

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

NINETEENTH 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

Friday, April 25, 1997

The House of Representatives was called to order at 10:00 A.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	Pinac
Alario	Glover	Powell
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holder	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Brun	Hunter	Shaw
Bruneau	Iles	Smith, J.D.—50th
Carter	Jenkins	Smith, J.R.—30th
Chaisson	Jetson	Stelly
Clarkson	Johns	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	Michot	Weston
Durand	Mitchell	Wiggins
Farve	Montgomery	Wilkerson

Faucheux	Morrell	Willard-Lewis
Flavin	Morrish	Windhorst
Fontenot	Murray	Winston
Forster	Odinet	Wright
Frith	Perkins	
Fruge	Pierre	
Total—103		

ABSENT

Guillory	McMains
Total—2	

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Chaz Roberts.

Mon Dieu,

Merci de nous permettre d'être réunis ici aujourd'hui à Baton Rouge et de pouvoir parler le Français la langue de nos ancêtres.

Aide nos députés à prendre de bonnes décisions pour le bien de la Louisiane. Protège-les dans leur travail et dans leur vie quotidienne.

Fais que la Louisiane et les Etats-Unis soient prospères dans l'unité et la justice.

Au nom du Père, du Fils et du Saint-Esprit.

Amen

On motion of Rep. Downer, the above prayer was ordered incorporated into the Official Journal.

Pledge of Allegiance

Miss Natalie Gautreaux 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 24, 1997, was adopted.

**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. 31—
 BY REPRESENTATIVE WILLARD-LEWIS
 A RESOLUTION

To commend Mrs. Leah L. Chase for being honored by the New Orleans section of the National Council of Negro Women for longstanding service to her community and selfless dedication to the betterment of all people.

Read by title.

On motion of Rep. Willard-Lewis, 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. 1411—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 11:413(7), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership, participation, service credit and contributions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1660—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 39:1527(1) and to enact R.S. 11:413(7) and R.S. 40:511, relative to housing authorities; to provide that no housing authority is or has ever been a state agency for purposes of participation of its members, officials, or employees in the State Employees' Retirement System, or for purposes of participation of any housing authority in the state's risk management program; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2360—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 22:1404.1, relative to the Department of Insurance; to permit the review of the financial condition of insurers by the department; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2361—
BY REPRESENTATIVE LANDRIEU
AN ACT

To amend and reenact R.S. 33:2002(A), relative to extra compensation for firefighters; to clarify the application of certain training standards for supplemental pay eligibility; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2362—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 39:198(D)(introductory paragraph), relative to contracts for fiscal intermediary services in processing claims of health care providers; to authorize extensions of less than one year in the event of special circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2363—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 46:1051(B) and to enact R.S. 33:1415(I), relative to hospitals owned by political subdivisions; to provide relative to the authority of certain subdivisions with respect to such hospitals; and to provide for related matters.

Read by title.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR COX
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to provide each citizen with a constitutional right to a clean and healthful environment and protection of our other natural resources.

Read by title.

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

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. 1658—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To provide relative to Lafourche Parish Ambulance Service District No. 1, to ratify and confirm the authority of the board of commissioners of the district to levy and collect an ad valorem tax, subject to voter approval; to provide that the tax not be levied or collected prior to the dissolution of an agreement between the district and Lafourche Parish Hospital Service District No. 1 which authorizes the hospital district to levy an ad valorem tax on behalf of the ambulance service district and the removal of the tax levied pursuant to the agreement from the tax rolls of the hospital service district; to provide that such agreement is dissolved and to require removal of such tax from the tax rolls; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1659—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 33:3007, to dedicate certain Indian gaming revenues received by the state to a special fund in the state treasury; to create the fund; to provide for the use of monies in the fund; to provide for allocation of the monies by the St. Mary Parish Police Jury to various local governments within the parish; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2354—
BY REPRESENTATIVE WINSTON
AN ACT

To authorize and provide for the lease of or other cooperative endeavor involving certain state property by the Northlake Nature Center from the Department of Health and Hospitals; 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. 2355—
BY REPRESENTATIVE A. ALEXANDER
AN ACT

To enact R.S. 30:2022.2, relative to permitting by the Department of Environmental Quality; to prohibit certain permits; to provide for populated areas; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2356—
BY REPRESENTATIVE LEBLANC
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1997-1998, and to provide for related matters.

Read by title.

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

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. 14—
BY SENATORS BEAN AND SCHEDLER
AN ACT

To amend and reenact R.S. 32:301, relative to motor vehicles; to require lighted headlamps under certain atmospheric conditions; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 152—
BY SENATOR JORDAN
AN ACT

To enact R.S. 9:2782.2, relative to checks; to authorize a holder in due course of a check against which a stop payment has been issued to claim damages, attorney fees, and a service charge against the drawer if it is not paid after written notice; 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. 201—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 11:1455, relative to the Assessors' Retirement Fund; to provide for restoration of service credit upon repayment of withdrawn accumulated contributions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 254—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 32:1301 and to enact R.S. 32:1305(G), relative to motor carriers; to provide for certain motor carriers to establish official inspection stations; to authorize that such stations be located either in-state or out-of-state; to require such motor carriers to have Louisiana registration; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 258—
BY SENATORS LENTINI, FIELDS, JORDAN, LANDRY AND SHORT
AN ACT

To amend and reenact R.S. 16:15(C), relative to district attorneys; to provide with respect to worthless check collection fee; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 266—
BY SENATOR ULLO
AN ACT

To amend and reenact R.S. 47:332.1(B)(3) and to enact R.S. 47:332.1(B)(4), relative to making certain appropriations from those taxes realized from certain sales taxes collected in the town of Grand Isle; to create the town of Grand Isle Tourist Commission Enterprise Fund within the office of the treasury and to provide a source of revenue for the fund; to provide for the avails of the tax collected in the town of Grand Isle to be utilized solely for tourism development purposes; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 267—
BY SENATOR ULLO (By Request)
AN ACT

To amend and reenact R.S. 37:380(5), relative to barbers; to prohibit the use of certain instruments; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 368—
BY SENATOR GREENE
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(vi), relative to driver's license; to provide relative to application; to authorize issuance

to certain persons without social security numbers; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 401—

BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:305.7, relative to commercial gear licenses; to require that all saltwater commercial fishing vessels be tagged in such a manner so as to be able to identify the boat's fishing activity; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 424—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:1938(L), relative to the Parochial Employees' Retirement System; to provide for repayment of funds withdrawn from the applicable Deferred Retirement Option Plan Fund upon reemployment within certain time periods; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 449—

BY SENATOR JORDAN

AN ACT

To enact R.S. 18:1472, relative to election offenses; to create the crime of "unauthorized opening of voting machines"; to provide for penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 497—

BY SENATORS HEITMEIER AND HOLLIS

AN ACT

To amend and reenact R.S. 37:3171(A) and (B), 3173(A)(2) and (B)(2), 3176(C), 3179(B), (C), and (G)(3), 3181(A)(6), (7), and (10), and (I), 3182 and 3183, to enact R.S. 37:3172(3), 3176(A)(3), and 3179.2(G), and to repeal R.S. 37:3185; to add "registered interior designers" designation to the Interior Design Licensing Statute; to provide for qualifications; to provide for fees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 524—

BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:57.4, relative to commercial fishing; to provide relative to enforcement of certain federal laws, rules or regulations; to provide relative to adoption of certain rules and regulations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 536—

BY SENATORS DARDENNE, HAINKEL AND EWING

AN ACT

To amend and reenact R.S. 27:11(B)(3)(c) and (e), relative to the Louisiana Gaming Control Board; to change educational requirements of some board members; 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. 684—

