMENT NO. 9

On page 5, line 10, after "commencing" delete "work" and insert in lieu thereof "any excavation or demolition activity"

AMENDMENT NO. 10

On page 7, between lines 10 and 11, add the following:

"F. Should an owner or operator file suit against an excavator or demolisher for damages to underground facilities or utilities and the court finds in favor of the owner or operator, in addition to damages provided for by this Part, the owner or operator shall be entitled to recover reasonable attorney fees and costs. If the court finds in favor of the excavator or demolisher, the excavator or demolisher shall be entitled to recover reasonable attorney fees and costs."

AMENDMENT NO. 11

On page 8, after line 13, insert "permitting the escape of any flammable, toxic or corrosive fluids/gases"

AMENDMENT NO. 12

On page 8, line 21, after "Subsection A" delete the period and insert:

" , the local police, the local fire department, and emergency response personnel and allow the owner or operator reasonable time to accomplish necessary repairs before continuing the excavation, demolition, or back filling in the immediate area of damage."

AMENDMENT NO. 13

On page 10, line 15, after "elections" delete the period and insert "or within one year of the date of creation of a special district."

AMENDMENT NO. 14

On page 10, line 21, after "than" insert "two hundred fifty dollars" and delete "five hundred"

AMENDMENT NO. 15

On page 10, line 22, delete "dollars"

AMENDMENT NO. 16

On page 11, line 9, after "For" and before "each" insert "a fourth and"

AMENDMENT NO. 17

On page 11, line 22, after "For" and before "each" insert "a fourth and"

AMENDMENT NO. 18

On page 11, line 23, after "previous violation" delete the remainder of the line

AMENDMENT NO. 19

On page 11, line 24, delete "involving hazardous materials"

AMENDMENT NO. 20

On page 11, between lines 25 and 26, insert the following:

"(5) For any violation involving hazardous materials as defined in Title 30 of the Louisiana Revised Statutes of 1950, a civil penalty of not less than two thousand dollars nor more than twenty-five thousand dollars."

AMENDMENT NO. 21

On page 11, delete lines 26 and 27 in their entirety.

AMENDMENT NO. 22

On page 12, delete lines 1 and 2 in their entirety.

AMENDMENT NO. 23

On page 13, line 27, after "citation" delete the period and insert "within one year of the date of deposit of the civil penalty amount into the Underground Damages Prevention Fund."

AMENDMENT NO. 24

On page 14, line 1, after "disbursement" and before the comma insert "by the local governing authority within one year of the date of deposit of the civil penalty amount into the Underground Damages Prevention Fund"

AMENDMENT NO. 25

On page 14, line 3, delete "public safety" and insert in lieu thereof "compliance with the provisions of this Part"

AMENDMENT NO. 26

On page 15, line 10, after "Part" and before "insofar" insert "only"

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

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

HOUSE BILL NO. 1364—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3516(26) and to enact R.S. 9:3516(39), relative to consumer loan transactions; to define "cash advance"; to revise the definition of "prepaid finance 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. 1388—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Children's Code Articles 634, 663(D), 672, 674, 675, 677, 682, 684, 702, 731, 1413, 1461, and 1463(D)(2) and to enact Children's Code Article 616.1, all relative to the continuous revision of the Children's Code; to provide for children in need of care, the correction of records, contents of the petition, suspension of evidentiary privileges, custody assignment to the Department of Social Services or other public agencies or institutions, filing, contents and review of the case plan, removal of the child from the parent's custody, judgment of disposition, and dispositional review; to provide for the complaint in families in need of services proceedings; to provide for mental health proceedings, the time for the hearing, and advice of rights; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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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. 1396—

BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, ROUSSELLE, AND TRICHE AND SENATORS ROBICHAUX AND SIRACUSA
AN ACT

To amend and reenact R.S. 38:291(A)(1) and (2)(introductory paragraph), 3342(A)(1) and (2), to enact R.S. 38:291(U) and 329, and to repeal R.S. 38:291(A)(2)(j), 331, and 3342(A)(4), and to repeal R.S. 38:3321 through 3330 and R.S. 38:3341 through 3347 and to provide for an effective date of those repeals, relative to levee districts; to remove Terrebonne Parish from the Atchafalaya Basin Levee District; to provide for the membership of the board of commissioners of the Atchafalaya Basin Levee District; to repeal the revenue allocations in Terrebonne Parish by the Atchafalaya Basin Levee District; to create a levee district consisting of Terrebonne Parish and designated as the Terrebonne Levee and Conservation District; to provide for the powers and duties of the board of commissioners of the district; to provide for an effective date; 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. 1396 by Representative Dupre, et al.

AMENDMENT NO. 1

On page 1, line 3, after "(1)" delete the comma "," and "(2) and (5)" and insert "and (2)"

AMENDMENT NO. 2

On page 1, line 4, after "(2)" and before "331" change "(J)" to "(j)"

AMENDMENT NO. 3

On page 2, line 3, after "(1)" and before "are" delete "(2) and (5)" and insert "and (2)"

AMENDMENT NO. 4

On page 6, between lines 2 and 3, insert the following:

"H. Because the Atchafalaya Basin Levee District continues to provide mainline levee protection which is beneficial to Terrebonne Parish, the Terrebonne Levee and Conservation District shall make payments to the Atchafalaya Basin Levee District as follows:

(1) For the year 1998, twenty-five percent of the ad valorem taxes collected.

(2) For the year 1999, fifteen percent of the ad valorem taxes collected.

(3) For the year 2000 and thereafter, ten percent of the ad valorem taxes collected.

I. Through cooperative endeavors entered into by both districts, the Terrebonne Levee and Conservation District and the Atchafalaya Basin Levee District may participate in joint conservation efforts."

AMENDMENT NO. 5

On page 6, delete lines 16 and 17 in their entirety.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1420—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 9:203(C), relative to the authority to perform marriage ceremonies; to authorize certain former justices of the peace to perform marriage ceremonies; 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. 1437—

BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To enact R.S. 47:296.1, relative to the individual income tax; to authorize the secretary of the Department of Revenue and Taxation to simplify the income tax filing requirements for certain resident individual taxpayers by providing a no-return option; to require employers to withhold income taxes at special rates from employees that properly elect a no-return option; to authorize the promulgation of rules and regulations, subject to legislative oversight; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 1437 by Representatives Alario and DeWitt

AMENDMENT NO. 1

On page 1, line 7, after "regulations" and before the semicolon ";" insert the following:

", subject to legislative oversight"

AMENDMENT NO. 2

On page 2, line 6, after "authorized" and before "to" insert the following:

"pursuant to the Administrative Procedure Act"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1480—
BY REPRESENTATIVES TRICHE AND THORNHILL
AN ACT

To enact R.S. 38:313, relative to levee and levee and drainage districts; to provide that a district shall cease to exist if the district has not completed the construction of a protection levee within five years of the district's creation; 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. 1480 by Representative Triche and Thornhill

AMENDMENT NO. 1

On page 1, at the end of line 9, after "district" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 10, after "1974" and before "and which" delete "and before January 1, 1992."

AMENDMENT NO. 3

On page 1, line 11 after "or" and before "the" insert "one in which"

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. 1491—
BY REPRESENTATIVES FONTENOT AND DEWITT
AN ACT

To enact R.S. 40:5.9(C), relative to civil actions to enforce drinking water regulations; to authorize the court to appoint a receiver to a defendant public water system; to provide for the powers of the state health officer relative to establishment of the receivership; to provide for powers and duties of an appointed receiver; to provide for dissolution of the receivership; 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. 1491 by Representatives Fontenot and DeWitt

AMENDMENT NO. 1

On page 1, line 13, after "brought" and before "relative" insert "under this Chapter"

AMENDMENT NO. 2

On page 2, line 8, at the end of the line, after the period "." insert the following:

"However, if the receiver is a local governmental subdivision, no bond shall be required."

