

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

SEVENTEENTH 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 23, 1997

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

Morning Hour

ROLL CALL

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

PRESENT

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

Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Total—105		

ABSENT

Total—0

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

Prayer

Prayer was offered by Rev. Lindsey Burns.

Pledge of Allegiance

Rep. Morrish 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. Dimos, the reading of the Journal was dispensed with.

On motion of Rep. Dimos, the Journal of April 22, 1997, was adopted.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 23, 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. 122
Returned without amendments.

House Concurrent Resolution No. 123
Returned without amendments.

House Concurrent Resolution No. 125
Returned without amendments.

House Concurrent Resolution No. 126
Returned without amendments.

House Concurrent Resolution No. 132
Returned without amendments.

House Concurrent Resolution No. 133
Returned without amendments.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

April 23, 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. 21 and 81

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATOR ROMERO
A CONCURRENT RESOLUTION

To commend the staff and students of Iberia Middle School on their efforts in proposing, promoting and celebrating Peace Week.

Read by title.

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

Message from the Senate

SENATE BILLS

April 23, 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. 1162 and 1264

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Romero, 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. 1162—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 30:2153(1)(b)(iv), relative to the definition of solid waste; to exclude from the definition of solid waste automotive fluff from automobile shredding; and to provide for related matters.

Read by title.

SENATE BILL NO. 1264—
BY SENATOR LANDRY

AN ACT

To enact Chapter 19-B of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3151 through 3153, relative to the sale of animals; to provide for definitions; to provide for requirements relating to sale; to provide for a right of action; to provide for damages; 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 CONCURRENT RESOLUTION NO. 134—
BY REPRESENTATIVES BRUNEAU AND DOWNER AND SENATORS HAINKEL AND EWING

A CONCURRENT RESOLUTION

To invite the Honorable Newt Gingrich, Speaker of the United States House of Representatives, and the Honorable M. J. "Mike" Foster, Jr., Governor of Louisiana, to address a joint session of the legislature.

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. 131—
BY REPRESENTATIVES ALARIO AND LEBLANC
A CONCURRENT RESOLUTION

To adopt the remaining four years of the five-year capital outlay program.

Read by title.

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

**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. 1408—

BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 16:51(A)(19), relative to assistant district attorneys; to provide for additional assistant district attorneys for the Nineteenth Judicial District; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2334—

BY REPRESENTATIVES KENNEY AND MCCALLUM
AN ACT

To amend and reenact R.S. 13:312(2) and 312.1(B), relative to courts of appeal; to provide election sections for the election of judges to the second district of the Court of Appeal for the Second Circuit; to provide for the assignment of judges to election sections; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2335—

BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 9:196, relative to the care of minor children; to authorize a natural tutor to act on behalf of a minor in matters involving less than seven thousand five hundred dollars without qualifying for the office of tutor; 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. 2336—

BY REPRESENTATIVE PRATT
AN ACT

To amend and reenact R.S. 40:1300.42(D), to enact R.S. 40:1300.42(A)(5), and to repeal R.S. 40:1300.43(E), relative to smoking in certain public places; to include restaurants in the list of public places where the smoking of tobacco in any form is prohibited; to prohibit the specific designation of a smoking area in a restaurant; to delete the provision which authorizes the owner, operator, or manager of a restaurant to maintain smoking and nonsmoking areas in the restaurant according to customer demand; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2337—

BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; 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. 2338—

BY REPRESENTATIVE GAUTREUX
AN ACT

To amend and reenact R.S. 56:427(A), relative to lease of waterbottoms for oyster production; to provide that applications for lease shall remain valid until a survey is made; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2339—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 17:1602, to enable the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to assess a student technology fee; to authorize the board to provide for the assessment of such fee at Louisiana State University and Agricultural and Mechanical College; to provide for the use of the proceeds thereof; to provide for reports; 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. 2340—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:4861.27(C), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for changes in the specifications for electronic pull-tab devices; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2341—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 33:4861.27(K), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to authorize assessment of administrative fees by division of charitable gaming control; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2342—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:1791, relative to rural enterprise zones; to provide for rural enterprise zones in certain parishes; to increase the parish population threshold to meet certain criteria; 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. 2343—

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 40:2533(C), to provide for the expungement of records of complaints against law enforcement officers; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2344—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 51:2333, 2335(B), 2336(2), and 2337 and to repeal R.S. 51:2332(1), relative to the Workforce Development and Training Program within the Department of Economic Development; to provide for customized workforce training; to provide for eligibility; to provide for the application and procedure for funding; to repeal the definition of "corporation"; 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. 2345—

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 15:277, relative to victims of sexual offenses; to prohibit the taking of polygraph and other similar examinations of such victims by the state; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2346—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 871(B) and (C), relative to the affixing of fingerprints to the bill of indictment; to require that the fingerprints of persons convicted of certain misdemeanor crimes must be affixed to the bill of indictment; and to provide for related matters.

Read by title.

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

**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. 892—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 9:1891(A), relative to a class trust; to authorize the creation of class trusts in favor of some or all of a persons direct or collateral descendants; 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.

SENATE BILL NO. 901—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 9:3259.1(D) and (E) and to enact R.S. 9:3259.1(B)(8), relative to lessors' rights; to provide for a lien and privilege to lessors for unpaid rent, certain expenses, and the costs of the removal of abandoned or destroyed mobile homes or manufactured housing; 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.

SENATE BILL NO. 921—

BY SENATOR ROMERO

AN ACT

To amend and reenact Code of Civil Procedure Article 1732, relative to civil jury trials; to repeal the prohibition against jury trials in suits on admiralty or general maritime claims in state court; 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.

SENATE BILL NO. 1074—

BY SENATORS ELLINGTON AND SHORT

AN ACT

To amend and reenact R.S. 14:102.1(B) and to enact R.S. 3:2093(9) and R.S. 14:102(7) through (9), relative to animals; to prohibit tampering with livestock; to require the Louisiana State Livestock Sanitary Board to adopt rules to monitor compliance; to define terms; to provide penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1161—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 30:2419, relative to scrap metal recycling; to prohibit the knowing and intentional delivery of certain scrap to a scrap metal collection and recycling facility;

to require persons delivering scrap to these facilities to certify that certain prohibited materials have been removed; and to provide for related matters.

Read by title.

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

House and House Concurrent Resolutions Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 84— BY REPRESENTATIVES WINDHORST AND CLARKSON A CONCURRENT RESOLUTION

To request the Federal Transit Administration through its regional administrator for Region VI to redesignate the transit lanes on the Crescent City Connection Bridge No. 2 from "high occupancy vehicle seven" (HOV 7) to "high occupancy vehicle two" (HOV 2).

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 90— BY REPRESENTATIVES WINDHORST, CLARKSON, AND ROUSSELLE A CONCURRENT RESOLUTION

To authorize and direct the Department of Transportation and Development to meet with certain agencies to seek solutions to minimizing the cost of repainting the Crescent City Connection Bridge.

Read by title.

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

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 41— BY REPRESENTATIVES RIDDLE AND FRITH AN ACT

To amend and reenact R.S. 9:315.13, relative to the guidelines for the determination of child support; to provide for allocation of the federal and state tax dependency deductions in certain cases; 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. 41 by Representatives Riddle and Frith

AMENDMENT NO. 1

On page 1, line 15, change "B." to "B.(1)"

AMENDMENT NO. 2

On page 1, line 16, change "seventy-five" to "fifty"

AMENDMENT NO. 3

On page 2, line 1, after "finds" delete the remainder of the line and in lieu thereof insert "both of the following:"

AMENDMENT NO. 4

On page 2, between lines 1 and 2, insert the following:

"(a) No arrearages are owed by the obligor.

"(b) The right to claim"

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 2, at the beginning of line 5, insert the following:

"(2) The child support order"

AMENDMENT NO. 7

On page 2, at the beginning of line 6, change "(1)" to "(a)" and at the beginning of line 8, change "(2)" to "(b)"

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. 149— BY REPRESENTATIVE ROUSSELLE AN ACT

To enact R.S. 34:851.27(B)(7), relative to regulation of vessels and motorboats; to authorize and provide for the regulation of air boats in Plaquemines Parish and Jefferson Parish by the parish governing authority; to provide terms and conditions; to provide for the enforcement of such regulation; to provide for the effect of such regulation; 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. 149 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 4, after "Parish" and before "by" insert "and Jefferson Parish"

AMENDMENT NO. 2

On page 2, line 2, change "authority" to "authorities"

AMENDMENT NO. 3

On page 2, line 2, after "Parish" and before "shall" insert "and Jefferson Parish"

AMENDMENT NO. 4

On page 2, line 3, after "within" and before "including" delete "the parish," and insert in lieu thereof "their respective parishes."

AMENDMENT NO. 5

On page 2, line 11, after "Parish" and before "and" insert "and Jefferson Parish"

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. 284—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 9:315.12, relative to the guidelines for the determination of child support; to require the Department of Social Services and the Louisiana District Attorneys Association to assist the legislature in the federally mandated periodic review thereof; 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. 354—

BY REPRESENTATIVE FRUGE
AN ACT

To amend and reenact R.S. 32:382(A)(1), relative to special length limits of a single vehicle; to provide for an increase in the maximum allowable length; 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. 372—

BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 9:3520(D), relative to consumer credit sales; to prohibit a seller from charging a consumer a fee for sending him an initial billing statement; to authorize a fee for additional statements; 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. 378—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 38:291(R)(2) and 304(B) and to enact R.S. 38:304.2, relative to the West 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. 383—

BY REPRESENTATIVES HOLDEN AND BAUDOIN
AN ACT

To enact R.S. 30:2183.2, relative to hazardous waste incinerator permits; to provide for prohibitions; to provide for ozone nonattainment; 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. 383 by Representatives Holden and Baudoin

AMENDMENT NO. 1

On page 1, line 9, after "incinerator" and before "in" insert ", as defined by the department as of the effective date of this Section."

AMENDMENT NO. 2

On page 1, line 12, at the end of the line delete the period "." and insert in lieu thereof "as of January 1, 1997. This Section shall not apply to temporary, mobile incinerators authorized by the department."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 399—
BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 47:631 and to repeal R.S. 47:633(17), to repeal the severance tax on gravel; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 430—
BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b), relative to penalties and fees for noncompliance with compulsory automobile security requirements; to permit reinstatement of registration without penalties for compliance within ten days of receipt of notice of noncompliance; 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. 469—
BY REPRESENTATIVE GREEN

AN ACT

To enact R.S. 10:4A-209(e), relative to banks; to prohibit banks from charging a beneficiary a fee for cashing a check; 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. 481—
BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 45:822(A)(8)(introductory paragraph), relative to telephonic sales; to include solicitations for telephonic sales within Louisiana in the definition of "telephonic seller"; 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. 481 by Representative Doerge

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "relative" delete "enact R.S. 45:822(A)(8)(d)," and insert in lieu thereof "amend and reenact R.S. 45:822(A)(8)(introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 6, after "45:822(A)(8)" and before "is" delete "(d)" and insert in lieu thereof "(introductory paragraph)" and after "hereby" and before "to" delete "enacted" and insert in lieu thereof "amended and reenacted"

AMENDMENT NO. 3

On page 1, line 13, after "occur" and before "which" insert "in which either the telephonic seller or the purchaser, or both, are located in Louisiana and"

AMENDMENT NO. 4

On page 1, delete lines 16 through 18 in their entirety

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 502—
BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 51:1903, relative to law enforcement solicitations; to permit law enforcement entities to designate one benevolent organization as its "sanctioned benevolent organization"; to provide relative to disclosure and billing; 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. 589—
BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 32:64.1, relative to speed limits; to provide for a minimum speed limit; to provide exceptions; to provide certain penalties; 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. 589 by Representative Fruge

AMENDMENT NO. 1

On page 1, line 3, after the word and punctuation "exceptions;" and before "and" insert "to provide certain penalties;"

AMENDMENT NO. 2

On page 1, line 8, after "speed of" and before "miles" change "fifteen" to "twenty"

AMENDMENT NO. 3

On page 1, at the beginning of line 10, before "vehicles carrying" add "(1)"

AMENDMENT NO. 4

On page 1, at the end of line 11, after "such" change the period to a comma and insert the following words: "and (2) existing minimum speed limits established on interstate highways. Any person violating the provisions of this Section shall be punished by a fine not to exceed twenty-five 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. 631—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 28:63(D), relative to the examination, admission, commitment, and treatment of persons suffering from mental illness and substance abuse; to limit liability of certain acts of law enforcement officers; to provide with respect to the responsibilities of law enforcement; 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. 631 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 11, delete "and general immunity from" and insert "limitation of"

AMENDMENT NO. 2

On page 2, delete lines 4 through 8

AMENDMENT NO. 3

On page 2, line 9, change "(3)" to "(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. 660—

BY REPRESENTATIVES RIDDLE, FRITH, FRUGE, KENNEY, MCCAIN, PIERRE, THORNHILL, AND WIGGINS AND SENATORS HINES, JORDAN, AND SMITH

AN ACT

To enact Chapters 1 and 2 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4101 through 4104 and 4111 through 4116, respectively, to redesignate existing Chapters 1 and 2 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Chapters 3 and 4 thereof, and to rename Code Title XIX thereof, all relative to alternative dispute resolution; to state policy regarding such alternatives; to provide for mediation and nonbinding arbitration; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

HOUSE BILL NO. 2347 (Substitute for House Bill No. 660 by Representative Riddle, et al.)—

BY REPRESENTATIVES RIDDLE AND MCMAINS
AN ACT

To enact Chapter 1 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4101 through 4112, to redesignate existing Chapters 1 and 2 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Chapters 2 and 3 thereof, and to rename Code Title XIX thereof, all relative to alternative dispute resolution; to provide for mediation; and to provide for related matters.