BY SENATOR LANDRY (On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Criminal Procedure Articles 679 and 684, relative to the recusation of judges; to provide for procedures for recusation of appellate judges; to provide for appointment of judges sitting in place of recused judges or justices; to provide for review of recusation ruling; 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. 686—

BY SENATOR LANDRY (On Recommendation of the Louisiana State Law Institute)

AN ACT

To enact Code of Criminal Procedure Art. 517, relative to joint representation of co-defendants; to require the court to advise co-defendants of their right to separate trials; 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. 753—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 33:4861.26(E) and (F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for a second progressive bingo game; 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. 754—

BY SENATOR ROMERO

AN ACT

To amend and reenact Section 7(c) of the charter of the city of New Iberia, as originally enacted by Act 187 of the 1910 Regular Session, as subsequently amended as provided by law, and as amended by Act No. 340 of the 1988 Regular Session of the Legislature of Louisiana, relative to the elected officials of said city; to provide for the qualifications of the mayor; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 779—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 11:1938(A), relative to the Parochial Employees' Retirement System; to remove the one-year waiting period prior to entering the Deferred Retirement Option Plan; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 812—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and R.S. 46:236.1(D)(1)(a), relative to use of criminal history records and certain motor vehicle and law enforcement systems in connection with support enforcement; to provide with respect to access to such records and systems and use thereof by the Department of Social Services; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 861—

BY SENATORS COX AND CASANOVA

AN ACT

To enact Subpart A-1 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:120.5 through 120.13 and to repeal R.S. 33:103(C)(1)(e), 4877.2, Act 196 of the 1960 Regular Session of the Legislature, Act 29 of the 1983 Regular Session of the Legislature, Act 91 of the 1984 Regular Session of the Legislature, Act 409 of the 1985 Regular Session of the Legislature, and Act 33 of the 1995 Regular Session of the Legislature, relative to Calcasieu Parish; to authorize the Calcasieu Parish Police Jury to combine the Calcasieu Parish Planning Commission and the Calcasieu Parish Board of Adjustment into one board; to provide for the commission's duties, functions, membership, and qualifications; to provide for quorum requirements and compensation for members of the commission; to repeal the compensation paid to members of the parish planning commission and the parish board of adjustment; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 864—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b) and to repeal R.S. 11:1925(G) and 1940, relative to the Parochial Employees' Retirement System; to repeal provisions authorizing the purchase of service by members of school boards, certain elected parish officials, and certain persons employed by a community action agency; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 883—

BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 424(B)(1) and R.S. 15:587.1(A) and (D), relative to the access of information and court-appointed special advocates; to provide for the fingerprinting of court-appointed special advocates; to provide for a fee waiver for criminal history checks for juvenile court judges; 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. 884—

BY SENATOR LANDRY

AN ACT

To amend and reenact Civil Code Article 2321, relative to civil liability for damage caused by an animal; to provide for elements of proof; 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. 885—

BY SENATOR ROMERO

AN ACT

To amend and reenact Section 7(b)(2) of the charter of the city of New Iberia, as originally enacted by Act 187 of the 1910 Regular Session and as subsequently amended as provided by law, relative to the elected officials of said city; to provide for the qualifications of the trustees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 943—

BY SENATORS CASANOVA, JORDAN, LENTINI AND SHORT

AN ACT

To enact R.S. 14:87.3 and R.S. 40:1299.35, relative to abortion; to provide for the crime of partial birth abortion; to provide for penalties; to provide for the prohibition of the performance of partial birth abortions by a physician or any other person except where necessary to preserve the life of the mother; to provide for civil remedies; 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. 944—

BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4574.1-A(6)(c) and R.S. 47:302.7(B), relative to usage of tax proceeds; to authorize the use of occupancy taxes and funds of the Monroe-West Monroe Convention and Visitors Bureau for economic development and other purposes; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1061—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 39:140, 141(A), 142, 143, 1751, 1752, 1753, 1754, and 1755, relative to telecommunications; to provide relative to the authority and duties of the office of telecommunications management; to provide relative to telecommunications procurement and procurement contracts; to revise definitions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1105—
BY SENATOR ROBICHAUX
AN ACT

To amend R.S. 56:303.7, relative to a wholesale/retail dealer's receipt form; to require that the price per pound and the count per pound of shrimp sold be placed on the receipt form; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1243—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(D)(1), relative to suspension and deferral of sentence and probation in felony cases; to provide that courts shall not defer a sentence for an attempt of a crime of violence; 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. 1244—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide that attempted crimes of violence be considered in deferral of sentence and probation in felony cases; 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. 1273—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 890.1, relative to sentencing; to provide with respect to sentences imposed on crimes of violence; 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. 1292—
BY SENATORS IRONS AND HAINKEL
AN ACT

To enact R.S. 33:2740.35, relative to crime prevention in the Lakeview area of Orleans Parish; to create the Lakeview Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of New Orleans, subject to the approval of district voters, to impose a parcel fee within the district and to provide further relative to such fee; to provide relative to funds of the district; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1309—
BY SENATORS BEAN, BAGNERIS, GUIDRY AND LENTINI
AN ACT

To amend and reenact R.S. 22:214.3(B), 215(A)(1)(a)(iv), (C), and (E), the introductory paragraph of R.S. 22:215.6(A), 215.6(E)(2) and (3), to enact Part VI-C of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.1 through 250.16, and to repeal R.S. 22:214.1, 215.12, 215.16, and 228.3, relative to health insurance; to provide for certain exclusions for preexisting conditions; to provide for prohibitions on the use of health status in enrollment or setting rates; to provide for the availability and renewal of health coverage information; to provide for the disclosure of health coverage information; to provide for the length of post-delivery hospitalization for a mother and newborn child; to provide for prohibitions on limiting aggregate lifetime and annual benefits payable for mental health services covered under a group health plan other than small employer plans; to provide for enforcement; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1367—
BY SENATORS BAGNERIS AND JOHNSON
AN ACT

To amend and reenact Section 8.1(B)(introductory paragraph), (C), and (D) of Act No. 170 of the 1968 Regular Session, as enacted by Act No. 155 of the 1984 Regular Session and amended by Act No. 135 of the 1994 Third Extraordinary Session and Act No. 375 of the 1995 Regular Session, relative to the New Orleans Redevelopment Authority; to provide relative to the identification of property which is blighted and subject to acquisition by the authority; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1370—
BY SENATOR BAGNERIS
AN ACT

To enact R.S. 10:4A-209(e); to prohibit banks from charging fees on certain payment orders; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1394—
BY SENATOR JONES

AN ACT

To enact Chapter 4-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1021 through 1024, relative to economic development; to provide for a compact; to provide for the delta region; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1410—
BY SENATOR DARDENNE

AN ACT

To authorize and empower the Baton Rouge Community College to impose certain fees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1433—
BY SENATOR JONES

AN ACT

To enact Part X of Chapter 7 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:2488.91 through R.S. 13:2488.99, relative to city courts; to create a city court of Tallulah; to provide for the jurisdiction of said court, its personnel, and the collection and disbursement of funds; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1440—
BY SENATOR JONES

AN ACT

To enact R.S. 32:410(D), relative to drivers' licenses; to prohibit use of photographs taken for licenses in police line-ups; to provide for exceptions to prohibition; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1442—
BY SENATOR SIRACUSA

AN ACT

To enact R.S. 33:4861.28, relative to charitable gaming; to exempt certain fund raising activities conducted by a candidate for public office from certain state gaming laws; 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. 1457 (Substitute for Senate Bill No. 349 by Senator Greene)—
BY SENATOR GREENE

AN ACT

To enact Part B of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:999.21 through 999.25, and to designate R.S. 49:991 through 999 as Part A of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, relative to the suspension and ultimate revocation of certain licenses and permits; to authorize suspension and revocation of state licenses or permits under certain circumstances; and to provide for related matters.