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. 1492—
BY REPRESENTATIVES FONTENOT, DEWITT, AND BAUDOIN
AN ACT

To amend and reenact R.S. 40:4(A)(8) and 5.8, relative to the State Sanitary Code; to require the state health officer to provide for a strategy for public water systems to comply with federal and state drinking water regulations; to define types of public water systems; 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. 1492 by Representative Fontenot, et al.

AMENDMENT NO. 1

On page 3, line 8, delete "at least fifteen service connections used by"

AMENDMENT NO. 2

On page 3, line 9, after "residents" delete the remainder of the line and insert in lieu thereof "within a residential setting."

AMENDMENT NO. 3

On page 3, line 10, at the beginning of the line delete "serves at least twenty-five year round residents."

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. 1528—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3561.1(F)(1) and 3565(C), relative to the Louisiana Consumer Credit Law; to provide relative to notification and fee sent to the commissioner of financial institutions by a person engaged in making consumer credit sales or consumer loans and to a person who takes assignments of and undertakes direct collection of payments from or enforcement of rights against debtors arising from these sales or loans; 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. 1528 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete "9:" and insert "9:3561.1(F)(1) and"

AMENDMENT NO. 2

On page 1, line 10, after "R.S." delete "9:3565(C) is" and insert "9:3561.1(F)(1) and 3565(C) are"

AMENDMENT NO. 3

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

"§3561.1. License; examination; renewal fees; records

* * *

F.(1) If the commissioner has not received the annual renewal fee from a licensed lender by the sixteenth day of January, as determined by the postmarked date, he shall notify the licensed lender by United States mail and assess a late fee of one hundred dollars.

* * *"

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. 1592—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3572.1, 3572.2(A)(introductory paragraph) and (2) and (B)(introductory paragraph) and (1), 3572.3(A), 3572.4, 3572.5(A)(introductory paragraph), (1)(g) and (h), (2)(g), (h), and (i), and (B)(2)(introductory paragraph), 3572.6, 3572.7, 3572.8(A), 3572.9, 3572.10, 3572.11, 3572.12(B) through (D) and (E)(1), to enact R.S. 9:3572.2(B)(4) and (5), and to repeal Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:1081 through 1090, relative to loan brokers; to provide a definition; to provide for exceptions to licensing and bond requirements; to provide relative to licensing procedure; to

provide relative to records and examination by the commissioner; to provide relative to violations; to repeal the Mortgage Broker and Lender 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. 1592 by Representative Travis

AMENDMENT NO. 1

On page 1, line 6, after "and (E)(1)," insert "to enact R.S. 9:3572.2(B)(4) and (5), and to repeal Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:1081 through 1090,"

AMENDMENT NO. 2

On page 1, line 10, after "violations;" insert "to repeal the Mortgage Broker and Lender Act;"

AMENDMENT NO. 3

On page 1, line 16, after "reenacted" insert ", and R.S. 9:3572.2(B)(4) and (5) are hereby enacted"

AMENDMENT NO. 4

On page 2, after line 22, insert the following:

"(4) Any real estate broker or a real estate salesman who is not actively and principally engaged in negotiating, placing, or finding mortgage loans when rendering professional services.

(5) Any real estate investment trust."

AMENDMENT NO. 5

On page 10, after line 11, insert the following:

"Section 2. Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:1081 through 1090, is hereby repealed in its entirety."

On motion of Rep. Travis, 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. 1670—
BY REPRESENTATIVE CLARKSON
AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for prestige license plates for members of Louisiana Realtors Associations; 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. 1670 by Representative Clarkson

AMENDMENT NO. 1

On page 1, at the end of line 13, after "shall be" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 14 in its entirety and insert in lieu thereof the following:

"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."

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. 1687—

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To enact Subpart B of Part II of Chapter 2 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4881 through 4889, relative to oil and gas wells; to provide for a privilege in favor of an operator and non-operator over certain described property; to provide for how the privilege is established and extinguished, its effect as to third persons, and its extinction as to certain movable property; to provide for how the privilege is enforced, the information that must be included in a statement of privilege, the ranking of privileges, and the enforcement of privileges; 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. 1687 by Representatives Ansardi and McMains

AMENDMENT NO. 1

On page 5, line 14, after "and the" and before "provided" change "privilege" to "privileges and after "30:32" and before the period "." insert "74(A)(3), and 91(B)(2)"

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. 1762 —

BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2039(A) and to enact R.S. 30:2039(F), relative to solid waste; to provide for notice and recordation; to provide for waivers; to provide for evidence; 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. 1764 —

BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To enact Chapter 22 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2561 through 2566, relative to environmental regulation; to provide for the Louisiana Environmental Regulatory Innovations Programs; to provide for regulatory flexibility; to provide for the Excellence and Leadership Program; to provide for criteria and requirements; to provide for regulations; to provide for demonstration projects; 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. 1764 by Representatives Damico and DeWitt

AMENDMENT NO. 1

On page 1, line 3 change "2565" to "2566"

AMENDMENT NO. 2

On page 1, line 11 change "2565" to "2566"

AMENDMENT NO. 3

On page 2, between lines 8 and 9 insert the following:

"C. The legislature further finds that present laws and regulations applicable thereto do not provide the authority needed to comply with federal programs that offer industry regulatory flexibility in exchange for superior environmental performances.

§2563. Definitions

As used in this Chapter, the following terms shall have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise:

(1) "Final project agreement" means the final document agreed upon between the secretary and a program participant that specifically states the terms and duration of the proposed project. The final project agreement is an enforceable document.

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(2) "Regulatory flexibility" means that a qualified participant in a regulatory innovations program may be exempted by the secretary from regulations promulgated by the department under this Chapter consistent with federal law and regulation.

(3) "Superior environmental performance" means:

(a) A demonstration project significantly decreases pollution to levels lower than the levels currently being achieved by the subject facility under applicable law or regulation and these lower levels are better than required by applicable law and regulation; or

(b) The secretary determines that the demonstration project provides improved social or economic benefits to the state while achieving protection to the environment equal to the protection currently being achieved by the subject facility under applicable law and regulation, provided that all requirements under current applicable law and regulation are being achieved by facility."

AMENDMENT NO. 4

On page 2, line 9 change "2563" to "2564"

AMENDMENT NO. 5

On page 2, at the end of line 12 insert the following:

"Participation in such programs shall be strictly voluntary and the department shall not require participation in such programs."

AMENDMENT NO. 6

On page 3, delete lines 3 through 6 in their entirety and insert in lieu thereof the following:

"(4) The demonstration project must include stakeholder participation.

(5) The participant agrees to provide an annual written report in the department containing but not limited to pollution reduction data, economic benefits, and paperwork and other administrative tasks that do not directly benefit the environment."

AMENDMENT NO. 7

On page 3, line 7, change "(5)" to "(6)"

AMENDMENT NO. 8

On page 3, line 11, change "March" to "June"

AMENDMENT NO. 9

On page 3, line 13, after "results," and before "and costs" insert "the level of stakeholder support."

AMENDMENT NO. 10

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

"F. The secretary shall give notice of the final project agreement to a person who has requested notice of the agreement. The program participant must publish a notice of the final project agreement in the official journal of the parish governing authority for the parish in which the project will occur."

AMENDMENT NO. 11

On page 3, line 14, change "2564" to "2565"

AMENDMENT NO. 12

On page 3, line 18, after "performance," delete the remainder of the line and delete lines 19 through 26 in their entirety.

AMENDMENT NO. 13

On page 4, line 2, change "30:2563" to "30:2564"

AMENDMENT NO. 14

On page 4, line 3, delete "Act"

AMENDMENT NO. 15

On page 4, line 13 at the end of the line change "must be" to "are"

AMENDMENT NO. 16

On page 4, between lines 14 and 15 insert the following:

"(6) The project is consistent with federal laws and regulations."