Read by title.

On motion of Rep. McMains, the substitute was adopted and became House Bill No. 2347 by Rep. Riddle, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 660 by Rep. Riddle.

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

HOUSE BILL NO. 773—

BY REPRESENTATIVE WILKERSON
A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(F) of the Constitution of Louisiana, relative to the industrial tax exemption; to provide that the granting of the exemption be based upon the jobs created and retained; to provide for the determination of the exemption; 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 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. 773 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 3 after the semicolon ";" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert the following:

"to provide that the granting of the exemption be based upon the jobs created and retained; to provide for the determination of the exemption; to provide for"

AMENDMENT NO. 2

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

"(2) The board shall, to the extent possible, grant exemptions based upon the jobs created or retained as a direct result of the granting of an exemption. To assure the most benefit to the citizens of the state in the granting of exemption contracts, the exemption shall be for a percentage of the ad valorem taxes determined by a fraction, the numerator of which is total Louisiana gross payroll for the manufacturing establishment and the denominator of which is total Louisiana capital for the manufacturing establishment. In no event shall the percentage be more than one hundred percent. At the election of the manufacturing establishment and with the approval of the board, the total of Louisiana gross payroll and Louisiana capital may be calculated by including all affiliates of the manufacturing establishment."

AMENDMENT NO. 3

On page 2, delete lines 12 through 14 and insert the following:

"of the term to an exemption equal to the percentage determined by as provided in Subparagraph (2) of the Paragraph."

AMENDMENT NO. 4

On page 3, line 10 after "continued" and before the period "." insert the following:

"and to provide for the determination of the amount of the exemption which may be granted based upon the ratio of payroll to capital"

On motion of Rep. Alario, 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. 819— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration of the homestead exemption; to require the assessor in St. James Parish to provide a form for the permanent registration of the homestead exemption; 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. 819 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 3, after "require" and before "to" delete "each assessor" and insert "the assessor in St. James Parish"

AMENDMENT NO. 2

On page 1, line 11, after "assessor" delete the remainder of the line and delete lines 12 through 17 in their entirety and insert the following:

"for the parishes of Acadia, Concordia, DeSoto, Catahoula, Caddo, Caldwell, LaSalle, Lincoln, East Baton Rouge, Lafourche, Rapides, St. John the Baptist, St. James, St. Martin, Terrebonne, St. Mary, St. Landry, Lafayette, Calcasieu, Iberia, Richland, East Carroll, Grant, Ouachita, Winn, Morehouse, West Carroll, Beauregard, Red River, Sabine, Union, Claiborne, Natchitoches, Allen, Vermilion, Iberville, St. Helena, Livingston, Ascension, Assumption, Bienville, Evangeline, East Feliciana, Jackson, Jefferson Davis, St. Tammany, Tangipahoa, Vernon, West Baton Rouge, West Feliciana, Pointe Coupee, Tensas, Franklin, Cameron, Avoyelles, St. Bernard, Washington, and Webster shall provide a form to property owners within the parish for permanent registration for the benefits of the homestead exemption provided for in R.S. 47:1703."

AMENDMENT NO. 3

On page 2, delete lines 1 through 8 in their entirety

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. 839— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 47:532.1(C), relative to the convenience fee collected by public license tag agents; to authorize the seller, in a motor vehicle transaction, to charge the convenience fee for a public license tag agent; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 885— BY REPRESENTATIVES MARIONNEAUX AND THOMPSON AN ACT

To enact R.S. 32:387.8, relative to special permits; to provide for a special permit for trucks hauling certain agricultural products; to provide for weight limits under the special permit; to provide for prohibitions; and to provide for related matters.

Read by title.

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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. 885 by Representatives Marionneaux and Thompson

AMENDMENT NO. 1

On page 1, line 4, after "permit;" and before "and" insert "to provide for prohibitions;"

AMENDMENT NO. 2

On page 1, line 8, after "agronomic" delete the remainder of the line and insert "or"

AMENDMENT NO. 3

On page 1, delete line 9, and insert in lieu thereof "horticultural crops"

AMENDMENT NO. 4

On page 1, line 12, after "agronomic" delete the remainder of the line and insert in lieu thereof "or horticultural"

AMENDMENT NO. 5

On page 1, at the beginning of line 13 before "crops" delete "aquacultural"

AMENDMENT NO. 6

On page 1, line 13, after "crops" and before the period "." insert "in their natural state"

AMENDMENT NO. 7

On page 2, after line 5, insert:

"(5) Trucks permitted under the provisions of this Section shall be prohibited from traveling on the Interstate System."

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. 906— BY REPRESENTATIVE R. ALEXANDER AN ACT

To amend and reenact R.S. 32:383.1, relative to loads on motor vehicles; to provide that loads of loose materials on all trucks must be covered; 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. 906 by Representative Rodney Alexander

AMENDMENT NO. 1

On page 1, line 3, after "that" delete the remainder of the line and insert in lieu thereof "loads of loose materials on all trucks must be covered; and to provide for"

AMENDMENT NO. 2

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

"A. Any load of loose material as defined in R.S. 32:383(C)"

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. 934— BY REPRESENTATIVE HEBERT AN ACT

To enact R.S. 48:261.1, relative to state highway maintenance; to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program; 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. 934 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 11, after "maintenance" delete the period "." and insert "and shall be based on that parish's total miles of state highways in proportion to the total miles of state highway in that district."

AMENDMENT NO. 2

On page 2, after line 23, insert the following:

"E. The governing authority of each parish shall adopt a resolution to undertake the responsibility of maintaining its state highways, and a majority of the legislative delegation from that parish shall agree in writing with the resolution, before the function of maintaining state highways shall be transferred from the department to the parishes."

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. 1028—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To amend and reenact R.S. 47:1576(A), relative to taxes paid under protest; to provide that a refund to a claimant for taxes paid under protest shall bear interest from the date the funds were received or from the due date of the tax return, whichever is later; to provide for the applicability of that provision; 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. 1028 by Representatives Alario and DeWitt

AMENDMENT NO. 1

On page 1, line 4, after "received" delete the remainder of the line and insert "or from the due date of the" and on line 5 after "return" and before the comma "," delete "was filed"

AMENDMENT NO. 2

On page 2, line 8, after the words "or the" delete the remainder of the line and insert the following:

"due date, determined without regard to extensions, of the tax return, whichever"

AMENDMENT NO. 3

On page 2, line 11, at the end of the line insert:

"There shall be no penalty for underpayments of estimated tax with regard to amounts paid under protest and such amounts paid under protest are not required to be paid until the due date of the return determined without regard to extensions."

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. 1064—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Children's Code Art. 1263, relative to the annulment of a final decree of adoption; to provide that no such action may be brought after one year from the final decree; 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. 1064 by Representative Johns

AMENDMENT NO. 1

On page 1, line 12, change "one year" to "six months"

AMENDMENT NO. 2

On page 1, after line 14, insert the following:

"Section 2. Any action to annul a final decree of adoption rendered prior to August 15, 1997, but after July 9, 1987, for any reason, shall be instituted before January 1, 1998 or the date on which such right would have prescribed under applicable law in effect prior to August 15, 1997, whichever occurs first, and any suit not instituted within that time and any claims relating thereto shall be forever barred. The provisions hereof do not create any additional right or grounds to annul an adoption.

Section 3. 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 and revise comments, consistent with the comments provided in the source bill for this Act, House Bill No. 1671 of the 1995 Regular Session, and the provisions of this Act."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1072—
BY REPRESENTATIVES MCCALLUM AND JOHNS
AN ACT

To amend and reenact Children's Code Arts. 1103(5), 1137, 1138, and 1143 and to enact Children's Code Art. 1103(6), all relative to the surrender of parental rights; to provide a definition of "parental fitness"; to provide for the opposition to an adoption by the alleged or adjudicated father and notice; to delete provisions on proof of establishment of parental relationship; to provide for representation of the child, a contradictory hearing and notice thereof, testing to determine paternity, the hearing on an alleged or adjudicated father's opposition to an adoption, the father's establishment of parental rights, acknowledgment, proof of substantial commitment, the termination of rights of the unsuccessfully opposing father, the award of custody to the successfully opposing father, and the costs of medical treatment; to provide an expedited time within which to request a rehearing or file an application for certiorari to the supreme court and to provide with respect to the time that a judgment becomes final and definitive for purposes of appeal; 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. 1072 by Representative McCallum and Johns

AMENDMENT NO. 1

On page 1, line 2, after "1137," and before "1138" delete "and" and after "1138" and before "and" insert a comma "," and "and 1143"

AMENDMENT NO. 2

On page 1, line 13, after "treatment;" and before "and to" insert "to provide an expedited time within which to request a rehearing or file an application for certiorari to the supreme court and to provide with respect to the time that a judgment becomes final and definitive for purposes of appeal;"

AMENDMENT NO. 3

On page line 1, line 16, after "1137," and before "1138" delete "and" and after "1138" and before "are" insert a comma "," and "and 1143"

AMENDMENT NO. 4

On page 6, after line 2, insert the following:

* * *

Art. 1143. Appeal

A. Appeals from An appeal from or application for a rehearing on any order or judgment rendered in accordance with this Chapter relative to a provision of this Title shall be in accordance with the provisions of this Article to the extent that the provisions hereof conflict with the provisions of the Code of Civil Procedure.

B. An appeal from an order of judgment of a district, family, or juvenile court shall be to the court of appeal on both law and fact. The court shall fix the return date of the appeal no more than twenty days after the day the estimated costs are paid. Emergency supplemental court reporting services may be applied for with the judicial administrator. The court of appeal shall hear and decide the appeal within twenty days after the lodging of the record on appeal.

C.(1) Within seven days after the mailing of the notice of the judgment and opinion of the court of appeal, a party may apply to the court of appeal for a rehearing. Within ten days after the mailing of the notice of the judgment and opinion of the court of appeal, a party may apply to the supreme court for a writ of certiorari. The judgment of a court of appeal becomes final and definitive if neither an application to the court of appeal for rehearing nor an application to the supreme court for a writ of certiorari is timely filed.

(2) If any party files a timely application to the court of appeal for a rehearing, then the time within which any other party may apply to the supreme court for a writ of certiorari shall be extended until ten days after the mailing of the notice of a denial of rehearing.