Read by title.

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

**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. 80—
BY REPRESENTATIVES THOMPSON, HUDSON, FAUCHEUX, AND FRITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to extend the coastal boundary in Louisiana to be at least equal to that of Texas and Mississippi.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 92—
BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to require as a prerequisite for graduating from a Louisiana public high school that all students shall successfully complete instruction in parenthood education and that such requirement become effective for the 2001-2002 school year and thereafter.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 95—
BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Board of Medical Examiners and the State Board of Examiners of Psychologists to review physicians' and psychologists' commitment practices and sanction physicians or psychologists who abuse such authority; to urge the Department of Health and Hospitals and the Mental Health Advocacy Service to cooperate with each board and to file complaints about physicians or psychologists who abuse commitment privileges and recommendations; to require each board to report on its actions related to this Resolution; and to provide for related matters.

Read by title.

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Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 95 by Representative Rodney Alexander

AMENDMENT NO. 1

On page 1, line 2, after "Examiners" and before "to" insert "and the State Board of Examiners of Psychologists"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, after "physicians" and before "commitment" insert "and psychologists"

AMENDMENT NO. 3

On page 1, at the end of line 3, after "physicians" and before "who" insert "or psychologists"

AMENDMENT NO. 4

On page 1, line 5, after "with" and before "board" delete "the" and insert in lieu thereof "each"

AMENDMENT NO. 5

On page 1, line 6, after "physicians" and before "who" insert "or psychologists"

AMENDMENT NO. 6

On page 1, line 7, after "require" and before "board" delete "the" and insert in lieu thereof "each"

AMENDMENT NO. 7

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

"WHEREAS, R.S. 37:2351 provides that creation of a State Board of Examiners of Psychologists is necessary in order to safeguard life, health, property, and the public welfare of the state, and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology; and"

AMENDMENT NO. 8

On page 3, at the end of line 5, change the period "." to a semicolon ";" and add "and"

AMENDMENT NO. 9

On page 3, between lines 5 and 6, insert the following:

"WHEREAS, the Legislature of Louisiana has granted the State Board of Examiners of Psychologists the power and duty to suspend, place on probation, revoke any license to practice psychology, or take other actions affecting psychologists for several enumerated causes including: use of repeated untruthful, deceptive, or improbable statements concerning a licensee's qualifications or the effects or results of proposed treatment, conviction of fraud in filing Medicare or Medicaid claims or in filing claims to any third party payor, exercising undue influence in such a manner as to exploit a client or

patient for financial or other personal financial gain of the practitioner or a third party, and violation of the Code of Ethics adopted in the rules and regulations of the board or other defined immoral, unprofessional, or dishonorable conduct."

AMENDMENT NO. 10

On page 3, at the end of line 7, after "Examiners" insert "and the State Board of Examiners of Psychologists"

AMENDMENT NO. 11

On page 3, line 8, after "physicians" and before "licensed" insert "and psychologists"

AMENDMENT NO. 12

On page 3, line 13, after "physicians" and before "have" insert "or psychologists"

AMENDMENT NO. 13

On page 3, line 19, after "the" and before "who" delete "board about physicians" and insert in lieu thereof "respective boards about physicians or psychologists"

AMENDMENT NO. 14

On page 3, line 23, after "Examiners" and before "shall" insert "and the State Board of Examiners of Psychologists each"

AMENDMENT NO. 15

On page 3, line 25, after "the" and before "in" delete "board" and insert in lieu thereof "respective boards"

AMENDMENT NO. 16

On page 3, line 28, after "medicine" and before "and" insert "or practice of psychology"

AMENDMENT NO. 17

On page 4, line 1, after "medicine" and before "in" insert "or psychology"

AMENDMENT NO. 18

On page 4, line 4, after "Examiners," and before "the secretary" insert "the State Board of Examiners of Psychologists,"

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

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

HOUSE CONCURRENT RESOLUTION NO. 105—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Education.

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

Senate Concurrent Resolutions Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 62— BY SENATORS BRANCH, FIELDS AND THEUNISSEN A CONCURRENT RESOLUTION

To suspend R.S. 17:3042.34(A)(4) until sixty days after final adjournment of the 1998 Regular Session of the Legislature of Louisiana or until an audit of the implementation of the Honors Scholarship Program at every public college and university has been completed and the law can have uniform application, whichever is earlier.

Read by title.

Reported favorably by the Committee on Education.

Motion

On motion of Rep. Brun, the resolution was referred to the Legislative Bureau.

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. 188— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 40:1300.52 (B)(1), (C), and (D)(1)(introductory paragraph) and (2) and to enact R.S. 40:1300.51(6), relative to criminal history checks on certain health-related employees; to provide that criminal history checks may be performed by private agencies; to provide that such agencies must be authorized by the office of state police; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 192— BY REPRESENTATIVE FRITH AN ACT

To repeal R.S. 17:493.1(D), relative to filling certain school bus operators' route vacancies; to repeal provisions relative to filling vacated routes of certain retiring school bus operators.

Read by title.

Reported by substitute by the Committee on Education.

The substitute was read by title as follows:

HOUSE BILL NO. 2357 (Substitute For House Bill No. 192 by Representative Frith)— BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 17:493.1(D), relative to filling certain school bus operators' route vacancies; to provide guidelines and procedures for the filling of route vacancies in specified circumstances; to provide limitations; to provide for applicability; and to provide for related matters.

Read by title.

On motion of Rep. Brun, the substitute was adopted and became House Bill No. 2357 by Rep. Frith, on behalf of the Committee on Education, as a substitute for House Bill No. 192 by Rep. Frith.

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

HOUSE BILL NO. 309— BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 17:416(A)(3)(a)(x) and (B)(1)(b), relative to pupil discipline; to provide for the discipline of a pupil found carrying or possessing a firearm or knife; to provide for applicability by removing certain exceptions for knives having less than a specified blade length; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 309 by Representative Flavin

AMENDMENT NO. 1

On page 1, line 2, after "(B)(1)(b)" delete the remainder of the line and at the beginning of line 3 delete "repeal R.S. 17:416(F)," and insert in lieu thereof a comma ","

AMENDMENT NO. 2

On page 1, line 6, after "length" delete the remainder of the line and delete lines 7 through 9 and at the beginning of line 10 delete "certain disciplinary actions on a pupil;" and insert in lieu thereof a semicolon "."