AMENDMENT NO. 17

On page 4, line 15, change "2565" to "2566"

AMENDMENT NO. 18

On page 5, delete lines 6, 7, and 8 and insert in lieu thereof the following:

"(5) Establishing a priority system for the selection of demonstration projects."

AMENDMENT NO. 19

On page 5, lines 12 and 13, change "encouraging stakeholder consensus" to "requiring stakeholder participation"

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. 1790—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 30:74(A)(3) and to enact R.S. 30:74(A)(4), relative to abandoned oilfield waste sites; to provide for approval by the commissioner of conservation of sheriff's sale of such property; to require and provide for recordation and enforcement of liens; 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. 1955—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3556.1(B), relative to records required to be kept in a consumer loan transaction; to provide relative to records of credit sales or loans and persons who do not transfer or assign their agreements; to permit the reproduction of documents by photographic means; to provide that photographically reproduced documents may be treated as if they were the original; 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. 1955 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 9:3556.1" delete the remainder of the line and at the beginning of line 3, delete "(D)"

AMENDMENT NO. 2

On page 1, line 4, after "transaction;" insert "to provide relative to records of credit sales or loans and persons who do not transfer or assign their agreements;"

AMENDMENT NO. 3

On page 1, line 8, after "9:3556.1" delete "(B)" and at the end of the line, delete "and"

AMENDMENT NO. 4

On page 1, line 9, delete "R.S. 9:3556.1(C) and (D) are hereby enacted"

AMENDMENT NO. 5

On page 1, delete line 11 and insert the following:

"A. Each person ~~making loans subject to this Code Title regulated by this Part~~ shall maintain records of its consumer credit sales or loans as required by the commissioner or by rule. ~~Each person~~ Persons who make consumer credit sales and do not transfer or assign their agreements to a supervised financial organization or a licensed lender within thirty-five days, as provided by R.S. 9:3521, shall comply with the Records Retention Rule for licensed lenders, and shall promptly notify the commissioner that such person is collecting or otherwise enforcing consumer credit sales agreements or consumer loans. ~~Each licensed lender selling, assigning, or otherwise transferring a consumer loan or insurance premium finance contract to an unlicensed entity or an assignee with no offices in Louisiana; and shall further retain copies of all such loan documents and contracts on file for examination by the commissioner.~~"

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. 1962—

BY REPRESENTATIVE TRAVIS

AN ACT

To repeal R.S. 6:212(C), relative to state banks; to repeal provisions relative to the reservation of a corporate name by any person organizing a state bank; to repeal provisions permitting the transfer of a corporate name.

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. 1968—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:124.1(B), relative to statements of condition of financial institutions; to delete the requirement that a financial institution include its rating received pursuant to the federal Community Reinvestment Act in its statement of condition published quarterly; 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. 2052—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:282(A) and 1188(C), relative to state banks and stock savings banks; to change the requirements of share ownership for directors; 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. 2052 by Representative Travis

AMENDMENT NO. 1

On page 2, line 2, after "be" and before "domiciliaries" delete "citizens and"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2053 —
BY REPRESENTATIVES ANSARDI AND McMAINS
AN ACT

To amend and reenact Section 1 of Chapter 2 of Title V of Book I of the Civil Code, heretofore comprised of Articles 111 through 120, to comprise Articles 111 through 117; to amend and reenact Part II of Chapter 1 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950, heretofore comprised of R.S. 9:321 through 327, to comprise R.S. 9:321 through 324; to amend and reenact R.S. 9:382; to redesignate the Title of Chapter 2 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950 from "Divorce: Transitional Provisions" to "Transitional Provisions" and to designate R.S. 9:381 through 384 as "Part I. Divorce" of said Chapter 2; to redesignate R.S. 9:387 as R.S. 9:385 and designate it as "Part II, Child Custody and Support" of said Chapter 2; to enact a new Part III, entitled "Spousal Support" of said Chapter 2 to be comprised of R.S. 9:386 and 387; and to repeal R.S. 9:327; all relative to the awarding of spousal support to a party in a proceeding for divorce or thereafter; to provide for interim and final periodic support; to provide relative to the initial granting, modification, extinguishment, appeal from, retroactivity, and recordation of judgments of spousal support; to provide an effective date for this Act and to provide transitional provisions for claims pending on that date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 2053 by Representatives Ansardi and McMains

AMENDMENT NO. 1

On page 2, line 14, delete "or final," and after "support" and before "based" insert "or may award a party not at fault final, periodic support,"

AMENDMENT NO. 2

On page 4, delete line 11 in its entirety

AMENDMENT NO. 3

On page 4, at the beginning of line 12, change "(9)" to "(8)"

AMENDMENT NO. 4

On page 4, at the beginning of line 13, change "(10)" to "(9)"

AMENDMENT NO. 5

On page 4, delete lines 14 through 17 in their entirety

AMENDMENT NO. 6

On page 4, at the beginning of line 18, change "C." to "B."

AMENDMENT NO. 7

On page 10, delete lines 8 through 40 in their entirety and insert in lieu thereof "Art. 116. RESERVED"

AMENDMENT NO. 8

On page 11, delete lines 1 through 30 in their entirety.

AMENDMENT NO. 9

On page 16, between lines 26 and 27, insert the following:

"Section 8. 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, including their effect on recent jurisprudence."

AMENDMENT NO. 10

On page 16, line 27, change "Section 8." to "Section 9."

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. 2058 —
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3528(C), relative to consumer loan transactions; to provide that payment of accrued interest shall not constitute payment of a deferral charge; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2060 —
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:646(A)(3) and (4) and to enact R.S. 6:646(A)(5), relative to the merger or conversion of federally chartered credit unions; to permit federally chartered credit unions to convert to or merge with state-chartered credit unions; 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. 2060 by Representative Travis

AMENDMENT NO. 1

On page 1, line 14, after "provisions" insert "of"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2078—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3560(1), relative to exemptions from consumer loan licensing requirements; to provide that a federally insured depository or certain state-chartered subsidiaries thereof shall be exempt from licensing requirements; 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. 2078 by Representative Travis

AMENDMENT NO. 1

On page 1, line 4, change "wholly owned" to "certain", and change "subsidiary" to "subsidiaries"

AMENDMENT NO. 2

On page 1, line 12, after "(1)" insert "(a)"

AMENDMENT NO. 3

On page 1, line 13, delete "federally insured depository" and "or any wholly owned" and delete line 14.

AMENDMENT NO. 4

On page 1, line 17, after "Louisiana" insert a period "." and delete line 18 and insert the following:

"(b) A subsidiary of any state-chartered parent entity described in Subparagraph (1)(a) of this Section in which eighty percent or more of the ownership rests with such parent entity."

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. 2156—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3531, 3532(A), 3548(B) and 3550(E)(3) and (H), relative to consumer credit transactions; to provide relative to the fees that can be charged for the prepayment of a consumer transaction; to provide relative to the return of unearned insurance premiums; 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. 2156 by Representative Travis

AMENDMENT NO. 1

On page 1, line 5, delete "to provide for the calculation of the rebate due upon prepayment;"

AMENDMENT NO. 2

On page 2, line 14, after "referred to as the" delete the remainder of the line

AMENDMENT NO. 3

On page 2, line 15, after "rebate method" delete the remainder of the line, and delete line 16

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. 2205—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:416 and 707(D), to enact R.S. 6:1208.1, and to repeal R.S. 6:707(E), relative to the purchase of stock by financial institutions; to provide relative to the purchase of its own stock by a financial institution; 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.