(3) If a timely application for rehearing has been filed in the court of appeal and the court of appeal denies the application, the judgment becomes final and definitive unless an application for writ of certiorari to the supreme court is filed within ten days after the mailing of the notice of a denial of rehearing.

(4) If an application for certiorari to the supreme court is timely filed, a judgment of the court of appeal becomes final and definitive when the supreme court denies the application for certiorari. The

supreme court may stay the execution of the judgment of the court of appeal pending a timely application for certiorari or an appeal to the United States Supreme Court.

D.(1) Within seven days after the mailing of the notice of judgment in the supreme court, a party may apply to the court for a rehearing.

(2) A judgment of the supreme court becomes final and definitive when the delay for application for rehearing has expired and no timely application therefor has been made.

(3) When an application for rehearing has been applied for timely, a judgment of the supreme court becomes final and definitive when the application is denied. The supreme court may stay the execution of the judgment pending a timely application for certiorari or an appeal to the United States Supreme Court."

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. 1129—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 36:451, 453, 454(B)(1)(b), 456(A) and (B), 457(A), 458(A), (C), and (D), and 459(B) through (F), to change the name of the Department of Revenue and Taxation to the Department of Revenue; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1172—

BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 41:135(A), relative to disposition of proceeds of sale of public lands; to exempt the board of commissioners of the Orleans Levee District from the provisions requiring the sheriff to forward the net proceeds of the sale to the Department of Natural Resources for deposit into the state treasury; to authorize the sheriff to forward the balance of the net proceeds of the sale of Orleans Levee District property directly to that district; 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. 1173—BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 38:336(B)(2), relative to levee districts; to provide for two exceptions to the requirement that the Board of Commissioners of the Orleans Levee District reserve and dedicate forever a continuous strip of land for public parks, parkways, boulevards, playgrounds, aviation fields, and places of amusement along the entire frontage of Lake Pontchartrain; to provide which areas will be the subject of the exceptions; 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. 1179—BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 9:315.5, relative to the guidelines for the determination of child support; to define "extraordinary medical expenses"; 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. 1195—BY REPRESENTATIVES WIGGINS, LONG, AND SALTER AND
SENATORS DYESS AND LANDRY
AN ACT

To amend and reenact R.S. 32:387(C)(3)(f)(ii), relative to special permits for motor vehicles; to provide for vehicles hauling recyclable waste paper products; 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. 1196—BY REPRESENTATIVES WIGGINS AND JOHNS
AN ACT

To enact R.S. 32:387.8, relative to special permits; to provide for an annual permit for trucks transporting logging equipment from one job site to another; to provide for the weight limit; to provide for fees; to provide for penalties; to provide for prohibitions; 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. 1196 by Representatives Wiggins and Johns

AMENDMENT NO. 1

On page 1, line 5, after "penalties;" and before "and" insert "to provide for prohibitions;"

AMENDMENT NO. 2

On page 2, at the end of line 4, delete "on a" and insert a period "."

AMENDMENT NO. 3

On page 2, delete lines 5 and 6 in their entirety.

AMENDMENT NO. 4

On page 2, after line 13, insert:

"(5) Trucks permitted under the provisions of this Section shall be prohibited from traveling on the Interstate System."

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. 1327—BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Code of Civil Procedure Art. 74.2(C) and (D) and R.S. 46:236.2, to enact Code of Civil Procedure Art. 74.2(E), Section 2 of Chapter 7 of Title II of Book V of the Code of Civil Procedure, comprised of Articles 2785 through 2794, and Children's Code Art. 314.1, all relative to child support; to provide with respect to venue and the transferring of child support cases within this state; to provide a process to register intrastate support orders; to provide for transfer of a proceeding for subsequent enforcement and modification by the district attorney; 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. 1327 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 5, change "2790," to "2794,"

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AMENDMENT NO. 2

On page 2, delete lines 6 through 12 in their entirety

AMENDMENT NO. 3

On page 2, at the beginning of line 13, change "(4)" to "(3)"

AMENDMENT NO. 4

On page 2, between lines 14 and 15, insert the following:

"(4) If the person awarded support is no longer domiciled in the state, the proceeding for modification of support may be brought in any of the following:

- (a) ~~the~~ The parish where the other person is domiciled,
- (b) ~~or in the~~ The parish where the support award was rendered.
- (c) The parish where the support order was last confirmed pursuant to the provisions of Article 2785 et seq."

AMENDMENT NO. 5

On page 2, line 17, after "state" and before the comma "," insert "for modification"

AMENDMENT NO. 6

On page 2, line 25, change "2790," to "2794,"

AMENDMENT NO. 7

On page 3, line 2, delete "CHILD" and at the end of the line insert "FOR MODIFICATION AND ENFORCEMENT"

AMENDMENT NO. 8

On page 3, at the end of line 8, delete the period "." and insert in lieu thereof "or Article 2793(A)(2), (A)(3), or (B)."

AMENDMENT NO. 9

On page 3, line 14, after "means" delete the remainder of the line and delete lines 15 and 16 and insert in lieu thereof "judgment, decree, or order, whether temporary, final, or subject to modification, for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, or reimbursement, and may include related costs and fees, interest, income withholding, attorney fees, and other relief."

AMENDMENT NO. 10

On page 3, at the end of line 17, insert "for modification"

AMENDMENT NO. 11

On page 3, line 19, after "registered" and before "in" insert "for modification"

AMENDMENT NO. 12

On page 4, delete lines 3 and 4 in their entirety and at the beginning of line 5, change "(d)" to "(c)"

AMENDMENT NO. 13

On page 4, at the end of line 14, delete "and verified" and at the beginning of line 15, delete "statement of support"

AMENDMENT NO. 14

On page 5, line 2, delete "other than the amount of arrearages alleged to be owed."

AMENDMENT NO. 15

On page 5, line 5, delete "other than the amount of arrearages alleged to be owed."

AMENDMENT NO. 16

On page 5, delete lines 8 through 12 in their entirety

AMENDMENT NO. 17

On page 5, at the end of line 14, delete "the amount of" and delete line 15 in its entirety

AMENDMENT NO. 18

On page 5, line 19, delete "has exclusive," and insert in lieu thereof "shall have" and delete "over" and insert in lieu thereof "to modify"

AMENDMENT NO. 19

On page 6, line 2, after "jurisdiction" and before "unless" insert "to modify the support order"

AMENDMENT NO. 20

On page 7, between lines 2 and 3, insert the following:

"Art. 2791. Registration of support orders for enforcement only

A. A support order rendered by a court of this state may be registered for enforcement in another court of this state.

B. An obligee of a support order seeking to register a support order pursuant to the provisions of this Section shall transmit to the clerk of the registering court all of the following:

- (1) A certified copy of the support order.
- (2) A verified statement of support, signed by the obligee of the support order, indicating all of the following:
 - (a) The name and street address of the obligee.
 - (b) The name, last known place of residence, and post office or street address of the obligor.
 - (c) The total amount of arrearages owed pursuant to the support order which have not been reduced to a judgment.
 - (d) A list of all the jurisdictions in which the order is registered.

C. Upon receipt of these documents, the clerk of court shall:

- (1) Treat the documents as if they were a petition seeking relief relative to a family law matter by assigning a docket number and, if applicable, designate a division to which the matter is allotted.

(2) Register the support order by stamping or making a notation thereof on the certified copy of the support order in substantially the following form: "REGISTERED by the Clerk of the [District, Family, or Juvenile] Court in and for the Parish of [name of parish] on [date]."

(3) Send a copy of the registered support order and verified statement of support, by certified or registered mail, to the obligor at the address provided in the verified statement of support.

D. The filing of a support order in compliance with the provisions hereof constitutes registration of the support order for purposes of this Section.

Art. 2792. Objections to registration of support order

An objection to the registration of the support order for any purpose must be filed by the obligor with the registering court within twenty days from the date of mailing of the notice required in Article 2791(C)(3).

Art. 2793. Confirmation of registered support order

A. If the obligor files a timely objection and, after a hearing, the court finds:

(1) There exists a legitimate basis for objecting to the registration, other than the amount of arrearages alleged to be owed, the court shall issue an order vacating the registration of the support order.

(2) There exists no legitimate basis for objecting to the registration, other than the amount of arrearages alleged to be owed, the court shall issue an order confirming the registration of the support order.

(3) There exists no legitimate basis for objecting to the registration and there is no dispute as to the amount of arrearages owed as stated in the verified statement of support, the court shall issue an order confirming the registration of the support order and render a judgment making the arrearages executory.

B. If the obligor fails to file a timely objection, the registered support order is confirmed by operation of law and the amount of arrearages alleged to be owed in the verified statement of support becomes executory in all respects.

Art. 2794. Confirmed registered support order; enforcement

A. When confirmed, the registered support order shall be treated in the same manner and have the same effect as a support order issued by the registering court. Additionally, the confirmed registered support order is subject to the same procedures, defenses, and proceedings for modifying, vacating, or staying as a support order of the rendering court, and may be enforced and satisfied in a like manner.

B. At a hearing to enforce a confirmed registered support order, the obligor may present matters that would be available to him as defenses in an action to enforce the support order in the rendering court. If he shows to the court that an appeal from the order is pending or will be taken or that a stay of execution has been granted, the court shall stay enforcement of the order until the appeal has been concluded, the time for appeal has expired, or the stay order has been vacated, upon satisfactory proof that the obligor has furnished security for payment of the support ordered as required by the rendering court. If he shows to the court any ground upon which enforcement of the confirmed registered support order may be stayed, the court shall stay enforcement of the order for an appropriate period

if the obligor furnishes the security for payment of the support ordered that is required by law."

AMENDMENT NO. 21

On page 7, at the end of line 9, delete "If" and delete lines 10 through 14 in their entirety

AMENDMENT NO. 22

On page 7, line 24, delete "motion of" and delete "attorney" and insert "attorney's motion to transfer,"

AMENDMENT NO. 23

On page 7, line 25, delete "amended to change the payee" and insert in lieu thereof "payable" and delete "under this Subsection"

AMENDMENT NO. 24

On page 7, line 26, change "may" to "shall"

AMENDMENT NO. 25

On page 8, line 2, delete "amended." and insert in lieu thereof "rendered or last registered."

AMENDMENT NO. 26

On page 8, line 14, delete "motion of" and delete "attorney" and insert in lieu thereof "attorney's motion to transfer"

AMENDMENT NO. 27

On page 8, line 16, change "may" to "shall"

AMENDMENT NO. 28

On page 8, at the beginning of line 18, delete "within the parish"

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. 1328—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact Code of Evidence Art. 902(10) and R.S. 13:3712.1, relative to the introduction of labor reports in a child or spousal support proceeding; to provide for admissibility and for self-authentication of copies of such reports; to provide prima facie proof of their contents; 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. 1329—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Civil Code Art. 3497.1 and to enact Civil Code Art. 3501.1, relative to liberative prescription; to change the prescriptive period in which to bring an action for arrearages in child support from five to ten years; 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. 1392—
BY REPRESENTATIVE RIDDLER
AN ACT

To amend and reenact R.S. 9:374(B), relative to community property; to authorize the court to award to one spouse the possession and use of the community family home and other community property subsequent to filing a petition for separation of property during the marriage; 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. 1530—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 47:820.5(B)(2), relative to the uses of toll revenues from the Greater New Orleans Mississippi River Bridges; to provide for additional projects that may be funded by excess revenues; 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. 1532—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 47:2180(A), relative to collection of ad valorem taxes; to provide for notice of delinquency; to provide that a taxpayer may designate an additional person to be notified of delinquent taxes; 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. 1532 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 3 after the semicolon ";" and before "to provide" insert "to provide for notice of delinquency;"

AMENDMENT NO. 2

On page 1, line 9 after "A.(1)" and before "On" insert "(a)"

AMENDMENT NO. 3

On page 1, after line 17, insert the following:

"(b) On the second day of January of each year, or as soon thereafter as possible, in each year following the year in which the original notice of delinquency is made pursuant to Paragraph (1) herein, the tax collector shall address to each taxpayer who has not paid all the taxes which have been assessed to him on immovable property a written notice in the manner provided herein. The notice shall specify the property upon which the taxes are delinquent, the amount of taxes due, and the manner in which the property may be redeemed. The notice shall be made each year until the property is no longer redeemable as provided in Article VII, Section 25 (B) of the Constitution of Louisiana. The cost of mailing the notice shall be considered cost for purposes of redemption."