AMENDMENT NO. 3

On page 2 delete lines 24 through 27 and on page 3 delete lines 1 through 11 and insert in lieu thereof the following:

** * **

AMENDMENT NO. 4

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

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 311—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 17:176(E), relative to extracurricular activities; to provide for eligibility for and participation in extracurricular interscholastic athletic activities by certain students; to provide for conditions and limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 349—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:856(1) and to repeal R.S. 22:855(13), relative to admitted assets for certain insurers; to prohibit the use of goodwill by an insurer for an admitted asset for solvency purposes; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 349 by Representative Bowler

AMENDMENT NO. 1

On page 2, after line 4, add the following:

"Section 3. Any goodwill purchased by a domestic life insurer prior to the effective date of this Act shall not lose its value under the terms of its acquisition."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 358—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 17:176(E), relative to extracurricular activities; to prohibit limitations on the number of extracurricular activities an otherwise eligible student may participate in during a school year at public and state-approved nonpublic elementary and secondary schools; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 360—
BY REPRESENTATIVE POWELL
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 5(E) of the Constitution of Louisiana, relative to powers of management over public institutions of higher education; to authorize the legislature to provide by law relative to the establishment and waiver of all nonresident tuition and attendance fees and charges; to provide that the amendment shall be known as the "Louisiana First Amendment"; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE BILL NO. 615—
BY REPRESENTATIVE ALARIO
AN ACT

To authorize the Jefferson Parish School Board to name the baseball field located at West Jefferson High School in Jefferson Parish, Louisiana, the "Louis Blanda, Sr. Baseball Field"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 735—
BY REPRESENTATIVE FORSTER
AN ACT

To enact R.S. 14:403.5, relative to the reporting of gunshot wounds; to require medical professionals, medical practitioners, and associated personnel to report the treatment of gunshot wounds; to provide for information to be included in the report; to provide for penalties for failure to make such reports; to provide for certain immunity; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 1, line 3, after "professionals," and before "practitioners," insert "medical" and after "and" and before "personnel" change "other" to "associated"

AMENDMENT NO. 2

On page 1, at the beginning of line 13, insert "medical" and after "or" and before "personnel" insert "associated"

AMENDMENT NO. 3

On page 1, line 15, after "professional," and before "practitioner" insert "medical"

AMENDMENT NO. 4

On page 2, line 5, after "within" and before "of the examination" change "twenty-four hours" to "three working days"

AMENDMENT NO. 5

On page 2, at the beginning of line 16, insert "medical" and after "or" and before "personnel" insert "associated"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 737—

BY REPRESENTATIVES FORSTER, BRUCE, BRUNEAU, DUPRE, HEATON, KENNARD, MARIONNEAUX, MCCAIN, PERKINS, ROMERO, AND WINDHORST

AN ACT

To amend and reenact R.S. 14:64.2(B), relative to carjacking; to increase penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 737 by Representative Forster

AMENDMENT NO. 1

On page 1, line 10, after "than" and before "years" change "twenty-five" to "ten"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 738—

BY REPRESENTATIVE FORSTER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 336(A), (B)(introductory paragraph), (D)(introductory paragraph), (E), (F), and (G), relative to release conditioned on pretrial drug testing program; to provide for submission to drug testing as part of booking procedure; to prohibit certain persons from having financial interests in participating drug testing companies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 738 by Representative Forster

AMENDMENT NO. 1

On page 1, between lines 5 and 6, insert "to prohibit certain persons from having financial interests in participating drug testing companies;"

AMENDMENT NO. 2

On page 2, line 21, after "connected" and before "with" insert a comma "," and "nor any person who has made a loan, contribution, or expenditure on behalf of an elected official who is in any way connected."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 739—

BY REPRESENTATIVE FORSTER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 334(7), relative to factors considered in determining the amount of bail; to provide that results of tests for controlled dangerous substances by chemical tests of a defendant's blood, urine, hair, perspiration, or other bodily fluids shall be considered in setting bail; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 740—

BY REPRESENTATIVE FORSTER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 321, relative to the affidavit of surety for posting bail bonds; to require that certain documents be presented to support statements of assets and liabilities; to provide that the authority fixing bail is authorized to administer the affidavit; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 750—
BY REPRESENTATIVES MCDONALD, BAUDOIN, BRUN, CRANE,
DOERGE, KENNEY, MCMAINS, POWELL, AND SALTER
AN ACT

To amend and reenact R.S. 17:81(A), relative to the general powers of city and parish school boards; to provide for the selection and employment of teachers and all other certificated personnel; to provide guidelines for selecting such personnel; to provide limitations; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 750 by Representative McDonald, et al.

AMENDMENT NO. 1

On page 2, line 1, after "incompetent," delete the remainder of the line and insert "is dishonest, or fails to meet the minimum qualifications established for the position."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 768—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:62 and 64, relative to wildlife and fisheries enforcement procedures; to provide relative to the time limit for retention and disposition of things seized; to provide relative to liability for such disposition; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 796—
BY REPRESENTATIVE PRATT
AN ACT

To enact R.S. 17:235.1, relative to school attendance; to require parents or guardians to complete an orientation course before their children may attend public school; to provide relative to course completion and guidelines; to provide for applicability and scheduling; to provide relative to employer responsibilities; to provide exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 796 by Representative Pratt

AMENDMENT NO. 1

On page 1, line 6, after "responsibilities;" and before "and" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 2, line 3, after "than" and before "hours" change "six" to "three"

AMENDMENT NO. 3

On page 3, line 14, after "schedule" delete the remainder of the line and insert "not less than three"

AMENDMENT NO. 4

On page 3, line 15, after "meetings" and before "during" delete "as possible prior to and"

AMENDMENT NO. 5

On page 4, line 1, after "any" and before "of" change "employee" to "teacher"

AMENDMENT NO. 6

On page 4, line 3, after "the" and before "would" change "employee" to "teacher"

AMENDMENT NO. 7

On page 4, line 4, after "the" and before "shall" change "employee" to "teacher"

AMENDMENT NO. 8

On page 4, between lines 5 and 6, insert the following:

"G. Under no circumstances shall a child be denied entry into school because of noncompliance by a parent or guardian with the provisions of this Section.

H. The provisions of this Section shall not be applicable to the Webster Parish School Board."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 841—
BY REPRESENTATIVE MICHOT
AN ACT

To enact R.S. 56:305(G), relative to fishing; to provide that the taking of crawfish for recreational purposes shall not require a commercial fisherman's license or commercial gear license; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Natural Resources.

The substitute was read by title as follows:

HOUSE BILL NO. 2358 (Substitute for House Bill No. 841 by Representative Michot)—
BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact R.S. 56:8(30) and to enact R.S. 56:302.3(B)(6) and 325(A)(7), relative to fishing; to provide relative to crawfish; to provide that the taking of crawfish for recreational purposes shall require a recreational gear license; to provide relative to license requirements and fees; to provide amount limits; and to provide for related matters.

Read by title.

On motion of Rep. John Smith, the substitute was adopted and became House Bill No. 2358 by Rep. Michot, on behalf of the Committee on Natural Resources, as a substitute for House Bill No. 841 by Rep. Michot.

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

HOUSE BILL NO. 887—
BY REPRESENTATIVES QUEZAIRE AND FAUCHEUX

AN ACT

To amend and reenact R.S. 40:981.3(D) and to enact R.S. 40:981.3(A)(3) and (C)(4) and Chapter 14 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:2051 and 2052, relative to drug-free zones; to add state and municipal parks and recreational areas to the drug-free zone; to provide definitions; to provide for notice, signs, and posting; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 897—
BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 41:897, relative to school boards; to authorize the Bossier Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 976—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 56:322(I), relative to fishing; to provide relative to the commercial harvesting of wild crawfish; to provide certain mesh size and shape for nets used in such harvesting; to provide relative to rules and regulations to be

promulgated by the department and oversight of such rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 976 by Representative Durand

AMENDMENT NO. 1

On page 1, line 4, after the word and punctuation "harvesting;" and before "and" insert

"to provide relative to rules and regulations to be promulgated by the department and oversight of such rules and regulations;"

AMENDMENT NO. 2

On page 1, line 14, after "inch" and before "This" delete the period and insert:

"except that the department shall by administrative rule authorize a minimum mesh size of three-quarters of one inch for that area consisting of the east side portion of the Atchafalaya Basin extending from Morgan City at the Intracoastal Canal to I-10."