Suspension of the Rules

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

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

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

Regular Calendar

HOUSE BILL NO. 2240—
BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE,
FARVE, MCDONALD, POWELL, PRATT, SALTER, SHAW, AND WRIGHT
AN ACT

To enact R.S. 17:24.9, to require that the Department of Education establish a program for at-risk preschool students; to require

inclusion of certain elements in the program and evaluation of the program; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Engrossed House Bill No. 2240 by Representative Long, et al.

AMENDMENT NO. 1

On page 1, line 13, after "program." insert "The preschool program shall be voluntary and local school systems may apply for participation in the program."

AMENDMENT NO. 2

On page 2, at the beginning of line 4, insert "preschool"

AMENDMENT NO. 3

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

"(3) Criteria for quality preschool programs."

AMENDMENT NO. 4

On page 2, at the beginning of line 5, change "(3)" to "(4)"

AMENDMENT NO. 5

On page 2, line 6, after "C." delete "Each local school system" and insert "The Department of Education"

AMENDMENT NO. 6

On page 2, at the beginning of line 8, change "department" to "legislature"

AMENDMENT NO. 7

On page 2, after line 12, insert the following:

"E. If local school systems are unable to implement a preschool program as provided by this Section, private entities within local school systems may apply to the Department of Education to provide such services as long as they meet the criteria required by the department.

F. Prior to implementing the program required by this Section, the department shall submit the program's components and requirements, including methods for identifying children, plans for coordination, quality criteria, and details of the evaluation process to the House Committee on Education and the Senate Committee on Education for review, comment, and approval."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Scalise to Engrossed House Bill No. 2240 by Representatives Long, et al.

AMENDMENT NO. 1

On page 1, line 4, after "program;" and before "and to" insert "to provide relative to the distribution of program funds;"

AMENDMENT NO. 2

On page 2, after line 12, insert the following:

"E. The distribution of funds to implement the preschool initiative provided for by this Section shall be based on a per child allocation and the program developed by the department shall include as an option providing the per child allocation directly to a parent of or other person responsible for an eligible child in the form of an early learning opportunity grant to permit the parent or other responsible person to obtain from a private sector provider services for the child that are at least equivalent to those provided by the preschool initiative developed by the department."

Rep. Scalise moved the adoption of the amendments.

Rep. Long objected.

By a vote of 37 yeas and 55 nays, the amendments were rejected.

Suspension of the Rules

On motion of Rep. Travis, 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 2240 by Representative Long, et al.

AMENDMENT NO. 1

On page 1, line 4, after "program;" insert "to define high risk children"

AMENDMENT NO. 2

On page 2, at the end of line 12, add the following:

"E. For this Section, "high risk children" shall be defined as children from economically deprived environments where access to licensed preschool child care services is inhibited by availability or funding."

Motion

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

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

Rep. Pratt objected.

The vote recurred on the substitute motion.

By a vote of 33 yeas and 63 nays, the House refused to order the previous question on the amendments.

Rep. Pratt insisted on her motion that the previous question be ordered on the entire subject matter.

By a vote of 75 yeas and 21 nays, the motion was agreed to.

Rep. Perkins moved the adoption of the amendments.

Rep. Long objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barton	Fruge	Scalise
Bowler	Gautreaux	Schneider
Brun	Green	Smith, J.D.—50th
Bruneau	Hebert	Stelly
Clarkson	Hopkins	Theriot
Crane	Johns	Thornhill
Daniel	Kennard	Travis
Deville	Lancaster	Triche
Diez	Martiny	Vitter
Dimos	McMains	Walsworth
Donelon	Michot	Wiggins
Durand	Odinet	Windhorst
Flavin	Perkins	Winston
Fontenot	Powell	Wright
Frith	Riddle	
Total—44		

NAYS

Alexander, A.—93rd	Holden	Pratt
Alexander, R.—13th	Hudson	Quezaire
Ansardi	Hunter	Romero
Baudoin	Iles	Rousselle
Baylor	Jetson	Salter
Bruce	Kenney	Shaw
Carter	Landrieu	Smith, J.R.—30th
Chaisson	LeBlanc	Strain
Copelin	Long	Thomas
Curtis	McCallum	Thompson
Damico	McDonald	Toomy
Doerge	Mitchell	Warner
Dupre	Montgomery	Welch
Farve	Morrell	Weston
Faucheux	Morrish	Wilkerson
Guillory	Murray	Willard-Lewis
Heaton	Pierre	
Hill	Pinac	
Total—52		

ABSENT

Mr. Speaker	Forster	Jenkins
Alario	Glover	Marionneaux
DeWitt	Hammett	McCain
Total—9		

The amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Gautreaux	Pierre
Alexander, A.—93rd	Glover	Pinac
Alexander, R.—13th	Green	Powell
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bruce	Hill	Salter
Brun	Holden	Scalise
Bruneau	Hopkins	Schneider
Carter	Hudson	Shaw
Chaisson	Hunter	Smith, J.D.—50th
Clarkson	Iles	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Johns	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Mitchell	Wilkerson
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Winston
Forster	Morrish	Wright
Frith	Murray	
Total—95		

NAYS

Bowler	Perkins	Triche
Fontenot	Riddle	Windhorst
Kennard	Travis	
Total—8		

ABSENT

Jenkins	Marionneaux
Total—2	

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. Quezaire, the rules were suspended in order to take up Special Order of the Day at this time.

Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

HOUSE BILL NO. 1049—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, GAUTREAUX, JOHNS, RIDDLE, THORNHILL, AND VITTER AND SENATORS DYESS AND ROBICHAUX

AN ACT

To amend and reenact R.S. 40:2116(D), 2116.32(F)(2), and 2116.35(A) and to enact R.S. 28:567(E) and R.S. 40:2103(C), relative to licensure of health care facilities; to provide for a moratorium on the licensure of mental health clinics and mental health centers; to extend the moratorium on certified beds for nursing facilities and new nursing facilities; to extend the moratorium on licensure of home health agencies; to require new locations of existing licensed home health agencies to be licensed; to provide for a moratorium on the licensure of long-term care hospital facilities and beds in such facilities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rodney Alexander to Engrossed House Bill No. 1049 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 2, line 5, after "licensed" and before "prior" insert the following:

"by the department or certified for Medicare by the Health Care Financing Administration"

AMENDMENT NO. 2

On page 2, at the end of line 13, after "moratorium" insert ", effective June 1, 1997,"

AMENDMENT NO. 3

On page 2, line 20, after "facilities" and before "licensed" delete "or beds"

AMENDMENT NO. 4

On page 2, at the beginning of line 21, delete "by October 1, 1997," and insert in lieu thereof the following:

"to long term care hospital facilities prior to November 1, 1997,"

AMENDMENT NO. 5

On page 2, line 26, after "facilities" delete the remainder of the line and insert a period "."

AMENDMENT NO. 6

On page 3, at the beginning of line 1, after "Further," and before "this" insert "to the extent permitted by federal law"

On motion of Rep. Rodney Alexander, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jetson to Engrossed House Bill No. 1049 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:2116(D)" delete the comma "," and delete "2116.32(F)(2),"

AMENDMENT NO. 2

On page 1, at the beginning of line 7, after "facilities;" delete the remainder of the line and at the beginning of line 8, delete "agencies;"

AMENDMENT NO. 3

On page 2, line 6, after "R.S. 40:2116(D)" delete the comma "," and delete "2116.32(F)(2),"

AMENDMENT NO. 4

On page 3, delete lines 16 through 26 in their entirety

AMENDMENT NO. 5

On page 4, delete lines 1 and 2 in their entirety

Rep. Jetson moved the adoption of the amendments.

Rep. Rodney Alexander objected.

By a vote of 33 yeas and 65 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Avery Alexander to Engrossed House Bill No. 1049 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 4, at the end of line 2, add the following:

"Between July 1, 1997 and January 1, 1998, the department shall conduct up to fifteen licensure surveys for new licenses for home health agency applications received by the department prior to January 1, 1997."