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. 1533—
BY REPRESENTATIVE CHAISSON
AN ACT

To repeal R.S. 47:1961.2, relative to ad valorem taxes on inventories; to repeal provisions providing for monthly collection on motor vehicles, boats, outboard motors, and boats with motors which are held for collection.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1538—
BY REPRESENTATIVE FRUGE
AN ACT

To enact R.S. 32:387.8, relative to steering axle permits; to provide for travel on interstate highways by vehicles which require steering axle permits; 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. 1538 by Representative Fruge

AMENDMENT NO. 1

On page 1, at the end of line 10, after "permit" delete the period "." and insert in lieu thereof a comma "," and the words "provided the single axle vehicles requiring such permit do not exceed twenty-four thousand pounds in weight."

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. 1602—

BY REPRESENTATIVES DONELON, FRITH, AND MICHOT
AN ACT

To enact R.S. 51:916, relative to trade and commerce; to prohibit receipt of certain compensation by clinical perfusionists; to prohibit clinical perfusionists from receiving compensation for the sale of clinical perfusion products to medical institutions where they or their employer provide or may provide perfusion services or where their employer has surgical or medical privileges; to prohibit contract clinical perfusion companies from receiving compensation from the sale of clinical perfusion products to medical institutions where they provide clinical perfusion services; to prohibit companies that sell clinical perfusion products from providing contract perfusion services at the medical institutions that purchase their products; to prohibit clinical perfusionists from refusing to use any federally approved product unless there is a due process hearing; to provide for penalties for violations; 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. 1602 by Representative Donelon, et al.

AMENDMENT NO. 1

On page 3, delete lines 21 through 25 in their entirety and at the beginning of line 26, change "D." to "C."

AMENDMENT NO. 2

On page 3, line 27, after "guilty of a" delete the remainder of the line and on page 4 delete lines 1 and 2 in their entirety and insert in lieu thereof "civil offense punishable by a fine of not less than one thousand dollars nor more than five thousand dollars for each violation."

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. 1607—

BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 12:204.1 and R.S. 51:281.2 and 1905.1, relative to deceptive practices in charitable solicitations; to provide for injunctive relief; to prohibit the unauthorized use of the name of any public park, play-ground, or other public facility; 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. 1619—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 47:820.5(B)(4), relative to the use of toll revenues derived from the Greater New Orleans Mississippi River Bridges; to provide for the use and limitations on the use of excess toll revenues; 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. 1620—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 47:820.5(B)(2), relative to the use of toll revenues from the Greater New Orleans Mississippi River Bridges; to provide for certain restrictions and limitations of such toll revenues; 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. 1685—

BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 34:1(B)(2)(g), relative to appointments to the Board of Commissioners of the Port of New Orleans; to provide for the nominating agencies for the appointment of the member from Jefferson Parish; 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. 1724—
BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 34:851.27(A) and to repeal R.S. 34:3269(13), relative to wildlife and fisheries; to provide relative to regulation of water traffic by the Louisiana Wildlife and Fisheries Commission; to repeal certain authority of the Cane River Waterway District to regulate water traffic; 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. 1746—
BY REPRESENTATIVE HUDSON
AN ACT

To enact R.S. 32:386.1, relative to special permits for motor vehicles; to provide for a blanket oversize yearly permit; 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. 1746 by Representative Hudson

AMENDMENT NO. 1

On page 1, at the beginning of line 12, before "and the" delete "and six inches," and insert in lieu thereof "and four inches, a length not to exceed ninety feet,"

AMENDMENT NO. 2

On page 1, line 13, after "be" and before "hundred" delete "two" and insert "five"

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. 1817—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 30:2153(1)(b)(iv), relative to solid waste; to provide for definitions; to provide for exemptions; to provide for automobile fluff; 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. 1844—
BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 30:2419(A), (B), and (C), relative to recycling scrap metal; to prohibit the recycling of certain items; to provide for lead acid batteries; to provide for penalties; 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. 1874—
BY REPRESENTATIVES PERKINS, A. ALEXANDER, BAUDOIN, CARTER, CRANE, DANIEL, DURAND, FLAVIN, FONTENOT, GUILLORY, HOLDEN, JENKINS, JETSON, KENNARD, KENNEY, MCMAINS, MORRISH, RIDDLE, ROMERO, TRAVIS, WELCH, AND WESTON AND SENATORS BRANCH, DARDENNE, FIELDS, AND GUIDRY
AN ACT

To enact R.S. 30:2282, relative to waste sites; to provide for certain lakes; to provide for remediation; to provide for legal proceedings; 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. 1874 by Representative Perkins, et al.

AMENDMENT NO. 1

On page 2, delete lines 17 through 22 and insert in lieu thereof the following:

"C. Not later than November 1, 1997, the department shall complete the assessment necessary to determine what remediation of the lakes is required, and not later than forty-five days thereafter, if no agreement has been reached by the department and the parties determined by the department to be potentially responsible to proceed with remediation, the department shall institute such legal proceedings as are appropriate to determine the responsibility of such persons and to impose on such persons the requirements for remediation authorized under this Subtitle. If such proceedings have not been instituted by the department by January 15, 1998, thereafter the office of the attorney general shall have a right of action and shall institute and prosecute such legal actions.

D. Notwithstanding any other provision of law to the contrary, all cost to the state for the institution and prosecution of such legal action provided for in this Section shall be paid from the Hazardous Waste Site Cleanup Fund, R.S. 30:2205. The responsible persons shall be liable for the reimbursement of the funds expended for such legal action. If the attorney general institutes or prosecutes such legal

action, the costs shall be paid from the fund upon the warrant of the attorney general accompanied by detailed, itemized account of the cost."

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. 1881—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact Code of Civil Procedure Article 3945(F) and to enact Code of Civil Procedure Article 3945(G), relative to orders of temporary child custody; to clarify the exceptions thereto; to provide for allocation of custody upon denial of an order for temporary custody; 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. 1881 by Representative Green

AMENDMENT NO. 1

On page 1, line 2, after "3945(F)" and before the comma ", " insert "and to enact Code of Civil Procedure Article 3945(G)"

AMENDMENT NO. 2

On page 1, line 3, after "thereto;" and before "and" insert "to provide for allocation of custody upon denial of an order for temporary custody;"

AMENDMENT NO. 3

On page 1, between lines 10 and 11, insert the following:

"F. In the event an ex parte order of temporary custody is denied, the court shall specifically allocate between the parents the time which the child shall spend with each parent, unless immediate and irreparable injury will result to the child."

AMENDMENT NO. 4

On page 1, line 11, change "F." to "G."

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. 1949—
BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 33:4532(A), relative to the Public Belt Railroad; to authorize the city of New Orleans, through the Public Belt Railroad Commission to transport and convey trains

over the Huey P. Long Bridge, its approaches and appurtenances, and the tracks of the Public Belt Railroad system and to contract with any railroad for their use; 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. 1949 by Representative Forster

AMENDMENT NO. 1

On page 2, line 23, after "and" and before "of" insert "for the use"

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. 1961—
BY REPRESENTATIVES CLARKSON AND WINDHORST
AN ACT

To enact R.S. 48:1101.2, relative to bridges; to provide for the type of vehicles allowed to travel on the transit lanes of the Greater New Orleans Mississippi River bridges; to provide for one-way traffic on the transit lanes; 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. 2108—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 8:1(7) and (26), 72(A), 76, 78, 452, 456, 463(1), 501, 505, and 506 and to enact R.S. 8:1(41), 456.1, 502.1, 502.2, 505.1, and 505.2, relative to cemeteries; to provide for definitions; to provide for regulatory charges for a certificate of authority; to provide for the sale or transfer of cemetery authority and late charges; to provide for exemptions from regulation; to provide for certification of trust fund in articles of incorporation and amendments; to provide for an annual account by trustee and a final accounting; to provide for resignation of trustee and orderly transfer of trust fund; to provide for records available for examination; to provide relative to merchandise trust funds; to provide for the determination of personal property delivery; to provide for suppliers; to provide for annual reports by trustees; to provide for annual reports by cemeteries and other entities; to provide for examination by the board and the expenses for examination; 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. 2262—

BY REPRESENTATIVES WILLARD-LEWIS, FRITH, HILL, MORRISH, MURRAY, TRAVIS, AND WESTON
AN ACT

To enact R.S. 45:1166(F), relative to telephone services; to prohibit the transferring of long distance services without the authorization of the customer; 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. 2262 by Representative Willard-Lewis, et al.

AMENDMENT NO. 1

On page 1, line 3, after "the" and before "authorization" delete "written"

AMENDMENT NO. 2

On page 1, delete lines 14 through 16 in their entirety and insert in lieu thereof the following:

"until the order has first been confirmed in accordance with one of the following procedures:

(1) The long distance service provider has obtained the customer's written authorization on forms prescribed by the Public Service Commission.

(2) The long distance service provider has obtained the customer's electronic authorization, place from the telephone number or numbers on which the primary interexchange carrier is to be changed, to submit the order that confirms the information to confirm the authorization.

(3) An appropriately qualified and independent third party operating in a location physically separate from the telemarketing representative has obtained the customer's oral authorization to submit the long distance providers change order that confirms and includes appropriate verification data, including but not limited to the customer's date of birth or social security number.

(4) Within three business days of the customer's request for a long distance provider change, the provider must send each new customer an information package by first class mail containing at least the following information concerning the requested change:

(a) The information is being sent to confirm a telemarketing order placed by the customer within the previous week.

(b) The name of the customer's current long distance provider.

(c) The name of the newly requested long distance provider.

(d) A description of any terms, conditions, or charges that will be incurred.

(e) The name of the person ordering the change.

(f) The name, address, and telephone number of both the customer and the soliciting long distance provider.

(g) A postpaid postcard which the customer can use to deny, cancel or confirm a service order.

(h) A clear statement that if the customer does not return the postcard the customer's long distance service will be switched within fourteen days after the date the information package was mailed to the customer.

(i) The name, address, and telephone number of a contact point at the Public Service Commission for consumer complaints.

(j) The long distance provider must wait fourteen days after the form is mailed to the customers before submitting their provider change orders. If customers have cancelled their orders during the waiting period, the long distance provider shall not submit the customer's change orders."

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. 2298—

BY REPRESENTATIVE PINAC
AN ACT

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

Read by title.

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. 2298 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 18, after "use" and before "consumption" change "and" to "or"

AMENDMENT NO. 2

On page 1, at the end of line 18, change the period "." to a comma "," and insert "including products used or consumed by participants in the plan."

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.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 1392—

BY SENATORS SHORT, BEAN, CAIN, HINES, SIRACUSA, SMITH, THEUNISSEN, BARHAM, BRANCH, CASANOVA, COX, CRAVINS, ELLINGTON, FIELDS, GREENE, HOLLIS, JONES, LAMBERT, LENTINI, ROMERO AND SCHEDLER AND REPRESENTATIVES BRUCE, CARTER, STRAIN AND THOMAS

AN ACT

To enact Chapter 25-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4021 through 4025, relative to the dairy industry; to provide for the Dairy Compact Law and the state's participation in the Southern Dairy Compact; to provide for purposes, findings, and declaration of policy; to provide for definitions; to provide for rules of construction; to provide for establishment of the Southern Dairy Compact Commission; to provide for voting requirements; to provide for administration and management of the compact; to provide for powers to promote regulatory uniformity, simplicity, and interstate cooperation; to provide for equitable farm prices; to provide for optional provisions for pricing order; to provide for rulemaking procedures; to provide for findings and referendum; to provide for producer referendum; to provide for termination of over-order price or marketing order; to provide for records, reports, access to premises and penalties; to provide for subpoena power, hearings, and judicial review; to provide for enforcement with respect to handlers and penalties; to provide for financing of start-up and regular costs; to provide for audit and accounts; to provide for effective date of entrance into compact and additional members; to provide for withdrawal from compact; to provide for severability; to provide relative to Louisiana delegates; to provide for the adoption of rules and regulations by the commissioner of agriculture and forestry; to provide for access to information; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Dimos, 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. 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.