AMENDMENT NO. 3

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

"An administrative rule authorized by this Subsection shall be promulgated in accordance with the Administrative Procedure Act and shall be subject to oversight review by the House and Senate Natural Resources Committees."

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 998—
BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(iii), relative to discipline in public elementary and secondary schools; to provide guidelines for and limitations on the return to class of a pupil removed by a teacher for certain disciplinary reasons; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 998 by Representative Pratt

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AMENDMENT NO. 1

On page 2, line 1, after "least" and before "unless" change "one hour" to "thirty minutes"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1012—

BY REPRESENTATIVE WILKERSON
AN ACT

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

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1012 by Representative Wilkerson

AMENDMENT NO. 1

On page 2, at the end of line 25, delete the period "." and insert "and is domiciled in Bienville Parish."

AMENDMENT NO. 2

On page 3, at the end of line 14, insert the following:

"Additionally, the student shall be pursuing certification in an area in which there is a shortage of qualified teachers as determined by the school board after conduct of a duly advertised public hearing."

AMENDMENT NO. 3

On page 4, line 18, after "board." and before "year's" change "Two" to "One"

AMENDMENT NO. 4

On page 4, line 20, after "each" and before "of" change "year" to "two years"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1116—

BY REPRESENTATIVE THORNHILL
AN ACT

To enact R.S. 22:1404(7), relative to insurance rating; to permit certain insurers to collect rates for property and casualty insurance without prior approval of the Louisiana Insurance Rating Commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 1116 by Representative Thornhill

AMENDMENT NO. 1

On page 1, line 14, delete "Commission." and insert in lieu thereof "Commission or its successor, the Department of Insurance."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1197—

BY REPRESENTATIVE WINDHORST
AN ACT

To enact Code of Evidence Art. 801(D)(1)(e), relative to statements which are not hearsay; to provide that prior inconsistent statements offered with the proper foundation are not hearsay; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1290—

BY REPRESENTATIVES HUDSON, BRUCE, DUPRE, KENNARD,
MARIONNEAUX, MCCAIN, MORRELL, PERKINS, AND ROMERO
AN ACT

To amend and reenact R.S. 40:981.3(D) and to enact R.S. 40:981.3(A)(3) and (C)(4), relative to drug-free zones; to add churches and religious buildings to the drug-free zone; to provide definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1291—
BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 15:739, relative to the Prison Reform Act of 1995; to provide that an offender must be tested for infectious disease after attempting to transmit or expose the disease to another person; to provide for counseling and health care services; to provide procedures for ordering and administering the tests; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1291 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 10, after "incarcerated" and before "prisoner" delete "state"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1313—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 17:233(B)(1), relative to cases of habitual absence and tardiness; to provide that a student shall be found to be habitually absent after the fifth unexcused absence during any school year; to require referral of any student who has ten unexcused absences during any school year to the family or juvenile court; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1426—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 37:2401.2(B)(4), relative to the powers and duties of the Louisiana State Board of Physical Therapy Examiners; to provide for the employment of an executive director; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1461—
BY REPRESENTATIVE HEATON
AN ACT

To amend and reenact R.S. 15:85(7), relative to the enforcement and collection of bond forfeiture judgments; to provide for the time when judgments may be enforced and collected; to provide that such judgments may be collected in the same manner as civil judgments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1461 by Representative Heaton

AMENDMENT NO. 1

On page 1, line 3, after "judgments;" and before "to provide" insert "to provide for the time when judgments may be enforced and collected;"

AMENDMENT NO. 2

On page 1, line 9, after "notice;" and before "and" insert "enforcement"

AMENDMENT NO. 3

On page 1, line 15, after "forfeiture" and before "shall" insert "rendered on or after August 15, 1997," and after "until" and before "of" delete "the passage and insert "ten days after the expiration"

AMENDMENT NO. 4

On page 1, line 17, after "appeal" and before "shall" insert a comma "," and "petition, or motion"

AMENDMENT NO. 5

On page 2, line 5, after "If" and before "a judgment" insert "after six months and ten days from the mailing of proper notice of the signing of the judgment,"

AMENDMENT NO. 6

On page 2, line 7, after "satisfied" delete the remainder of the line and at the beginning of line 8, delete "of the judgment of bond forfeiture," and insert "or proceedings challenging the bond forfeiture have not been timely filed,"

AMENDMENT NO. 7

On page 2, at the beginning of line 9, insert "either"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1513—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, DEVILLE, DIEZ, DIMOS, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WINDHORST

AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A) and to enact R.S. 6:423.1, relative to banks and banking and check cashing at gaming establishments; to prohibit use of credit cards for gaming activities; to prohibit automated teller machines from being located within one hundred feet of certain gaming facilities; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1513 by Representative Downer, et al.

AMENDMENT NO. 1

On page 3, line 18, after "institution" and before "operating" insert "or other business entity"

AMENDMENT NO. 2

On page 3, line 24, after "1950, or" and before "a qualified" insert "the gaming area of"

AMENDMENT NO. 3

On page 4, line 13, after "institution" and before "offering" insert "or other business entity"

AMENDMENT NO. 4

On page 4, at the end of line 23, change the period "." to a comma "," and insert the following:

"unless such institution is located on the premises of or on the premises under the control of the official gaming establishment or the premises used for temporary gaming operations, pursuant to R.S. 27:241(A) and (J), 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, or a qualified truck stop facility licensed for the operation of video draw poker devices pursuant to Chapter 6 of Title 27 of the Louisiana Revised Statutes of 1950."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1517—

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 15:85(11)(a) and (b)(introductory paragraph), relative to hearings to prohibit certain commercial sureties from executing criminal bail bonds; to allow non-

district courts to conduct such hearings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1517 by Representative Heaton

AMENDMENT NO. 1

On page 1, line 18, after "appeal" and before "been" insert "or other proceeding challenging the bond forfeiture"

AMENDMENT NO. 2

On page 2, after line 14, insert:

"Section 2. This Act shall not apply to any case, including bond forfeitures, or bond forfeiture judgments or related proceedings, where the bail bond contracts were written prior to August 15, 1997."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1521—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:38 and 301.2(1) and to enact R.S. 56:33(4) and (5) and 303.8, all relative to fishing; to provide relative to requirements for issuance of licenses and penalties for violations; to provide certain penalty and enforcement procedures, including revocation of the license or permit under certain circumstances, and that certain violations shall not preclude aid for training or sale of gear nor the obtaining of a rod or reel license or other net license for a subsequent period; to provide relative to certain license application requirements concerning submission of income tax returns; to authorize the obtaining of a special apprentice license for the commercial taking of saltwater fish under certain terms and conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1521 by Representative Odinet

AMENDMENT NO. 1

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

"F. A person who holds or previously held a commercial fisherman's license, or who has been convicted of a class three or greater violation, shall be precluded from applying for an apprentice license under the provisions of this Section."