Rep. Avery Alexander moved the adoption of the amendments.

Rep. Rodney Alexander objected.

By a vote of 37 yeas and 64 nays, the amendments were rejected.

Rep. Rodney Alexander moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Powell
Alario	Gautreaux	Pratt

Alexander, R.—13th	Glover	Riddle
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Brun	Holden	Schneider
Bruneau	Hopkins	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Montgomery	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Odinet	Willard-Lewis
Fontenot	Perkins	Windhorst
Forster	Pierre	Winston
Frith	Pinac	Wright
Total—90		

NAYS

Alexander, A.—93rd	Guillory	Morrell
Bowler	Hunter	Murray
Curtis	Jetson	Quezairé
Green	Mitchell	
Total—11		

ABSENT

Bruce	Jenkins
Hudson	Weston
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Rodney Alexander 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. Guillory, the rules were suspended in order to take up House bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 32—
BY REPRESENTATIVES GUILLORY, BRUCE, DUPRE, HEATON, PERKINS, AND ROMERO

AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of property titles for gaming activities; and to provide for related matters.

Read by title.

Rep. Guillory moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Barton	Faucheux	Morrell
Damico	Jenkins	Rousselle
Durand	Jetson	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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HOUSE BILL NO. 60—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 18:402(F)(5), relative to election dates; to eliminate the January election date for bond, tax, or other elections; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Schneider
Bowler	Hopkins	Smith, J.R.—30th
Brun	Jetson	Stelly
Bruneau	Lancaster	Thornhill
Clarkson	LeBlanc	Triche
Copelin	Morrell	Vitter
Crane	Perkins	Willard-Lewis
Dimos	Pierre	Windhorst
Donelon	Riddle	Winston
Früge	Scalise	Wright
Total—30		

NAYS

Alario	Frith	Murray
Alexander, A.—93rd	Gautreaux	Odinet
Alexander, R.—13th	Glover	Pinac
Ansardi	Green	Powell
Baudoin	Guillory	Pratt
Baylor	Hammett	Quezaira
Bruce	Hebert	Rousselle
Carter	Hill	Salter
Chaisson	Holden	Shaw
Curtis	Hunter	Smith, J.D.—50th
Damico	Iles	Strain
Daniel	Johns	Theriot
Deville	Kennard	Thomas
DeWitt	Kenney	Thompson
Diez	Landrieu	Toomy
Doerge	Long	Travis
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrish	Wilkerson
Total—66		

ABSENT

Barton	Jenkins	McCain
Forster	Marionneaux	Mitchell
Hudson	Martiny	Romero
Total—9		

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 76—

BY REPRESENTATIVES FONTENOT, BARTON, CHAISSON, CLARKSON, DANIEL, DOERGE, DOWNER, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HILL, HOLDEN, ILES, LANCASTER, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRISH, PIERRE, POWELL, RIDDLE, JACK SMITH, STELLY, STRAIN, TRICHE, VITTER, WALSWORTH, WESTON, AND WIGGINS

AN ACT

To amend and reenact R.S. 14:91.8 and R.S. 26:793(C)(1), relative to crimes involving tobacco products; to prohibit the possession of tobacco products by minors; to provide exceptions; and to provide for related matters.

Read by title.

Rep. Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Bowler	Hopkins	Pinac
Total—3		

ABSENT

Barton	Marionneaux	Mitchell
Jenkins	McDonald	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fontenot 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. 89—

BY REPRESENTATIVES DIMOS, BRUNEAU, ANSARDI, AND LANCASTER

AN ACT

To amend and reenact R.S. 18:541 and 542, relative to the time election polls open and close on election days; to change the time the polls open and close; to provide that voting will terminate when all persons in line to vote at 7:00 p.m. have been allowed to vote; 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. 89 by Representative Dimos. Et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:541" delete "and 542," and insert a comma ","

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "and close"

AMENDMENT NO. 3

On page 1, at the end of line 3, after "open" delete the remainder of the line and insert a semi-colon ";" and delete line 4, and on line 5, delete "p.m. have been allowed to vote;"

AMENDMENT NO. 4

On page 1, line 7, after "R.S. 18:541" delete "and 542 are" and insert in lieu thereof "is"

AMENDMENT NO. 5

On page 1, line 11, between "at" and "on" delete "7:00 p.m." and insert "8:00 p.m."

AMENDMENT NO. 6

On page 1, delete lines 13 through 18 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Romero
Alexander, R.—13th	Gautreaux	Salter
Ansardi	Green	Scalise
Barton	Holden	Schneider
Baylor	Hopkins	Shaw
Bowler	Hudson	Smith, J.D.—50th

Brun	Hunter	Smith, J.R.—30th
Bruneau	Jetson	Stelly
Chaisson	Kenney	Strain
Copelin	Lancaster	Theriot
Crane	LeBlanc	Thomas
Damico	Martiny	Thompson
Daniel	McCain	Thornhill
DeWitt	McCallum	Toomy
Diez	McDonald	Travis
Dimos	McMains	Triche
Doerge	Michot	Vitter
Donelon	Mitchell	Walsworth
Dupre	Montgomery	Welch
Durand	Morrell	Wiggins
Farve	Murray	Willard-Lewis
Flavin	Perkins	Windhorst
Fontenot	Pinac	Wright
Forster	Pratt	
Frith	Quezaire	
Total—73		

NAYS

Alario	Heaton	Pierre
Alexander, A.—93rd	Hebert	Powell
Baudoin	Hill	Riddle
Carter	Iles	Rousselle
Curtis	Johns	Warner
Deville	Kennard	Weston
Faucheux	Landrieu	Wilkerson
Glover	Long	Winston
Guillory	Morrish	
Hammett	Odinot	
Total—28		

ABSENT

Bruce	Jenkins
Clarkson	Marionneaux
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 162—

BY REPRESENTATIVES MCDONALD, DANIEL, BARTON, BAUDOIN, CRANE, DOERGE, KENNEY, POWELL, SHAW, WILKERSON, AND WRIGHT

AN ACT

To repeal R.S. 17:3042.34(A)(4), relative to certain requirements for redeeming a Louisiana honors scholarship award; to repeal the requirement that a Louisiana honors scholarship award recipient shall not be eligible for any other gratuitous financial assistance or support from the college or university attended or from any alumni organization or foundation.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

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YEAS		
Mr. Speaker	Fruge	Pierre
Alario	Gautreaux	Pinac
Alexander, A.—93rd	Glover	Powell
Alexander, R.—13th	Green	Pratt
Ansardi	Guillory	Quezairé
Barton	Hammett	Riddle
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Bruce	Holden	Scalise
Brun	Hopkins	Schneider
Bruneau	Hudson	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Landrieu	Thomas
Damico	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
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Odinot	Winston
Frith	Perkins	Wright
Total—102		

NAYS

Total—0

ABSENT

Jenkins	Johns	Lancaster
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 221— BY REPRESENTATIVES JOHNS AND FAUCHEUX AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of cash assistance checks for gaming activities; and to provide for related matters.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander, A.—93rd	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezairé
Ansardi	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Rousselle
Bowler	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	Thomas
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Dimos	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Vitter
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Forster	Morrish	Willard-Lewis
Frith	Murray	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wright
Glover	Pierre	
Total—101		

NAYS

Total—0

ABSENT

Barton	Brun
Bruce	Jenkins
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns 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. 369— BY REPRESENTATIVE BOWLER AN ACT

To amend and reenact R.S. 22:2074(A) and to repeal R.S. 22:2074.1, relative to risk retention groups; to delete certain requirements of charters for risk retention groups that operate in the state; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 369 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 15, after "amended" delete the remainder of the line and delete lines 16 and 17 in their entirety.