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. 583 by Representative Dimos, et al.

AMENDMENT NO. 1

On page 2, line 27, following "of" and before "defendant" insert "the"

AMENDMENT NO. 2

On page 6, line 26, following "and" and before "further" change "provide" to "provided"

On motion of Rep. Dimos, 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	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Ansardi	Guillory	Powell
Barton	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Rousselle
Brun	Hunter	Salter
Bruneau	Iles	Scalise
Carter	Jenkins	Schneider
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Damico	Lancaster	Stelly
Daniel	Landrieu	Strain
Deville	LeBlanc	Thomas
DeWitt	Long	Thompson
Diez	Marionneaux	Toomy
Dimos	Martiny	Travis
Doerge	McCain	Triche
Donelon	McDonald	Vitter
Dupre	McMains	Walsworth
Durand	Michot	Warner

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Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinot	Winston
Früge	Perkins	
Total—92		

NAYS

Total—0

ABSENT

Alario	Hammett	Thornhill
Alexander, R.—13th	Holden	Welch
Chaisson	Kennard	Wright
Curtis	McCallum	
Gautreaux	Theriot	
Total—13		

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. 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.

Rep. Dimos moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Heaton	Pratt
Alexander, A.—93rd	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Rousselle
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Brun	Jenkins	Shaw
Bruneau	Jetson	Smith, J.D.—50th
Carter	Kenney	Smith, J.R.—30th
Clarkson	Lancaster	Stelly
Copelin	Landrieu	Strain
Crane	LeBlanc	Thomas
Curtis	Long	Thompson
Damico	Marionneaux	Toomy
Daniel	Martiny	Travis
DeWitt	McCain	Triche

Diez	McCallum	Vitter
Dimos	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinot	Winston
Früge	Perkins	Wright
Gautreaux	Pierre	
Green	Pinac	
Total—94		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Flavin	Kennard
Chaisson	Glover	Theriot
Deville	Hammett	Thornhill
Doerge	Johns	
Total—11		

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. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 585 by Representative Dimos, et al.

AMENDMENT NO. 1

On page 1, line 3, after "5091.2" insert "and" and at the end of line 3 and the beginning of line 4, delete "and R.S. 22:655(B)(1)(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 12, after "proceedings" delete "'non-resident'" and insert "and 'nonresident'" and after "jurisdiction" change the comma "," to a semicolon ";" and delete the remainder of the line and at the beginning of line 13, delete "direct action proceedings;"

AMENDMENT NO. 3

On page 9, delete lines 13 through 27, and on page 10, delete lines 1 through 7

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

NAYS

Total—0

ABSENT

Chaisson	McCallum	Thornhill
Curtis	Theriot	
Total—5		

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. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Thomas and Dimos to Engrossed House Bill No. 586 by Representative Dimos, et al.

AMENDMENT NO. 1

On page 1, line 3, between "1020," and "1031" delete "and" and after "1038" and before "and to" insert ", 1243(A)(2), and 1245(B)"

AMENDMENT NO. 2

On page 1, line 4, delete "and" and at the end of the line insert "1243(C), and 1244(D),"

AMENDMENT NO. 3

On page 1, line 14, after "judgment;" and before "and to" insert "to provide with respect to intrafamily adoptions;"

AMENDMENT NO. 4

On page 2, line 2, between "1020," and "1031" delete "and" and after "1038" and before "are" insert ", 1243(A)(2), and 1245(B)"

AMENDMENT NO. 5

On page 2, at the beginning of line 4, delete "and" and after "1037.1" and before "are" insert ", 1243(C), and 1244(D)"

AMENDMENT NO. 6

On page 36, between lines 25 and 26, insert the following:

** * *

Art. 1243. Persons who may petition for intrafamily adoption

A. The following persons may petition for an intrafamily adoption:

* * *

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(2) A single grandparent, ~~or~~ married grandparents, or aunt or uncle, of a child, provided all the following exist:

(a) The parent through whom the grandparent, aunt, or uncle is claiming the right to petition is a parent recognized as having parental rights in accordance with Article 1193.

(b) The child has been in the ~~grandparent's~~ home of the grandparent, aunt, or uncle for six months prior to the filing of a petition for adoption.

* * *

C. For purposes of this Chapter:

(a) "Aunt" or "uncle" means a sibling of a parent of the child.

(b) "Grandparent" includes a great grandparent.

Art. 1244. Consent of parent

* * *

D. No surrender of parental rights pursuant to Title XI, including the requirements thereunder, is required for a valid consent under the provisions of this Chapter.

Art. 1245. Parental consent not necessary

* * *

B. When a grandparent, aunt, or uncle has been granted custody of the child by a court of competent jurisdiction and any one of the following conditions exist:

(1) A parent has refused or failed to comply with a court order of support for a period of one year.

(2) A parent is a nonresident of this state and has failed to support the child for a period of one year after a judgment awarding custody to the grandparent, aunt, or uncle.

(3) A parent has refused or failed to visit, communicate, or attempt to communicate with the child without just cause for a period of two years.

* * *

AMENDMENT NO. 7

On page 36, after line 29, insert the following:

"Section 3. 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 and revise comments consistent with the provisions of this Act."

On motion of Rep. Thomas, 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	Odinot
Alario	Gautreaux	Pierre

Alexander, A.—93rd	Glover	Pinac
Alexander, R.—13th	Green	Powell
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Riddle
Baylor	Hebert	Romero
Bowler	Hill	Salter
Bruce	Holden	Scalise
Brun	Hopkins	Schneider
Bruneau	Hudson	Smith, J.D.—50th
Carter	Hunter	Smith, J.R.—30th
Chaisson	Johns	Stelly
Clarkson	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Damico	LeBlanc	Toomy
Daniel	Long	Travis
Deville	Marionneaux	Triche
DeWitt	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Weston
Dupre	McMains	Wiggins
Durand	Michot	Wilkerson
Flavin	Mitchell	Willard-Lewis
Fontenot	Montgomery	Winston
Forster	Morrell	Wright
Frith	Morrish	
Total—92		

NAYS

Farve	Murray	Windhorst
Jenkins	Perkins	
Jetson	Welch	
Total—7		

ABSENT

Diez	Iles	Shaw
Faucheux	Rousselle	Thornhill
Total—6		

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. 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.

Rep. Faucheux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. Speaker	Glover	Odinet
Alario	Green	Perkins
Alexander, A.—93rd	Guillory	Pierre
Alexander, R.—13th	Hammett	Pinac
Ansardi	Heaton	Powell
Barton	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Rousselle
Brun	Hunter	Salter
Bruneau	Iles	Scalise
Carter	Jenkins	Schneider
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Crane	Kennard	Strain
Damico	Kenney	Theriot
Daniel	Lancaster	Thomas
Deville	Landrieu	Thompson
DeWitt	LeBlanc	Toomy
Diez	Long	Travis
Dimos	Marionneaux	Triche
Doerge	Martiny	Vitter
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Farve	McMains	Weston
Faucheux	Michot	Wilkerson
Flavin	Mitchell	Willard-Lewis
Forster	Montgomery	Windhorst
Frith	Morrell	Winston
Fruge	Morrish	Wright
Gautreaux	Murray	
Total—98		

NAYS

Total—0

ABSENT

Copelin	Shaw	Wiggins
Curtis	Smith, J.D.—50th	
Fontenot	Thornhill	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Faucheux 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. 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.

Rep. Quezaire moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Ansardi	Guillory	Powell
Barton	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Riddle
Bowler	Hill	Romero
Bruce	Holden	Rousselle
Brun	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Schneider
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Johns	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Toomy
Diez	Long	Travis
Dimos	Marionneaux	Triche
Doerge	Martiny	Vitter
Donelon	McCain	Warner
Dupre	McCallum	Welch
Durand	McDonald	Weston
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Fruge	Odinet	
Total—98		

NAYS

Total—0

ABSENT

Alexander, R.—13th	McMains	Walsworth
DeWitt	Shaw	
Kennard	Thornhill	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezaire 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. 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.

Motion

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

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.

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. 648 by Representative Frith

AMENDMENT NO. 1

On page 1, line 13, following "issue" and before "and" delete "to"

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

Point of Order

Rep. Morrell asked for a ruling from the Chair as to whether House Bill No. 648 levies a fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill did levy a fee or increases an existing fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frith to Engrossed House Bill No. 648 by Representative Frith

AMENDMENT NO. 1

On page 1, line 4, after "registration;" insert "to provide relative to notification of receipt of certain aluminum boats upon sale for salvage or scrap; and"

AMENDMENT NO. 2

On page 1, line 9, between "M." and "Any" insert "(1)"

AMENDMENT NO. 3

On page 2, after line 2, add:

"(3) Any proprietor of a scrap or salvage yard who is in receipt of an aluminum boat which does not have a hull identification number affixed thereto shall notify an agent associated with the nearest regional office of the Department of Wildlife and Fisheries to obtain verification of ownership thereof prior to payment of any value for the receipt of the boat, unless proper ownership can be verified by registration."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frith to Engrossed House Bill No. 648 by Representative Frith

AMENDMENT NO. 1

On page 1, line 4, after "registration;" insert "to provide for the expenditure of funds generated;"

AMENDMENT NO. 2

On page 1, line 9, after "M." insert "(1)"

AMENDMENT NO. 3

On page 1, line 16, after "processing." insert "(2)"

AMENDMENT NO. 4

On page 2, line 1, after "registration" insert a period "." and delete the remainder of the line and delete line 2 in its entirety and insert in lieu there the following:

"After deposit in the state treasury, an amount equal to the funds collected under the provisions of this Subsection shall be credited to the Conservation Fund and shall be used by the department to fund overtime for Department of Wildlife and Fisheries enforcement officers or to fund approved pay increases for such enforcement officers."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pinac
Alario	Gautreaux	Powell
Alexander, A.—93rd	Glover	Pratt
Ansardi	Green	Quezaire
Barton	Guillory	Riddle
Baudoin	Hammett	Romero
Baylor	Heaton	Rousselle
Bowler	Hebert	Salter
Bruce	Hill	Scalise
Bruneau	Holden	Schneider
Carter	Hudson	Shaw
Chaisson	Hunter	Smith, J.D.—50th
Clarkson	Iles	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kenney	Strain
Curtis	Lancaster	Theriot
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner

Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Murray	Winston
Forster	Odinet	Wright
Frith	Pierre	
Total—92		

NAYS

Brun	Jenkins	Windhorst
Deville	Perkins	
Hopkins	Toomy	
Total—7		

ABSENT

Alexander, R.—13th	Kennard	Mitchell
Jetson	McCain	Thornhill
Total—6		

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

The title of the above bill was read and adopted.

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.

Motion

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

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.

Motion

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

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.

Motion

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

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 procuracy; to provide for representation, mandate, and procuracy; 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.

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. 716 by Representative Dimos, et al.

AMENDMENT NO. 1

On page 27, line 13, following "shall" and before "effective" change "be" to "become"

On motion of Rep. Dimos, 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

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, A.—93rd, etc. and corresponding names like Glover, Green, Guillory, etc.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Alexander, R.—13th, Barton, Brun, etc. and corresponding names like Frith, Kennard, McCain, etc.

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.

Speaker Pro Tempore Bruneau in the Chair

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Windhorst to Reengrossed House Bill No. 776 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "Section 2(A)" and before "of" delete "and Article XIII, Section 1(A)"

AMENDMENT NO. 2

On page 2, line 19, after "legislature." insert "Notwithstanding any provision of Article XIII, Section 1 to the contrary, a joint resolution may be introduced or considered at any regular session only if it is prefiled no later than five o'clock in the evening of the Thursday before the first day of such regular session."

AMENDMENT NO. 3

On page 3, line 17, after "instrument." and before "levying" delete "No measure" and insert in lieu thereof "Notwithstanding any provision of Article XIII, Section 1 to the contrary, no no measure, including a joint resolution."