AMENDMENT NO. 2

On page 4, line 4, change "F" to "G"

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1627—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 56:6(21), 103(B), and 302.5(A) and (C) and to enact R.S. 56:30.1, relative to issuance of licenses and permits by the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission; to provide relative to duties of the secretary; to authorize the promulgation of rules relative to the establishment of an electronic issuance system for licenses and permits issued by the department; to provide terms, conditions, and procedures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1627 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "(21)" change "and" to a comma "," and after "103(B)" insert a comma "," and "and 302.5(A) and (C)"

AMENDMENT NO. 2

On page 1, line 10, after "(21)" change "and" to a comma "," and after "103(B)" insert a comma "," and "and 302.5(A) and (C)"

AMENDMENT NO. 3

On page 3, between lines 6 and 7, insert the following:

"§302.5. Basic recreational fishing licenses: issuing agent commission; returns; license books

A. License books containing a regularly numbered series of official basic recreational, freshwater trout, temporary basic recreational, and saltwater licenses, bearing the name of the secretary, shall may be sent to the tax collector of each parish except Orleans Parish and East Baton Rouge Parish, for distribution and issuance in accordance with the provisions of this Subpart.

* * *

C. The tax collector shall may issue basic recreational, temporary basic recreational, and saltwater licenses to duly qualified applicants upon payment of the license fee fixed in this Subpart.

Between the first and tenth of each month, tax collectors shall make returns to the state treasurer in cash, to be placed to the credit of the department, for all license fees collected by them in the preceding month, less the usual commission fixed by law for collection as full compensation for their services in issuing the licenses and in performing all other duties imposed upon them by this Subpart.

* * *

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1728—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 37:795, relative to the Louisiana State Board of Dentistry; to authorize the board to establish fees and costs to be imposed; to provide a schedule for such fees and costs to be imposed, including the range authorized; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1748—

BY REPRESENTATIVE KENNEY

AN ACT

To enact R.S. 37:2504(D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide that the board is authorized to operate and maintain the Certified Nurse Aide Registry through an interagency agreement with the Department of Health and Hospitals; to authorize the board to issue certificates or other paraphernalia and to charge an amount for providing them; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1789—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 30:27, relative to orders of the commissioner of conservation in the Department of Natural Resources; to provide that work orders or compliance orders of the commissioner are sufficient to authorize the entering of lands of another person; to provide terms, conditions, and requirements for such entry; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1789 by Representative DeWitt

AMENDMENT NO. 1

Change bill author from "DeWitt" to "Flavin"

AMENDMENT NO. 2

On page 1, line 5, after "another person;" and before "and to" insert "to provide terms, conditions, and requirements for such entry;"

AMENDMENT NO. 3

On page 1, line 9, after "A." and before "issuance" delete "The" and insert "When the consent of a property owner has not been otherwise obtained, the"

AMENDMENT NO. 4

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

"The entering of the lands of another under the provisions of this Section shall be subject to the following:

(1) The entry shall be limited to areas and times reasonably necessary to perform the operations authorized by this Section.

(2) Written notice shall be given by the department or operator of a proposed entry to the last record owner of the property at least three calendar days prior to the entry.

(3) The operations authorized by this Section shall not unreasonably interfere with other activities or improvements upon the property."

AMENDMENT NO. 5

On page 2, delete lines 3 through 5 and insert:

"B. An entry in accordance with the provisions of this Section shall not constitute a trespass or unauthorized entry for the purposes of imposition of civil or criminal liability."

AMENDMENT NO. 6

On page 2, line 21, after the word and period "conservation." delete the remainder of the line

AMENDMENT NO. 7

On page 2, delete lines 22 and 23 in their entirety and insert in lieu thereof:

"G. The department may promulgate rules and regulations to implement the provisions of this Section."

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1794—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 30:21(B), relative to the office of conservation in the Department of Natural Resources; to provide relative to fees imposed by the office of conservation; to authorize a monthly production fee to replace certain annual regulatory and registration fees; to provide definitions, amounts, terms, and conditions; to establish a special fund to be known as the Oil and Gas Regulatory Fund; to provide for payments, appropriations, and deposits into such fund; to provide for the amounts and uses of such fund, including certain dedication of monies; to provide for the administration, collection, and enforcement of the monthly production fee; to provide for suspension of the fee under certain terms and conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1794 by Representative DeWitt

AMENDMENT NO. 1

Change bill author from "DeWitt" to "Hopkins"

AMENDMENT NO. 2

On page 1, line 6, after "conditions;" and before "and to" insert

"to establish a special fund to be known as the Oil and Gas Regulatory Fund; to provide for payments, appropriations, and deposits into such fund; to provide for the amounts and uses of such fund, including certain dedication of monies; to provide for the administration, collection, and enforcement of the monthly production fee; to provide for suspension of the fee under certain terms and conditions;"

AMENDMENT NO. 3

On page 1, at the end of line 11, insert the following:

"; collections; Oil and Gas Regulatory Fund; creation; amounts; requirements"

AMENDMENT NO. 4

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

"(2)(a) There is hereby established a special fund in the state treasury to be known as the Oil and Gas Regulatory Fund, hereafter referred to as the "fund". After deposit in the Bond Security and Redemption Fund and after a sufficient amount is allocated from that fund to pay all the obligations secured by the full faith and credit of the state that become due and payable within each fiscal year, the treasurer shall pay into the Oil and Gas Regulatory Fund an amount equal to the monies generated from collection of the fees provided for in this Subsection.

(b) The monies credited to the fund shall be appropriated by the legislature and dedicated solely to the use of the office of conservation for the regulation of the oil and gas industry, and shall

be used solely for the purposes of that program. Any monies remaining in the fund at the end of any fiscal year shall remain with the fund and shall not revert to the state general fund. All interest or earnings of the fund shall be credited to the fund. All fees and self-generated revenue remaining on deposit for the office of conservation at the end of Fiscal Year 1996-1997 shall be deposited into the fund.

(c) The provisions of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 shall apply to the administration, collection, and enforcement of the fees imposed in this Subsection, and the penalties provided by that Subtitle shall apply to the person who fails to pay or report the fee. Proceeds from the fee, including any penalties collected in connection with the fee, shall be deposited into the Oil and Gas Regulatory Fund.

(d) The monthly production fee shall not be collected or required to be paid once the fund equals or exceeds three and one-half million dollars. The state treasurer shall certify to the commissioner of conservation and assistant secretary of the Department of Natural Resources the date on which the fund equals or exceeds three million dollars, and the commissioner shall notify the Department of Revenue and Taxation in writing whether or not to continue to collect the fees, based upon expected levels of production at that time. Once the fund has fallen below two and one-half million dollars, the Department of Revenue and Taxation shall resume collection of the fees. The amount appropriated from the fund to the department shall be two million two hundred seventy-seven thousand five hundred twenty dollars for Fiscal Year 1997-1998 and shall increase by a sum not to exceed three and one-half percent annually thereafter."

AMENDMENT NO. 5

On page 2, line 13, change "(2)" to "(3)"

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1832—

BY REPRESENTATIVE THOMAS

AN ACT

To enact R.S. 37:1270(A)(7) and 1277, relative to the Louisiana State Board of Medical Examiners; to authorize the Louisiana State Board of Medical Examiners to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for any health care practitioner license, permit, certification, or registration the board is authorized to issue; to require an applicant to submit a full set of fingerprints; to authorize the board to charge and collect a fee from any applicant for costs incurred by the board in requesting and obtaining criminal history record information; to provide for definitions; to provide that state or national criminal history record information obtained by the board which is not already a matter of public record shall be confidential and nonpublic; to provide for the release of such information upon written consent of the applicant or by court order; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1832 by Representative Thomas

AMENDMENT NO. 1

On page 1, line 2, after "and" delete the remainder of the line, delete line 3, and at the beginning of line 4, delete "37:1360.41," and insert in lieu thereof "1277,"

AMENDMENT NO. 2

On page 2, line 2, after "and" delete the remainder of the line, delete line 3, and insert in lieu thereof "1277"

AMENDMENT NO. 3

On page 2, delete line 23, and at the beginning of line 24, change "§1360.41." to "§1277."