AMENDMENT NO. 2

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Faucheux	Strain
Jenkins	Thomas
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler 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. 453—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:582(A) and 586(A)(4), relative to local option elections for a referendum on the business of selling alcoholic beverages; to change the verification date of the signatures on a petition to determine the number of qualified electors; to provide for submission of the petition to the registrar for the purpose of determining the number of qualified electors; and to provide for related matters.

Read by title.

Rep. Toomy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hill	Perkins	Weston
Jetson	Riddle	
Total—5		

ABSENT

Jenkins	Strain	Thomas
Total—3		

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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Toomy 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. 501— BY REPRESENTATIVE ROUSSELLE AN ACT

To enact R.S. 22:1405.2, relative to homeowner's insurance; to provide for disclosure of premium savings; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 504— BY REPRESENTATIVE WIGGINS AND SENATORS DYESS AND ELLINGTON AN ACT

To amend and reenact R.S. 27:43(B)(1), relative to gaming activities allowed on designated rivers and waterways; to provide that the portion of the Red River within the borders of Rapides Parish is not a designated river or designated waterway upon which gaming activities may be conducted; and to provide for related matters.

Read by title.

Rep. Wiggins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives and senators who voted 'YEAS', including Mr. Speaker, Alario, Alexander, A.—93rd, etc.

Table listing names of representatives and senators who voted 'NAYS' or 'ABSENT', including Durand, Farve, Fauchoux, etc.

Total—103 NAYS

Total—0 ABSENT

Table listing names of representatives and senators who were absent, including Deville, Jenkins.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wiggins 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. 520— BY REPRESENTATIVE DUPRE AN ACT

To amend and reenact Code of Criminal Procedure Art. 887(C) and (D), R.S. 14:98(A)(1)(b) and (c), (F)(1), and (G), R.S. 32:411(G), 411.1(D), 414(A)(1)(a), 661(C)(1)(c), 661.1(C)(1)(c), 662(A), 666(A)(introductory paragraph), 667(A)(introductory paragraph) and (A)(3) and (B)(1) and (2), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i), R.S. 40:1379.7, R.S. 44:9(A)(2), and R.S. 46:1805(B)(1) and 1809(B)(4)(e) and to enact R.S. 14:98(K) and 98.1 and R.S. 32:408.3 and 853(A)(1)(d), relative to levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, and certain driving records; to provide that lower blood alcohol levels apply to persons under the age of twenty-one years for purposes of committing the offenses and for purposes of related driver's license sanctions, implied consent law provisions, and certain driving records; to create the offense of underage driving under the influence of alcohol; to provide for definitions and penalties; to allow for participation in certain substance abuse programs; to provide for requirements of driver improvement programs; to include the offense of underage DUI in provisions relating to defendant's liability for costs and forwarding of costs for maintenance of equipment, notification of vehicle owner, and provisions related to crime victims reparations; 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. 520 by Representative Dupre

AMENDMENT NO. 1

On page 12, line 25, following "of" change "eighteen" to "twenty-one"

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

Speaker Pro Tempore Bruneau in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dupre to Engrossed House Bill No. 520 by Representative Dupre

AMENDMENT NO. 1

On page 12, at the end of line 24, delete "until the offender"

AMENDMENT NO. 2

On page 12, at the beginning of line 25, delete "reaches the age of eighteen years, or" and insert "for" and at the end of line 25, delete the comma "," and insert "from the date of suspension."

AMENDMENT NO. 3

On page 12, at the beginning of line 26, delete "whichever is longer."

AMENDMENT NO. 4

On page 18, at the end of line 15, delete ", whichever is longer"

AMENDMENT NO. 5

On page 18, line 23, after "suspended" delete "until he has reached the age of eighteen years or"

AMENDMENT NO. 6

On page 18, line 24, after "days" change ", whichever is longer" to "from the date of suspension"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Engrossed House Bill No. 520 by Representative Dupre

AMENDMENT NO. 1

On page 16, line 6, add the following sentence:

"Individuals under twenty-one measured through breath, shall be afforded the option of requesting the administration of a blood test for alcohol content."

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

Rep. Dupre 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	Glover	Pratt
Alexander, A.—93rd	Guillory	Riddle
Alexander, R.—13th	Heaton	Romero
Ansardi	Hebert	Rousselle
Barton	Hill	Salter
Baudoin	Holden	Scalise
Baylor	Hunter	Schneider
Bruce	Iles	Shaw
Brun	Jetson	Smith, J.D.—50th
Bruneau	Johns	Smith, J.R.—30th
Carter	Kennard	Stelly
Chaisson	Kenney	Strain
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Daniel	Marionneau	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Farve	Morrell	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Murray	Willard-Lewis
Fontenot	Odinot	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Fruge	Pinac	
Total—95		

NAYS

Bowler	Green	Hopkins
Deville	Hammett	Quezaire
Total—6		

ABSENT

Clarkson	Jenkins
Hudson	McDonald
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 521—
BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 32:661(A) and (C)(1), 661.1(A) and (C)(1), 662, 666(A)(3), 667(B)(1), and 668(A)(1) and (4) and (B)(1)(a)(introductory paragraph) and (b), and to enact R.S. 32:667(B)(5) and 668(B)(1)(d), relative to the Implied Consent Law; to provide for substances for which tests may be administered; to provide for the consequences, including driver's license suspensions, of submitting to or refusing to submit to such tests; to provide for the method of measuring blood alcohol concentration or level; to provide for the levels of blood alcohol concentration; to provide for administrative hearing procedures; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dupre to Engrossed House Bill No. 521 by Representative Dupre

AMENDMENT NO. 1

On page 10, line 17, after "40:964" insert a period ".", delete the remainder of the line and delete lines 18 through 20 in their entirety

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Romero
Alario	Fruge	Rousselle
Alexander, A.—93rd	Gautreaux	Salter
Alexander, R.—13th	Hebert	Scalise
Ansardi	Hill	Schneider
Barton	Hopkins	Shaw
Baudoin	Iles	Smith, J.D.—50th
Bowler	Johns	Smith, J.R.—30th
Bruce	Kennard	Stelly
Brun	Kenney	Strain
Bruneau	Lancaster	Theriot
Carter	Landrieu	Thomas
Chaisson	LeBlanc	Thompson
Clarkson	Long	Thornhill
Crane	Marionneaux	Toomy
Damico	Martiny	Travis
Daniel	McCallum	Triche
Deville	McMains	Vitter
DeWitt	Michot	Walsworth
Diez	Montgomery	Warner
Doerge	Morrell	Welch
Donelon	Morrish	Weston
Dupre	Odinet	Wiggins
Durand	Perkins	Wilkerson
Farve	Pierre	Willard-Lewis
Faucheux	Pinac	Windhorst
Flavin	Powell	Winston
Fontenot	Pratt	Wright
Forster	Riddle	
Total—86		

NAYS

Baylor	Guillory	Jetson
Copelin	Hammett	Mitchell
Curtis	Heaton	Murray
Glover	Holden	Quezaire
Green	Hunter	
Total—14		

ABSENT

Dimos	Jenkins	McDonald
Hudson	McCain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 522—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:32.1(A), to provide with respect to the essential elements of the crime of vehicular homicide; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 523—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:39.1(A), to provide with respect to the essential elements of the crime of vehicular negligent injuring; and to provide for related matters.

Read by title.

Rep. Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezaire
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
Barton	Hill	Rousselle
Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bruce	Hudson	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
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wright

Gautreaux
Glover
Total—100

Pierre
Pinac

NAYS

Total—0

ABSENT

Bowler
Daniel
Total—5

Dimos
Jenkins

McDonald

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 524—
BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:39.2(A), to provide with respect to the essential elements of the crime of first degree vehicular negligent injuring; and to provide for related matters.

Read by title.