AMENDMENT NO. 4

On page 4, delete lines 22 through 26 and on page 5, delete lines 1 through 22

AMENDMENT NO. 5

On page 5, at the beginning of line 23, change "Section 3." to "Section 2."

AMENDMENT NO. 6

On page 6, at the beginning of line 1, change "Section 4." to "Section 3."

AMENDMENT NO. 7

On page 6, delete line 12, and insert in lieu thereof "for convening and procedural deadlines for adjournment and"

AMENDMENT NO. 8

On page 6, at the end of line 13, delete "and" and insert ")") and delete line 14 in its entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Reengrossed House Bill No. 776 by Representative Windhorst

AMENDMENT NO. 1

On page 3, at the end of line 10, delete "During the time" and delete lines 11 through 16 in their entirety, and on line 17 delete "instrument."

AMENDMENT NO. 2

On page 6, line 8, delete "and to set aside six", delete lines 9 and 10 in their entirety, and on line 11, delete "bond bill, and resolutions may be considered,"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Odinet
Alexander, A.—93rd	Green	Perkins
Alexander, R.—13th	Guillory	Pierre
Barton	Hammett	Pinac
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bruce	Holden	Riddle
Carter	Hopkins	Romero
Clarkson	Hudson	Rousselle
Copelin	Hunter	Salter
Curtis	Iles	Scalise
Damico	Jetson	Schneider
Daniel	Johns	Shaw
Deville	Kennard	Smith, J.D.—50th
DeWitt	Kenney	Theriot
Diez	LeBlanc	Thompson
Doerge	Long	Travis
Dupre	Marionneau	Triche
Durand	Martiny	Walsworth
Farve	McCain	Warner
Faucheux	McDonald	Welch
Flavin	Michot	Weston
Fontenot	Mitchell	Wiggins
Forster	Montgomery	Wilkerson
Frith	Morrell	Willard-Lewis
Fruge	Morrish	Windhorst
Gautreaux	Murray	Winston
Total—81		

NAYS

Mr. Speaker	Crane	Powell
Ansardi	Dimos	Smith, J.R.—30th
Bowler	Jenkins	Stelly
Brun	Lancaster	Thomas
Bruneau	Landrieu	Toomy

Chaisson	McMains	Vitter
Total—18		

ABSENT

Donelon	McCallum	Thornhill
Hill	Strain	Wright
Total—6		

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

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

Suspension of the Rules

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

Speaker Downer in the Chair

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.

Rep. Dimos moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Murray
Alario	Fruge	Odinet
Alexander, A.—93rd	Gautreaux	Perkins
Alexander, R.—13th	Green	Pierre
Ansardi	Hammett	Pinac
Barton	Heaton	Powell
Baudoin	Hebert	Pratt
Baylor	Hill	Quezaire
Bowler	Holden	Riddle
Bruce	Hopkins	Romero
Brun	Hudson	Rousselle
Bruneau	Hunter	Salter
Carter	Iles	Scalise
Chaisson	Jenkins	Schneider
Clarkson	Jetson	Smith, J.D.—50th
Copelin	Johns	Smith, J.R.—30th
Crane	Kennard	Stelly
Curtis	Kenney	Theriot
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Marionneau	Vitter

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Dimos	Martiny	Walsworth
Doerge	McCain	Warner
Donelon	McCallum	Welch
Dupre	McDonald	Weston
Durand	McMains	Wiggins
Farve	Michot	Wilkerson
Faucheux	Mitchell	Willard-Lewis
Flavin	Montgomery	Windhorst
Fontenot	Morrell	Winston
Forster	Morrish	Wright

Total—99

NAYS

Total—0

ABSENT

Glover	Shaw	Thomas
Guillory	Strain	Thornhill

Total—6

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. 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed House Bill No. 637 by Representative Bruneau

AMENDMENT NO. 1

On page 1, at the end of line 14, delete "with or"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, A.—93rd	Guillory	Pinac
Alexander, R.—13th	Hammett	Powell
Ansardi	Heaton	Pratt
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle

Baylor	Holden	Romero
Bowler	Hopkins	Rousselle
Bruce	Hudson	Salter
Brun	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	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	Toomy
DeWitt	Marionneau	Travis
Diez	Martiny	Triche
Donelon	McCain	Vitter
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Forster	Morrell	Willard-Lewis
Frith	Morrish	Windhorst
Frugé	Murray	Winston
Gautreaux	Odinet	Wright

Total—102

NAYS

Total—0

ABSENT

Dimos	Doerge	Thornhill
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Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed House Bill No. 667 by Representatives Bruneau and Windhorst

AMENDMENT NO. 1

On page 1, line 4, after "poses" delete "a" and insert in lieu thereof "an imminent"

AMENDMENT NO. 2

On page 2, line 7, after "poses" delete "a" and insert in lieu thereof "an imminent"

AMENDMENT NO. 3

On page 2, line 19, after "poses" delete "a" and insert in lieu thereof "an imminent"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Powell
Alario	Gautreaux	Riddle
Alexander, A.—93rd	Green	Romero
Ansardi	Hammett	Rousselle
Barton	Heaton	Salter
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Brun	Hopkins	Shaw
Bruneau	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Johns	Theriot
Crane	Kennard	Thomas
Damico	Kenney	Thompson
Daniel	Lancaster	Toomy
Deville	Landrieu	Triche
Diez	LeBlanc	Vitter
Doerge	Long	Walsworth
Dupre	Martiny	Warner
Durand	McCallum	Wiggins
Faucheux	McDonald	Willard-Lewis
Flavin	McMains	Windhorst
Fontenot	Michot	Winston
Forster	Montgomery	Wright
Frith	Morrish	
Total—71		

NAYS

Baudoin	Hudson	Perkins
Baylor	Hunter	Pierre
Carter	Jetson	Pinac
Copelin	Marionneaux	Pratt
Curtis	McCain	Quezairs
Farve	Mitchell	Travis
Glover	Morrell	Welch
Guillory	Murray	Weston
Holden	Odinot	Wilkerson
Total—27		

ABSENT

Alexander, R.—13th	Donelon	Thornhill
DeWitt	Stelly	
Dimos	Strain	
Total—7		

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

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. 991 by Representatives McCain and Baudoine

AMENDMENT NO. 1

On page 2, line 6, before "able" change "they are" to "it is"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McCain to Engrossed House Bill No. 991 by Representatives McCain and Baudoine

AMENDMENT NO. 1

On page 2, line 7, after the word "shall" delete the remainder of the line and delete lines 8 and 9, and insert the following:

"identify in the permit application the closest fire department, emergency medical service and hospital that can provide the services listed in Subsection B above. The department shall review and consider these agencies and hospitals to be the emergency response agencies and medical care facilities to respond to a hazardous material incident at the facility as a condition of the permit."

AMENDMENT NO. 2

On page 2, line 10, after the word "not" delete the remainder of the line and delete line 11, and insert the following:

"apply if the applicant has the ability to meet the response requirements of Section 472 of the Life Safety Code of the National Fire Protection Association."

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

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

ROLL CALL

The roll was called with the following result:

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YEAS

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

Total—98

NAYS

Total—0

ABSENT

Fontenot	Smith, J.R.—30th	Weston
McCain	Strain	
Perkins	Thornhill	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 668—

BY REPRESENTATIVES BRUNEAU AND WINDHORST
AN ACT

To amend and reenact Code of Criminal Procedure Arts. 330 and 332(B) and (C) and to enact Code of Criminal Procedure Art. 330.1, relative to bail; to provide for denial of bail after contradictory hearing if defendant is a flight risk or poses a danger to others; and to provide for related matters.

Called from the calendar.

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

Total—97

NAYS

Copelin	Holden	Jetson
Farve	Hunter	Murray

Total—6

ABSENT

Strain	Thornhill
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Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Windhorst to Engrossed House Bill No. 1254 by Representative Windhorst, et al.

AMENDMENT NO. 1

On page 6, line 12, after "settled," delete the remainder of the line and delete lines 13 and 14 in their entirety

AMENDMENT NO. 2

On page 7, between lines 21 and 22 insert:

"D. Notwithstanding any other law to the contrary, the compensation to be allowed to an expert shall not be greater than the hourly rate established for payment of court-appointed counsel, plus costs reasonably incurred by the expert. Such compensation and costs shall be paid with funds available to the court."

AMENDMENT NO. 3

On page 8, between lines 17 and 18 insert:

"D. To the extent practicable, in any action brought with respect to prison conditions pursuant to the provisions of this Section, or any other law, by a prisoner confined in any prison, pretrial proceedings in which the prisoner's participation is required or permitted shall be conducted by telephone, video conference, or other communications technology without removing the prisoner from the facility in which he is confined. Subject to agreement by the state or local entity of government with custody over the prisoner, hearings may be conducted at the facility in which the prisoner is confined. To the extent practicable, the court shall allow counsel to participate by telephone, video conference, or other telecommunications technology in any hearing held at the facility."

AMENDMENT NO. 4

On page 8, at the beginning of line 18, delete "D." and insert "E."

AMENDMENT NO. 5

On page 12, line 16, after "been" and before "if" delete "earned," and insert "vested,"

On motion of Rep. Windhorst, 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. 1254 by Representative Windhorst, et al.

AMENDMENT NO. 1

On page 1, line 3, change "1190" to "1189"

AMENDMENT NO. 2

On page 1, line 15, change "1190" to "1189"

AMENDMENT NO. 3

On page 7, delete lines 23 through 25 in their entirety.

AMENDMENT NO. 4

On page 8, line 1, change "B." to "A."

AMENDMENT NO. 5

On page 8, line 10, change "C." to "B."

AMENDMENT NO. 6

On page 8, delete lines 18 through 20 in their entirety.

AMENDMENT NO. 7

On page 11, delete lines 8 through 15 in their entirety.

AMENDMENT NO. 8

On page 11, line 16, change "§1188" to "§1187"

AMENDMENT NO. 9

On page 12, line 1, change "§1189" to "§1188"

AMENDMENT NO. 10

On page 12, line 13, change "§1190" to "§1189"

AMENDMENT NO. 11

On page 12, at the end of line 16, delete "on its own"

AMENDMENT NO. 12

On page 12, delete lines 17 through 21 in their entirety and insert in lieu thereof "the court finds that the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court."

Rep. Jetson asked for and obtained a division of the question.

Rep. Jetson moved adoption of Amendment Nos. 3, 4, and 5.

Rep. Windhorst objected.

By a vote of 48 yeas and 51 nays, the amendments were rejected.

Rep. Jetson moved adoption of Amendment No. 6.

Rep. Windhorst objected.

By a vote of 45 yeas and 50 nays, the amendment was rejected.

Rep. Jetson moved adoption of Amendment Nos. 1, 2, 7, 8, 9, and 10.

Rep. Windhorst objected.

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By a vote of 45 yeas and 48 nays, the amendments were rejected.

On motion of Rep. Jetson, Amendment Nos. 11 and 12 were withdrawn.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 1254 by Representative Windhorst, et al.

AMENDMENT NO. 1

On page 12, line 13, after "credit" delete the remainder of the line and insert in lieu thereof "or privileges"

AMENDMENT NO. 2

On page 12, at the beginning of line 16, delete "earned a good time credit" and insert in lieu thereof "privileges"

Rep. Morrell moved the adoption of the amendments.

Rep. Windhorst objected.