AMENDMENT NO. 4

On page 3, line 5, after "means" and before "who" change "a person" to "an individual"

AMENDMENT NO. 5

On page 3, line 8, after "including" and before "licensure" delete "without limitation" and insert in lieu thereof "but not limited to"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1845—

BY REPRESENTATIVE MCDONALD

AN ACT

To enact R.S. 17:100.8, relative to the assignment of classroom teachers to schools; to provide for the authority of a school's principal to recommend with reasonable cause the transfer of classroom teachers from the school; to provide for notice; to provide limitations; to provide for the duties and responsibilities of superintendents; to provide for the duties and responsibilities of governing authorities of public elementary or secondary schools by requiring the adoption of certain rules and regulations; to provide guidelines for such rules and regulations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1845 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 4, after "recommend" and before "the transfer" insert "with reasonable cause"

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AMENDMENT NO. 2

On page 1, line 4, after "school" delete the remainder of the line and at the beginning of line 5 delete "showing of cause necessary;" and in lieu thereof insert a semicolon ";" and add "to provide for notice;"

AMENDMENT NO. 3

On page 1, line 14, after "transfer" delete the remainder of the line and in lieu thereof insert a semicolon ";"

AMENDMENT NO. 4

On page 1, line 18, after "May" and before "1998," insert "1,"

AMENDMENT NO. 5

On page 2, line 2, after "recommend," and before "to the" change "with no showing of cause necessary," to "with reasonable cause."

AMENDMENT NO. 6

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

"(1) A requirement that any teacher recommended for transfer pursuant to the provisions of this Section be notified in writing of such recommendation and the cause therefor within thirty days after the recommendation being made by the principal to the system superintendent."

AMENDMENT NO. 7

On page 2, at the beginning of line 13, change "(1) to "(2)"

AMENDMENT NO. 8

On page 2, at the beginning of line 17, change "(2)" to "(3)"

AMENDMENT NO. 9

On page 2, at the beginning of line 22, change "(3)" to "(4)"

AMENDMENT NO. 10

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

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1933—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 32:1(1) and to enact R.S. 40:1231(11) and R.S. 40:1232.1, relative to emergency medical response vehicles; to include emergency medical response vehicle in the definition of authorized emergency vehicle; to define emergency medical response vehicle; to provide for the qualifications of operators of emergency medical response vehicles; to provide for the qualifications which establish a vehicle as an emergency medical response vehicle; to require the Department of Health and Hospitals to inspect emergency medical response vehicles; to authorize the department to certify emergency medical response vehicles; to authorize the department to deny, probate, suspend, or revoke certifications; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1933 by Representative Toomy

AMENDMENT NO. 1

On page 3, line 20, after "vehicle" and before "on any" insert "as an emergency vehicle"

AMENDMENT NO. 2

On page 4, line 9, after "vehicle" and before "which" insert "as an emergency vehicle"

AMENDMENT NO. 3

On page 4, at the beginning of line 13, after "Hospitals" delete the period "." and insert "based on the recommendations of the Ambulance Standards Committee of the Emergency Medical Services Task Force as established by the assistant secretary of the office of public health."

AMENDMENT NO. 4

On page 4, at the end of line 19, add the following:

"However, nothing shall preclude the Department of Health and Hospitals from supplementing the list with state of the art, newly developed devices, equipment, or medications approved by the Ambulance Standards Committee of the Emergency Medical Services Task Force that may be carried in lieu of other items on the list of equipment."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1964—

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 37:22, relative to the identification of health care providers; to provide for legislative intent; to authorize a licensed health care provider to identify himself or herself by use of professional licensure terms or terminology as provided for within the laws, rules, or regulations which govern the licensure of such health care provider; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1964 by Representative Durand
AMENDMENT NO. 1

On page 1, line 14, after "licensure of" and before "who" change "persons" to "individuals"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1991—
BY REPRESENTATIVES ROUSSELLE, DEWITT, AND TRICHE
AN ACT

To enact R.S. 56:332(K), relative to fishing; to provide relative to crab traps; to require certain escape rings; to provide relative to such escape rings; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1991 by Representative DeWitt

AMENDMENT NO. 1

On page 1, change the author from "Representative DeWitt" to "Representatives Rousselle, DeWitt, and Triche"

AMENDMENT NO. 2

On page 1, line 11, change "three" to "two"

AMENDMENT NO. 3

On page 1, line 13, change "two rings" to "one ring" and change "on the upper or outer" to "in each"

AMENDMENT NO. 4

On page 1, line 17, change "April" to "March"

AMENDMENT NO. 5

On page 1, line 18, change "May thirty-first" to "June thirtieth"

AMENDMENT NO. 6

On page 2, line 1, change "fifteenth" to "thirty-first"

AMENDMENT NO. 7

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

"However, the provisions of this Subsection shall not apply to those crab traps placed by persons holding a soft shell crab sheddors license."

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2062—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 17:1455(B), relative to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to reduce the number required to constitute a quorum for the transaction of official business by the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2110—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 27:20(D), relative to the Louisiana Gaming Control Board; to provide the Department of Public Safety and Corrections, office of state police, may establish a testing laboratory or facility to test gaming devices and equipment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2181—
BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 37:1270(A)(7) and R.S. 37:1293, relative to the Louisiana State Board of Medical Examiners; to authorize the Louisiana State Board of Medical Examiners to create the Louisiana State Board of Medical Examiners Committee on Alcohol and Drug Abuse; to provide for the purpose of the board; to provide that information, reports, or records of the committee, its employees, or agents, or agents or employees of any corporation with which the committee has contracted are privileged and confidential; to grant immunity from civil liability to certain physicians relative to the committee's programs and to entities and persons involved with matters, activities, and proceedings of the committee; to provide for the procedure to be followed in civil actions against a party claiming immunity; to provide for retroactivity of the Act; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 2359 (Substitute for House Bill No. 2181 by Representative McMains)—

BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 37:1287(D), (E), (F), and (G), relative to the Louisiana State Board of Medical Examiners; to provide for protected actions for any nonprofit corporation, foundation, or organization that enters into an agreement with the Louisiana State Board of Medical Examiners related to the operation of any committee or program to identify, investigate, counsel, monitor, or assist any licensed physician who suffers or may suffer from alcohol or substance abuse or a physical or mental condition; to provide for protected actions for any director, trustee, officer, employee, consultant, or attorney for or who otherwise works for or is associated with such nonprofit corporation, foundation, or organization which enters into a contract with the board; to provide for an award of costs or attorney fees in certain instances when a defendant substantially prevails in any suit brought against the corporation, foundation, organization, or an employee thereof; to define substantially prevail; to provide for retroactive effect of the immunity granted; and to provide for related matters.

Read by title.

On motion of Rep. Rodney Alexander, the substitute was adopted and became House Bill No. 2359 by Rep. McMains, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 2181 by Rep. McMains.