Rep. Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—89

NAYS

Copelin
Fruge
Green
Guillory
Total—12

Hammett
Jetson
Murray
Pratt

Quezaire
Warner
Welch
Wilkerson

ABSENT

Deville
Hudson
Total—4

Jenkins
Schneider

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre 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. 598—
BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 17:2007(A) and (D), 2050, and 3217 and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, relative to public higher education; to recognize Bossier Parish Community College as a two-year institution of higher education; to transfer Bossier Parish Community College from the Bossier Parish School Board to the Board of Trustees for State Colleges and Universities; to provide for the supervision and management of the community college by the Board of Trustees for State Colleges and Universities; to provide with regard to the students, faculty, employees, funds, obligations, programs, and functions of Bossier Parish Community College; to provide with regard to the lands, buildings and improvements, facilities, and other property of Bossier Parish Community College; to provide relative to the composition of the University of Louisiana system; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Barton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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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

NAYS

Total—0

ABSENT

Jenkins
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barton 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. 658—
BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 17:2117, relative to public elementary and secondary schools; to provide that no public elementary or secondary school governing authority, superintendent, administrator, or principal shall prohibit any teacher from reading and posting certain writings, documents, and records; to prohibit certain content-based censorship; to provide for notice of such to local school systems and employees; and to provide for related matters.

Read by title.

Rep. Perkins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Barton
Total—2

Jenkins

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perkins 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. 687—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 22:1406(F), relative to automobile insurance; to provide for the designation of primary insurance for temporary substitute or rental motor vehicles; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed House Bill No. 687 by Representative Stelly

AMENDMENT NO. 1

On page 2, delete lines 3 through 6 in their entirety and insert the following:

"insurance shall be primary. However, if other automobile insurance coverage is purchased by the insured for the temporary substitute or rental motor vehicle, the coverage shall become primary. The coverage purchased by the insured shall not be considered a collateral source."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Powell
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	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	Odinot	Wright
Fruge	Perkins	
Gautreaux	Pierre	
Total—103		

NAYS

Total—0

ABSENT

Baudoin	Jenkins
Total—2	

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.

Speaker Downer in the Chair

HOUSE BILL NO. 688—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 22:671(A), relative to automobile insurance; to provide for certain conditions for automobile insurance for loaner vehicles; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Engrossed House Bill No. 688 by Representative Stelly

AMENDMENT NO. 1

On page 1, at the end of line 12, delete "vehicle sales or" and on line 13 delete "service dealer who provided" and insert in lieu thereof "provider of"

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

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

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NAYS

Total—0

ABSENT

Baudoin Michot Powell
Jenkins Morrish
Total—5

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. 785—
BY REPRESENTATIVES HUDSON AND MURRAY
AN ACT

To amend and reenact R.S. 22:657(A), (D), and (F)(2) and to enact R.S. 22:2027(E), relative to health maintenance organizations; to provide for payment of claims within a certain time period; to provide for prospective review; to provide for penalties; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hudson to Engrossed House Bill No. 785 by Representatives Hudson and Murray

AMENDMENT NO. 1

On page 7, at the end of line 6 add the following:

"Section 2. For the purposes of this Act, "health maintenance organization" shall include any managed care entity, including a hospital, or medical benefit plan or program, integrated health care delivery system, an employer or employee organization, or a managed care contractor which operates a managed care plan. A managed care entity shall include, but is not limited to, a preferred provider organization, health maintenance organization, exclusive provider organization, independent practice association, clinic-without-walls entities management services organization, managed care services organization, physician hospital organization, and hospital physician organization."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Green Pinac
Alario Guillory Powell
Alexander, A.—93rd Hammett Pratt
Alexander, R.—13th Heaton Quezairre
Ansardi Hebert Riddle
Barton Hill Romero
Baylor Holden Rousselle

Bowler Hopkins Salter
Brun Hudson Scalise
Bruneau Hunter Schneider
Carter Iles Shaw
Chaisson Jetson Smith, J.D.—50th
Clarkson Johns Smith, J.R.—30th
Copelin Kennard Stelly
Crane Kenney Strain
Curtis Lancaster Theriot
Damico Landrieu Thomas
Daniel LeBlanc Thompson
Deville Long Thornhill
DeWitt Marionneaux Toomy
Dimos Martiny Travis
Doerge McCain Triche
Donelon McCallum Vitter
Dupre McDonald 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 Winston
Gautreaux Perkins Wright
Glover Pierre

Total—101

NAYS

Total—0

ABSENT

Baudoin Diez
Bruce Jenkins
Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

Suspension of the Rules

On motion of Rep. Fontenot, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Rep. Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezairé
Barton	Hebert	Riddle
Baylor	Hill	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
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
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
Früge	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Baudoin	Jenkins	Stelly
Doerge	Jetson	
Heaton	Romero	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fontenot 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. Riddle, 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

SIGNED SENATE CONCURRENT RESOLUTIONS

April 16, 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 No. 8

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 16, 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. 50, 60, 192, 459, 501, 716, 963, 1135, 1303, 1335, and 1338

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. McCain, 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. 50—
BY SENATORS BEAN AND JONES AND REPRESENTATIVE BRUN
AN ACT

To amend and reenact 32:410(A)(3)(a)(i) and to enact 32:410(A)(3)(d), relative to drivers' licenses; to require the elimination of the appearance of social security numbers on such licenses; to authorize the office of motor vehicles to retain access to social security numbers; and to provide for related matters.

Read by title.

SENATE BILL NO. 60—
BY SENATORS SCHEDLER, SHORT AND THEUNISSEN
AN ACT

To amend and reenact R.S. 29:288, relative to free tuition for children of disabled veterans; to reduce the disability rating needed by disabled veterans in order for their children to receive free tuition in state colleges; and to provide for related matters.

Read by title.

SENATE BILL NO. 192—
BY SENATOR THEUNISSEN
AN ACT

To enact R.S. 2:135.3, relative to airport authorities; to prohibit discrimination against licensed aerial applicators; to provide for official investigation of aerial applicators in certain circumstances; to authorize suspension of airport or landing strip usage in certain instances; and to provide for related matters.

Read by title.

SENATE BILL NO. 459—
BY SENATOR HINES
AN ACT

To amend and reenact R.S. 46:56(F)(4)(a), relative to public records; to authorize the Louisiana State Board of Dentistry and the Louisiana State Board of Medical Examiners to obtain certain information in case records of the Department of Health and Hospitals and the Department of Social Services without a written request by the board or a written waiver from an applicant, client, or his legal representative under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 501—
BY SENATOR HINES AND REPRESENTATIVE DEWITT
AN ACT

To amend and reenact the introductory paragraph of R.S. 37:760 and to enact R.S. 37:760(B) and 763.1, relative to the Louisiana State Board of Dentistry; to provide for its powers and duties; to authorize the board to request and obtain criminal history record information on any person applying for any dental health care practitioner license, permit, certificate, or registration; to provide definitions; to provide for fees; to provide for confidentiality of information obtained; and to provide for related matters.

Read by title.

SENATE BILL NO. 716—
BY SENATOR FIELDS
AN ACT

To enact Chapter 4 of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 21:81 and 82, relative to the rental of rooms to persons under the age of eighteen; to provide penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 963—
BY SENATOR HINES
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 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.

SENATE BILL NO. 1135—
BY SENATOR BRANCH
AN ACT

To authorize the naming of certain veterinary hospitals after a living person; to provide for an expiration date; and to provide for related matters.

Read by title.

SENATE BILL NO. 1303—
BY SENATOR HINES AND REPRESENTATIVES R. ALEXANDER AND THOMAS
AN ACT

To amend and reenact R.S. 17:2353 and 2354.4(D), (E), (J), and (K)(1) and to enact R.S. 17:2351(9), (10), and (11), relative to the Anatomical Gift Act; to provide for the designation of a state organ procurement organization; to provide for the donation of vascular organs to the Louisiana-designated organ procurement organization; to provide restrictions on the donation of vascular organs to out-of-state organ procurement organizations; to authorize the state organ procurement organization to enter into reciprocity agreements with organizations in other states; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 1335—
BY SENATOR SMITH
AN ACT

To enact R.S. 32:1254(N)(6)(r), relative to motor vehicles; to provide for interest rates; and to provide for related matters.