By a vote of 42 yeas and 56 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Fruge	Powell
Alexander, R.—13th	Gautreaux	Romero
Ansardi	Hammett	Rousselle
Barton	Hebert	Salter
Bowler	Hill	Scalise
Bruce	Hopkins	Schneider
Brun	Iles	Shaw
Bruneau	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Crane	Lancaster	Strain
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thomas
Deville	Long	Thompson
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Wiggins
Faucheux	Montgomery	Windhorst
Flavin	Morrish	Winston
Fontenot	Odinot	Wright
Forster	Perkins	
Total—77		

NAYS

Alexander, A.—93rd	Holden	Pierre
Baudoin	Hudson	Pratt
Baylor	Hunter	Quezaire

Copelin	Jenkins	Riddle
Curtis	Jetson	Welch
Farve	Mitchell	Weston
Green	Morrell	Wilkerson
Guillory	Murray	Willard-Lewis
Total—24		

ABSENT

Carter	Heaton
Glover	Thornhill
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Pro Tempore Bruneau in the Chair

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.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Fauchoux	Morrell	Willard-Lewis
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Forster	Odinet	Wright
Frith	Perkins	
Fruge	Pierre	
Total—100		

NAYS

Total—0

ABSENT

Bruce	Marionneaux	Thornhill
Jenkins	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand 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. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Engrossed House Bill No. 1364 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2 after "3516" and before "(26)" insert " (23)(a)(i) and" and after "(26)" insert ", 3527(C)and 3528 (A)"

AMENDMENT NO. 2

On page 1, line 4, after the semi-colon ";" insert "to provide relative to maximum delinquency charges and maximum deferral charges;"

AMENDMENT NO. 3

On page 1, line 7, after "3516"and before "(26)" insert "(23)(a)(i) and" and after "(26)" insert ", 3527(C) and 3528(A) are" and delete "is"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert the following:

"(23)(a) "Loan finance charge" means the sum of the following:

(i) All charges payable directly or indirectly by the consumer and imposed directly or indirectly by the lender as a requirement of the extension of credit, including any of the following types of charges that are applicable: interest or any amount payable under a point, discount, or other system of charges, however denominated;

premium or other charge for any guarantee or insurance protecting the lender against the consumer's default or other credit loss; and

* * *

AMENDMENT NO. 5

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

"§3527. Maximum delinquency charges

* * *

C. A delinquency charge may be collected only once on an installment or other payment however long it remains delinquent. No such delinquency charge may be collected if the installment or other payment has been deferred and a deferral charge has been paid or incurred, provided that the deferred payment is paid within ten days of its deferred date. Such a delinquency charge may be collected at the time it accrues or at any time thereafter, provided that written notice of such delinquency charge is provided to the consumer on or before fifteen days after the date of assessment. The notice shall state the amount of the late charge or shall state that an amount, not exceeding fifteen dollars, that is five percent of the unpaid amount of the installment or other regular payment has been assessed and similar charges may be assessed in the future in the event of delinquency. Only one such notice shall be required during the life of the transaction. No such delinquency charge may be collected on an installment or other regular payment that is paid in full within ten days after its scheduled due date even though an earlier maturing installment or other payment or a delinquency charge on an earlier installment or other payment may not have been paid in full. For purposes of this Subsection, ~~payments are deemed to be applied first to current installments or other payments due and then to delinquent installments or other payments and then to delinquency and other charges.~~ the extender of credit is prohibited from levying or collecting any delinquency charge on a payment when the only delinquency is attributable to late fees or delinquency charges assessed on earlier installments, and the payment is otherwise a full payment for the applicable period and is paid on its due date or within an applicable grace period. Provided, however, nothing herein shall be construed to prohibit the extender of credit from assessing and collecting a deferral charge on any sums not paid when due. Such deferral charges shall not exceed the contract rate charged on the consumer transaction.

* * *

§3528. Maximum deferral charges

A. With respect to a precomputed consumer credit transaction, the parties before or after default may agree in writing to a deferral of all or part of one or more unpaid installments, and the extender of credit may make and collect a charge not exceeding the rate previously stated to the consumer calculated without regard to differences in the lengths of months, but proportionately for a part of a month, counting each day as one-thirtieth of a month. A deferral charge may be collected at the time it is assessed or at any time thereafter. Deferral charges on a precomputed consumer credit transaction may be computed on a pro rata basis or any other method of calculation that does not yield a greater sum than the maximum rates permitted in this Chapter. In lieu of the above, the entire unpaid balance of the transaction may be deferred by charging an amount equal to the rate previously stated to the consumer times the balance at the time of deferral for the period of deferral. In such a case, the transaction maturity date will be extended by the number of months that the balance is deferred.

* * *

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 1364 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "9:3516(39)" and before the comma "," insert "and 3524.1"

AMENDMENT NO. 2

On page 1, line 4, after "charges;" and before "and" insert "to provide relative to the issuance of cash advances in any gaming establishment;"

AMENDMENT NO. 3

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

"* * *

§3524.1 Restrictions on cash advances

No cash advances shall be made under a lender credit card account in the official gaming establishment, or the premises used for temporary gaming operations pursuant to R.S. 27:241(A) and (J), or a designated docking facility of a riverboat licensed to conduct gaming activities or gaming operations pursuant to Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950."

Point of Order

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

Ruling of the Chair

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

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

Rep. Travis 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	Jenkins	Smith, J.D.—50th
Copelin	Jetson	Smith, J.R.—30th
Crane	Johns	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Theriot
Daniel	Lancaster	Thomas
Deville	Landrieu	Thompson
DeWitt	LeBlanc	Toomy
Diez	Long	Travis
Dimos	Marionneaux	Triche
Doerge	Martiny	Vitter
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Farve	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Clarkson	Mitchell	Thornhill
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pierre

Alexander, 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	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Farve	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright

Total—102		
	NAYS	
Total—0		
	ABSENT	
Donelon	Mitchell	Thornhill
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Motion

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

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.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—97		
	NAYS	
Total—0		
	ABSENT	

Alexander, R.—13th	Kennard	Odinet
Farve	Martiny	Thornhill
Gautreaux	Mitchell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario 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. 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.

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. 1480 by Representatives Triche and Thornhill

AMENDMENT NO. 1

On page 1, line 10, following "1974" and before "which" delete "and"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Bill No. 1480 by Representatives Triche and Thornhill

AMENDMENT NO. 1

On page 1, line 13, after "abolished" delete "on" and on line 14, delete "August 15, 1997." and insert in lieu thereof "upon certification of the legislative auditor as provided in Subsection B."

AMENDMENT NO. 2

On page 1, line 19, delete "of" and insert "after"

AMENDMENT NO. 3

On page 2, line 7, after "objectives" , delete the remainder of the line and line 8 and insert "listed as conservation, levee, and drainage districts."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fauchaux to Engrossed House Bill No. 1480 by Representatives Triche and Thornhill

AMENDMENT NO. 1

On page 2, at the end of line 2, change the period "." to a comma "," and add "as certified by the Louisiana secretary of state"

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

Motion

On motion of Rep. Triche, the bill, as amended, was returned to the calendar subject to call.

Speaker Downer in the Chair

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.

Rep. Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—98

NAYS

Total—0

ABSENT

Carter	Mitchell	Thornhill
Guillory	Pierre	
Hopkins	Schneider	
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.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Jetson and Holden to Engrossed House Bill No. 1492 by Representative Fontenot, et al.

AMENDMENT NO. 1

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

"The state health officer shall not commence the capacity development strategy authorized by this paragraph until funds have been specifically approved for the strategy by the legislature. The state health officer shall not divert existing funds or fees from other budgeted programs to fund this strategy but may provide in-kind services to match any federal grants received."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Hammett	Pratt
Alexander, A.—93rd	Heaton	Quezairé
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Iles	Schneider
Brun	Jenkins	Shaw

Bruneau	Jetson	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Chaisson	Kennard	Stelly
Clarkson	Kenney	Strain
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Toomy
Daniel	Marionneau	Travis
Dewille	Martiny	Triche
DeWitt	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Montgomery	Wiggins
Farve	Morrell	Wilkerson
Faucheux	Morrish	Willard-Lewis
Flavin	Murray	Windhorst
Forster	Odinet	Winston
Frith	Perkins	Wright
Gautreaux	Pinac	
Total—95		

NAYS

Total—0

ABSENT

Barton	Glover	Pierre
Diez	Guillory	Thornhill
Fontenot	Hunter	
Fruge	Mitchell	
Total—10		

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. 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.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Powell
Alario	Green	Pratt
Alexander, A.—93rd	Hammett	Quezairé
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero

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Barton	Hill	Rousselle
Baylor	Holden	Salter
Bowler	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	Toomy
Daniel	Marionneaux	Travis
Deville	Martiny	Triche
DeWitt	McCain	Vitter
Diez	McCallum	Walsworth
Dimos	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard-Lewis
Fontenot	Murray	Windhorst
Forster	Odinet	Winston
Frith	Perkins	Wright
Gautreaux	Pinac	
Total—95		

NAYS

Total—0

ABSENT

Baudoin	Guillory	Pierre
Doerge	Jenkins	Thornhill
Durand	Long	
Fruge	Mitchell	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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), 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; and to provide for related matters.

Read by title.

Rep. Travis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Powell
Alario	Glover	Pratt
Alexander, A.—93rd	Green	Quezaire
Alexander, R.—13th	Hammett	Riddle
Ansardi	Heaton	Romero
Barton	Hebert	Rousselle
Baudoin	Hill	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Shaw
Bruneau	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Lancaster	Thompson
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	Michot	Wilkerson
Faucheux	Morrell	Willard-Lewis
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Forster	Odinet	Wright
Frith	Perkins	
Fruge	Pinac	
Total—97		

NAYS

Total—0

ABSENT

Brun	Hunter	Pierre
Carter	Mitchell	Thornhill
Guillory	Montgomery	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Motion

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

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.

Motion

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Engrossed House Bill No. 1762 by Representatives Damico and DeWitt

AMENDMENT NO. 1

On page 2, line 14, change "cause" to "record"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed House Bill No. 1762 by Representatives Damico and DeWitt

AMENDMENT NO. 1

On page 2, line 15, after "where" and before "solid" insert "one ton or less of"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	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	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Strain
Curtis	Lancaster	Theriot
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Forster	Morrish	Willard-Lewis
Frith	Murray	Windhorst
Fruge	Odinet	Winston
Gautreux	Perkins	Wright
Total—96		

NAYS

Dupre	Faucheux	Marionneaux
Total—3		

ABSENT

Alexander, A.—93rd	Johns	Thornhill
Donelon	Mitchell	Vitter
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Damico 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. 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.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Donelon	Thornhill
Mitchell	Vitter
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Damico 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. 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.

Rep. DeWitt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, A.—93rd	Guillory	Powell
Alexander, R.—13th	Hammett	Pratt
Barton	Heaton	Quezairé
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Rousselle
Bruce	Hopkins	Salter
Brun	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Johns	Strain
Curtis	Kennard	Theriot
Damico	Kenney	Thomas
Daniel	Lancaster	Thompson
Deville	Landrieu	Toomy
DeWitt	LeBlanc	Travis
Diez	Long	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Forster	Morrish	Willard-Lewis
Frith	Murray	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wright
Total—96		

NAYS

Faucheux
Total—1

ABSENT

Ansardi	Marionneaux	Shaw
Clarkson	Martiny	Thornhill
Dupre	Mitchell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Forster, the rules were suspended in order to take up House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

**House Bills and Joint Resolutions
Returned from the Senate with Amendments**

The following House Bills and Joint Resolutions returned from the Senate with amendments were taken up and acted upon as follows:

HOUSE BILL NO. 491—

BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND REPRESENTATIVES BARTON, BOWLER, CRANE, DEVILLE, HEBERT, HUNTER, LANCASTER, MICHOT, MURRAY, ODINET, POWELL, SCALISE, WIGGINS, WINSTON, ALARIO, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BRUCE, BRUN, CLARKSON, DANIEL, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, GUILLORY, HAMMETT, HEATON, HILL, HOPKINS, ILES, JOHNS, KENNARD, KENNEY, LEBLANC, LONG, MARTINY, MCDONALD, MCMAINS, MITCHELL, PERKINS, PIERRE, PINAC, PRATT, RIDDLE, ROMERO, ROUSSELLE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, THOMPSON, THORNHILL, TOOMY, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WILKERSON, AND WILLARD-LEWIS AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 23:1658, 1842(1), and 1843(A), R.S. 39:33(A), and R.S. 49:968(B)(21), to enact Part IV of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:71 through 76, and Chapter 15 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:2041 through 2192, and R.S. 36:4(B)(1)(f) and (14), and to repeal R.S. 36:309(C)(2) and (G) and Chapter 13 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:2021 through 2024, relative to workforce development; to create and provide relative to the Louisiana Workforce Commission; to provide for the appointment, terms, qualifications, and compensation of its members; to provide for the filling of vacancies; to provide for removal of members; to provide for the goals, authorities, duties, and responsibilities of the commission, including rulemaking; to provide relative to the chairman of the commission and his powers and duties; to provide for the domicile of the commission; to authorize the commission to enter into certain agreements; to provide relative to the preparation of certain reports; to provide relative to the duties and responsibilities of departments and agencies who administer workforce development and job training programs; to provide for the transfer of authority to the commission; to place certain federally authorized councils under the jurisdiction of the commission; to create a comprehensive labor market information system; to provide for the components of the system; to provide that the system shall be under the supervision and control of the Louisiana Workforce Commission; to provide that the system shall be developed and maintained by the Department of Labor; to require agencies engaged in workforce development activities to enter into interagency reciprocal data exchange agreements; to provide for confidentiality and privacy of data; to provide for an Occupational Forecasting Conference; to provide that such conference shall be in the office of the governor; to provide relative to the delivery of workforce development programs; to provide relative to the abolishment of certain advisory councils; to provide relative to placing the commission in the governor's office; to provide relative to effective dates; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. DeWitt, 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 23, 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. 41

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

HOUSE BILLS

April 23, 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 House Bills:

House Bill No. 1162
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 23, 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. 1272, 1306, and 1362

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. 1272—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, ELLINGTON, HOLLIS AND SCHEDLER AND REPRESENTATIVES DOWNER AND DEWITT

AN ACT

To amend and reenact R.S. 17:3126(B), 3128(A) and (B)(1) and (2), 3129(B) and (D)(3), 3130, 3131, 3132, 3134(A) and (C)(1)(d), 3302(A), 3303, the introductory paragraph of R.S. 17:3351(A) and 3351(A)(3) and (11), to enact R.S. 17:3121(E), 3134(C)(1)(e), and Part XI of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3399.5, relative to the powers and duties of the Board of Regents; to provide relative to the responsibility of the Board of Regents for representing public higher education; to provide relative to the requirements for a college or university to institute certain new programs; to provide relative to the formulation and revision of a master plan for higher education, including institutional mission statements and a recommended formula for funding higher education institutions; to provide relative to constitutionally reserved management powers; to provide relative to a higher education accountability process; to provide relative to a process for allocating funding among higher education institutions; to provide relative to the selection of and conditions of holding office of the university system presidents; to provide relative to the selection of and conditions of holding office of the heads of colleges and universities; to provide relative to the general powers of the management boards of the colleges and universities; to provide relative to gubernatorial appointment of higher education board members; to provide relative to the establishment and operation of certain standing committees on all four higher education boards; and to provide for related matters.

Read by title.

SENATE BILL NO. 1306—

BY SENATOR COX

AN ACT

To amend and reenact Children's Code Article 857(A), relative to transfers for criminal prosecution; to provide for transfer of criminal prosecution of forcible rape when the rape is committed upon a child at least two years younger than the rapist; and to provide for related matters.

Read by title.

SENATE BILL NO. 1362—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 15:542(A) and the introductory paragraph of 542(B), relative to registration of sex offenders; to require certain juvenile sex offenders to register with law enforcement authorities; 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. 28—

BY REPRESENTATIVE FAUCHEUX

A RESOLUTION

To urge and request the Judicial Council of the Louisiana Supreme Court to study the jurisdiction of Ascension and Assumption Parishes and the First and Fifth Circuit Courts of Appeal, to consider the effect of removing these parishes from the First Circuit Court of Appeal and placing them within the territorial jurisdiction of the Fifth Circuit Court of Appeal; to study the effect the inclusion of these two parishes within the Fifth Circuit would have on that court's jurisdiction, and to make a determination whether an additional appellate judge for the Fifth Circuit Court of Appeal is warranted.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 29—

BY REPRESENTATIVES PRATT AND WILKERSON

A RESOLUTION

To commend Delta Theta Sorority for its achievements and designate April 23, 1997, as Delta Sigma Theta Sorority Legislative Day at the Louisiana Legislature.

Read by title.

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

**Introduction of House Bills
and Joint Resolutions**

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

HOUSE BILL NO. 1409—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact Section 2(A) of Act No. 19 of the 1970 Regular Session of the Legislature, as amended by Act No. 623 of the 1974 Regular Session, Act No. 629 of the 1979 Regular Session, Act No. 465 of the 1990 Regular Session, and Act No. 303 of the 1993 Regular Session, relative to the Shreveport-Bossier Convention and Tourist Commission; to provide relative to the composition of the commission; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1410—
BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact R.S. 13:1875(7), relative to city courts; to provide with respect to the practice of law by the judges of the City Court of Shreveport; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1657—
BY REPRESENTATIVE HILL

AN ACT

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

Read by title.

HOUSE BILL NO. 2348—
BY REPRESENTATIVE HEBERT

AN ACT

To enact Part VII-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:150.31, to provide relative to facilities of state and state-funded entities; to require state agencies and entities supported by state funds to locate new or expanded facilities in downtown commercial areas; to provide exceptions; to provide procedures; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2349—
BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 46:56(F)(4)(a), relative to the confidentiality of case records pertaining to abuse or neglect of children; to authorize the head of a law enforcement agency originally reporting such case to receive information by telephone; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2350—
BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 33:1823, relative to the qualifications of elected chiefs of police; to require a candidate for chief of police to possess a college degree and disclose certain criminal history information to qualify for said office; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2351—
BY REPRESENTATIVE JETSON

AN ACT

To enact Part IV-A of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1111 through 1120, and to repeal Part 1 of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:991 through 1009, Part II of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1041 through 1055, Part III of Chapter 6 of Title 34 of the Louisiana Revised

Statutes of 1950, comprised of R.S. 34:1071 through 1079, and Part IV of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:1101 through 1106, relative to pilots; to provide for a single board of review for all pilots; to provide for definitions; to provide for a state board of review; to provide for appointment thereto and its authority and duties; to provide for boards of examiners and appointment thereto; to provide procedure for neglect of duties; to confirm pilots; to provide relative to pilotage for acceptance into an apprenticeship program; to prohibit nepotism; to provide a procedure for commissioning additional pilots; to sanction pilot misconduct; to provide for pilot associations; to require certain vessels to take certain pilots; to provide for penalties for violations; to provide for pilotage fees and privilege therefor; to prohibit certain pilot activity; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2352—
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 42:1113, relative to the ethics code; to prohibit a public servant and certain other persons and entities from bidding on, entering into, or having an interest in certain transactions; 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 Administration of Criminal Justice

April 23, 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. 94, by Windhorst
Reported favorably. (7-0-1)

House Bill No. 11, by Bruneau
Reported favorably. (6-0-1) (Regular)

House Bill No. 130, by Fauchaux
Reported with amendments. (6-0-1) (Regular)

House Bill No. 202, by Wiggins
Reported with amendments. (6-0-1) (Regular)

House Bill No. 258, by Travis
Reported with amendments. (7-0-1) (Regular)

House Bill No. 388, by McCain
Reported with amendments. (6-0-1) (Regular)

House Bill No. 507, by Ansardi
Reported with amendments. (7-0-1) (Regular)

House Bill No. 1429, by Schneider
Reported favorably. (7-0-1) (Regular)

House Bill No. 1430, by Schneider
Reported favorably. (7-0-1) (Regular)

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House Bill No. 1476, by Shaw
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1643, by Vitter
Reported favorably. (5-0-1) (Regular)

House Bill No. 1647, by Windhorst
Reported favorably. (6-0-1) (Regular)

House Bill No. 1860, by Windhorst
Reported favorably. (7-0-1) (Regular)

STEPHEN J. WINDHORST
Chairman

Report of the Committee on Natural Resources

April 23, 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 Concurrent Resolution No. 101, by J.R. Smith
Reported favorably. (13-0)

House Bill No. 721, by Dupre
Reported with amendments. (14-0) (Regular)

House Bill No. 1276, by Dupre
Reported favorably. (14-0) (Regular)

House Bill No. 1787, by DeWitt
Reported by substitute. (13-0)

House Bill No. 1986, by DeWitt
Reported favorably. (12-0) (Regular)

House Bill No. 1988, by DeWitt
Reported with amendments. (16-0) (Regular)

House Bill No. 2005, by DeWitt
Reported with amendments. (14-0) (Regular)

House Bill No. 2007, by DeWitt
Reported with amendments. (11-0) (Regular)

JOHN R. SMITH
Chairman

Report of the Committee on Health and Welfare

April 23, 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 Concurrent Resolution No. 77, by Wilkerson
Reported favorably. (9-0)

House Bill No. 784, by Holden
Reported favorably. (9-0) (Regular)

House Bill No. 1707, by Riddle
Reported with amendments. (10-0) (Regular)

House Bill No. 1718, by Thompson
Reported favorably. (9-0) (Regular)

House Bill No. 1719, by Thompson
Reported favorably. (9-0) (Regular)

House Bill No. 1747, by Jetson
Reported favorably. (7-2) (Regular)

House Bill No. 1831, by J. D. Smith
Reported with amendments. (7-2) (Regular)

House Bill No. 2066, by Rodney Alexander
Reported favorably. (14-0) (Regular)

Senate Concurrent Resolution No. 28, by Irons
Reported favorably. (9-0)

RODNEY ALEXANDER
Chairman

Report of the Committee on House and Governmental Affairs

April 23, 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 Resolution No. 10, by Stelly
Reported with amendments. (10-0)

House Concurrent Resolution No. 4, by Wright
Reported with amendments. (7-6)

House Bill No. 113, by Ansardi
Reported with amendments. (13-0) (Regular)

House Bill No. 580, by Bruneau (Joint Resolution)
Reported with amendments. (14-0)

House Bill No. 581, by Bruneau
Reported favorably. (14-0) (Regular)

House Bill No. 1387, by McMains
Reported favorably. (11-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Insurance

April 23, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 447, by Morrell
Reported favorably. (7-3) (Regular)

House Bill No. 949, by Odinet
Reported with amendments. (9-0) (Regular)

House Bill No. 1314, by Holden
Reported with amendments. (10-0) (Regular)

House Bill No. 1373, by Donelon
Reported favorably. (10-0) (Regular)

House Bill No. 1590, by Perkins
Reported favorably. (10-0) (Regular)

House Bill No. 2025, by Donelon
Reported with amendments. (10-0) (Regular)

House Bill No. 2027, by Donelon
Reported favorably. (10-0) (Regular)

House Bill No. 2111, by Donelon
Reported with amendments. (10-0) (Regular)

House Bill No. 2219, by Landrieu
Reported with amendments. (8-0) (Regular)

House Bill No. 2228, by Donelon
Reported with amendments. (7-0) (Regular)

JAMES DONELON
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. Alario, the Committee on Ways and Means was discharged from further consideration of House Bill No. 840.

HOUSE BILL NO. 840—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 47:532.1(A)(4) and (7), relative to public license tag agents; to delete the prohibition on advertising by such agents; to expand the authority of such agents to collect taxes on motor vehicle sales; and to provide for related matters.

Read by title.

On motion of Rep. Alario, the above bill was recommitted to the Committee on Commerce.

Privileged Report of the Committee on Enrollment

April 23, 1997

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 24—
BY REPRESENTATIVE MCCAIN AND SENATOR GREENE
A RESOLUTION

To commend the accomplishments and contributions of Dow Chemical Company during its one hundred years of existence.

HOUSE RESOLUTION NO. 27—
BY REPRESENTATIVE WILLARD-LEWIS
A RESOLUTION

To remember the lifetime contributions of Joseph L. Hobbs, Jr. and to express the sincere condolences of the House of Representatives to his family upon his untimely death.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Suspension of the Rules

On motion of Rep. Brun, the rules were suspended to permit the Committee on Education to add the following legislative instruments to its agenda without giving the notice required by House Rule 14.21(A).

House Bill No. 402

Adjournment

On motion of Rep. Landrieu, at 6:30 P.M., the House agreed to adjourn until Thursday, April 24, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Thursday, April 24, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