Read by title.

SENATE BILL NO. 1338—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 47:1512 and 33:2719, relative to the power to employ counsel; to limit attorney fees to an hourly rate up to twenty-five percent of the actual collections; 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. 22—
BY REPRESENTATIVE WINDHORST
A RESOLUTION

To adopt House Rule 6.6(A)(10) and (11) of the Rules of Order of the House of Representatives to specify that matters relating to gambling, gaming, and wagering, with the exception of pari-mutuel watering, and charitable gaming are within the subject matter jurisdiction of the Committee on Administration of Criminal Justice and shall be referred to the Committee on Administration of Criminal Justice.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 108—

BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

To repeal rules eliminating the Medically Needy Program within the Medicaid program; to repeal rules creating a state-funded Medically Needy Program; to provide for effective dates; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 109—

BY REPRESENTATIVE WILLARD-LEWIS
A CONCURRENT RESOLUTION

To urge and request that the United States Congress condemn the practice of hazing female cadets at military academies, potentially freeze federal funds to military academies where the practice of hazing women has taken place until such time as there is a more open environment for women, and form a congressional subcommittee to examine the issue and investigate specific incidents of hazing.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 110—

BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION

To commend and congratulate the First Baptist Church on its sesquicentennial anniversary, and to wish them continued success in their future spiritual endeavors.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVE DIEZ
A CONCURRENT RESOLUTION

To authorize and direct the Department of Transportation and Development to install "Slow-School Zone" signs on Louisiana Highway 73 (Old Jefferson Highway) near Oak Grove Elementary School in Ascension Parish.

Read by title.

Lies over under the rules.

**Introduction of House Bills
and Joint Resolutions**

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

HOUSE BILL NO. 2315—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 32:706.1(C), relative to new and used motor vehicle dealers; to provide notice of wrecked vehicles; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2316—

BY REPRESENTATIVES ILES AND THOMAS
AN ACT

To enact R.S. 37:918(16) and R.S. 37:920.1, relative to the Louisiana State Board of Nursing; to authorize the Louisiana State Board of Nursing to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for a license or permit which the board is authorized to issue, including permission to enroll as a student in clinical nursing courses; to require an applicant to submit a full set of fingerprints; to authorize the board to charge and collect a fee from any applicant for costs incurred by the board in requesting and obtaining criminal history record information and to authorize a charge to the board for such information; to provide for definitions; to provide that state or national criminal history record information obtained by the board which is not already a matter of public record shall be confidential and nonpublic; to provide for the release of such information upon written consent of the applicant or by court order; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2317—

BY REPRESENTATIVES DIEZ, FORSTER, HUDSON, SCALISE, AND TRAVIS
AN ACT

To amend and reenact R.S. 37:2162(I) and to enact R.S. 37:2162(J), relative to contractors; to provide for fines for violations to be transferred to a special contractor's educational trust fund to be used for educational purposes; to provide relative to civil penalties collected upon a finding that a person is acting as a contractor without a valid license; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Natural Resources

April 16, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1780, by DeWitt
Reported with amendments. (10-0) (Regular)

House Bill No. 1781, by DeWitt
Reported favorably. (10-1) (Regular)

House Bill No. 1783, by DeWitt
Reported favorably. (11-0) (Regular)

House Bill No. 1788, by DeWitt
Reported with amendments. (9-1) (Regular)

House Bill No. 1791, by DeWitt
Reported with amendments. (10-0) (Regular)

House Bill No. 1795, by DeWitt
Reported with amendments. (10-0) (Regular)

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Senate Bill No. 509, by Romero
Reported favorably. (10-0) (Regular)

JOHN R. SMITH
Chairman

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

**Report of the Committee on
House and Governmental Affairs**

April 16, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 63, by Guillory
Reported with amendments. (11-0) (Regular)

House Bill No. 330, by Rousselle
Reported with amendments. (11-0) (Regular)

House Bill No. 334, by Rousselle
Reported with amendments. (9-0) (Regular)

House Bill No. 384, by Jetson (Joint Resolution)
Reported favorably. (9-0)

House Bill No. 824, by Murray
Reported with amendments. (7-6) (Regular)

House Bill No. 950, by Perkins
Reported with amendments. (10-0) (Regular)

House Bill No. 2028, by Downer
Reported favorably. (9-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

April 16, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 36, by Windhorst
Reported favorably. (6-0-1)

House Bill No. 78, by Iles
Reported with amendments. (7-0-1) (Regular)

House Bill No. 783, by Heaton
Reported favorably. (6-0-1) (Regular)

House Bill No. 896, by Farve (Joint Resolution)
Reported favorably. (6-0-1)

House Bill No. 1094, by Windhorst
Reported favorably. (6-0-1) (Regular)

House Bill No. 1506, by Clarkson
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1644, by Vitter
Reported favorably. (5-0-1) (Regular)

House Bill No. 1645, by Vitter
Reported with amendments. (5-0-1) (Regular)

House Bill No. 1646, by Vitter
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1740, by Farve
Reported favorably. (6-0-1) (Regular)

House Bill No. 1836, by Vitter
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1837, by Vitter
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1915, by Hunter
Reported with amendments. (5-0-1) (Regular)

House Bill No. 2125, by Windhorst
Reported favorably. (5-0-1) (Regular)

STEPHEN J. WINDHORST
Chairman

Report of the Committee on Health and Welfare

April 16, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 1047, by Rodney Alexander
Reported with amendments. (8-1) (Regular)

House Bill No. 1237, by Thomas
Reported with amendments. (9-0) (Regular)

House Bill No. 1309, by Wilkerson
Reported favorably. (10-0) (Regular)

House Bill No. 1681, by Thomas
Reported favorably. (9-0) (Regular)

House Bill No. 1888, by Rodney Alexander
Reported favorably. (9-0) (Regular)

House Bill No. 1929, by Dupre
Reported favorably. (9-0) (Regular)

House Bill No. 2049, by Rodney Alexander
Reported with amendments. (10-0) (Regular)

House Bill No. 2050, by Riddle
Reported with amendments. (10-0) (Regular)

RODNEY ALEXANDER
Chairman

**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:

Motion

On motion of Rep. Lancaster, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of House Bill No. 679.

**HOUSE BILL NO. 679—
BY REPRESENTATIVE LANCASTER
AN ACT**

To amend and reenact R.S. 33:4861.26(E) and (F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for a second progressive bingo game; to provide restrictions; and to provide for related matters.

Read by title.

On motion of Rep. Lancaster, the above bill was recommitted to the Committee on Administration of Criminal Justice.

Privileged Report of the Committee on Enrollment

April 16, 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. 103—
BY REPRESENTATIVES CLARKSON, BAUDOIN, BOWLER, BRUCE,
DURAND, FARVE, ILES, MCCAIN, PRATT, WELCH, WESTON,
WILKERSON, WILLARD-LEWIS, AND WINSTON AND SENATORS
BAJOIE AND IRONS**

A CONCURRENT RESOLUTION

To commend the Girl Scouts of the U.S.A. for their exemplary efforts to afford girls from all segments of American life a chance to develop their potential, to become a vital part of their community, and to make life-long friends; and to congratulate the Girl Scouts on the 85th anniversary of Girl Scouting in the United States.

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.

Leave of Absence

Rep. Jenkins 1 - day

Adjournment

On motion of Rep. Lancaster, at 6:30 P.M., the House agreed to adjourn until Thursday, April 17, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Thursday, April 17, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