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

HOUSE BILL NO. 2191—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:202(4) and (5), 208(1), 209(A)(2), 1731, 1734(2), and 1736(B)(2) and (3) and R.S. 47:297.1(B)(5) and (8) and to enact R.S. 22:202(6) and (7), 209(C)(1)(e), and 1736(B)(4), relative to insurance; to provide for definitions of viatical settlement broker; to provide relative to chronically ill persons; to provide for disclosures in long-term care insurance policies; to provide for definitions of higher deductible and qualified higher deductible plan; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 2191 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2, after "22:202" delete "(2)," and after "(4)" delete the comma ","

AMENDMENT NO. 2

On page 1, line 11, after "22:202" delete "(2)," and after "(4)" delete the comma ","

AMENDMENT NO. 3

On page 1, delete lines 17 through 19 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 11 in their entirety

AMENDMENT NO. 5

On page 2, line 19, after "policy" insert "or the holder of a certificate of life insurance"

AMENDMENT NO. 6

On page 2, line 20, delete "or the certificate holder"

AMENDMENT NO. 7

On page 2, line 21, after "or condition or" insert "insuring the life of"

AMENDMENT NO. 8

On page 3, between lines 14 and 15, insert the following:

"(c) The commissioner shall promulgate reasonable regulations defining the requirements for the designation as chronically ill to assure compliance with mandatory federal regulations and guidelines related to viatical settlements."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2221—

BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:46(A), (B), (C), (D), (E), and (G)(introductory paragraph), 1171(A), 1172, 1173, 1174, 1175, and 1177(A), relative to sabbatical leave for teachers; to remove rest and recuperation as a grounds for taking sabbatical leave; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2242—

BY REPRESENTATIVES THOMPSON AND PRATT
AN ACT

To enact R.S. 17:416(G), relative to student discipline; to provide for the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to require certain determinations regarding compliance by public elementary and secondary schools with state laws and board policies on student discipline; to provide relative to the approval of schools by the board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2254—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 56:326(A)(1) and (2), relative to size limits for crabs; to exempt from those limits premolt crabs held for softshell production; to provide for the definition of a premolt crab; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 2254 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "(1)" and before the comma "," insert "and (2)"

AMENDMENT NO. 2

On page 1, line 3, at the end of line 3, add "to provide for the definition of a premolt crab;"

AMENDMENT NO. 3

On page 1, line 6, after "(1)" insert "and (2)" and change "is" to "are"

AMENDMENT NO. 4

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

"(2) Premolt crabs less than five inches in width held by a fisherman for processing as softshell crabs or sold by him to a processor for the making of softshell crabs must be identifiable as premolt crabs and must be held in a separate container marked "peelers" or "busters" while in the possession of the fisherman. ~~Obvious signs that such crabs are in the premolt stage shall include the fact that they are no further from molting than having a white line on the back paddle fin, which is recognized by the crab industry as a premolt stage.~~ A premolt (peeler or buster) crab shall mean a hard crab for which the impending shedding process is evidenced by the presence of a white, pink, or red line along the outer rim of the paddle-like appendages on the crab's fifth pair of legs."

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2265—

BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 27:311(I), relative to video draw poker devices; to provide licensing requirements for certain licensees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2266—

BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 17:497(A)(1) and to repeal R.S. 17:497(F), relative to school bus drivers' operational schedules; to provide for rates of operational compensation for school bus drivers based on miles traveled; to remove provisions relative to payments based on graduated mileage categories; to remove provisions making an operational schedule with no mileage categories contingent upon funds being available for this purpose; and to provide for related matters.

Read by title.

Reported without action by the Committee on Education with recommendation that the bill be recommitted to the Committee on Appropriations.

On motion of Rep. Brun, the bill was recommitted to the Committee on Appropriations, under the rules.

HOUSE BILL NO. 2278—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 22:1262.1(B)(1)(b) and (E)(1), relative to approved unauthorized insurers; to provide for the contents of affidavits for approval; to provide for removal from the list of approved insurers; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2316—

BY REPRESENTATIVES ILES AND THOMAS
AN ACT

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

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 2316 by Representatives Iles and Thomas

AMENDMENT NO. 1

On page 3, line 10, after "issuance" and before "or reinstatement" delete the comma "," and delete "renewal."

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

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

Under the rules, placed on the regular calendar.

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 and at the University of New Orleans; to provide for the use of the proceeds thereof; to provide for reports; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 2339 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 6, after "College" delete the semi-colon ";" and insert "and at the University of New Orleans;"

AMENDMENT NO. 2

On page 1, line 14, after "College" delete the period "." and insert in lieu thereof "and at the University of New Orleans."

AMENDMENT NO. 3

On page 2, line 1, after "assessed" insert "at each institution"

AMENDMENT NO. 4

On page 2, at the end of line 2, delete the period "." and insert "and shall be used for the particular institution."

AMENDMENT NO. 5

On page 2, line 10, after "College" and before "shall make" insert "and the University of New Orleans each"

AMENDMENT NO. 6

On page 2, at the end of line 11, delete the period "." and insert in lieu thereof "assessed at the respective institution."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2353 (Substitute for House Bill No. 1787 by Representative DeWitt)—

BY REPRESENTATIVES JOHN SMITH, FAUCHEUX, AND FRITH

AN ACT

To amend and reenact R.S. 36:358(D)(2) and R.S. 38:3098.5 and to enact R.S. 17:1492, relative to the Louisiana Geological Survey; to transfer such entity from the Department of Natural Resources to Louisiana State University; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 11—

BY REPRESENTATIVE FORSTER

A RESOLUTION

To urge and request the Board of Elementary and Secondary Education to provide resources and support and maximum flexibility to school districts that choose to implement flexible forms of scheduling the school day and school year, including "four by four" and extended school years, and make optimum use of learning time for the purpose of preparing students for future education and training and careers.

Read by title.

Motion

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

HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVE WARNER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with the three higher education management boards, to study the benefits and estimated costs of implementing a uniform statewide policy to be implemented by each management board permitting a member of the faculty or staff of a public college or university in the state to attend, if otherwise eligible, on a reduced or free tuition basis any public college or university in the state, to recommend guidelines and procedures for implementing such a policy, and to report in writing on study findings and recommendations to the House Committee on Education and to the Senate Committee on Education at least thirty days prior to the beginning of the 1998 Regular Session of the Legislature.

Read by title.

On motion of Rep. Warner, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

To urge and direct the Board of Regents and the presidents of the colleges and universities of this state to study the issue of solicitation for credit cards on college and university campuses.

Read by title.

On motion of Rep. Kennard, the resolution was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 11—

BY REPRESENTATIVE FORSTER

A RESOLUTION

To urge and request the Board of Elementary and Secondary Education to provide resources and support and maximum flexibility to school districts that choose to implement flexible forms of scheduling the school day and school year, including "four by four" and extended school years, and make optimum use of learning time for the purpose of preparing students for future education and training and careers.

Called from the calendar.

Read by title.

On motion of Rep. Forster, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to formulate, develop, and implement on the Baton Rouge campus a program to provide quality child care services by the institution at one or more campus facilities for use by students, faculty, and employees on a pay-for-services basis; to provide program guidelines; to provide for program implementation; and to provide for a written report by the board to the House and Senate Committees on Education prior to the beginning of the 1999 Regular Session of the Legislature.

Read by title.

On motion of Rep. Welch, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the three higher education management boards, to study the feasibility of providing students greater accessibility to academic programs by offering weekend classes at state public institutions of higher education and to report its findings and recommendations to the House and Senate Committees on Education prior to the beginning of the 1998 Regular Session of the Legislature.

Read by title.

On motion of Rep. McDonald, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the benefits and feasibility of pursuing year-round education and summer enrichment programs in the elementary and secondary schools in this state and to report its findings and recommendations to the House and Senate Committees on Education prior to the beginning of the 1998 Regular Session of the Legislature.

Read by title.

On motion of Rep. McDonald, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of having elementary and secondary schools in the state share their library facilities and resources and their athletic facilities with the public and to report its findings and recommendations to the House and Senate Committees on Education prior to the beginning of the 1998 Regular Session of the Legislature.

Read by title.

On motion of Rep. McDonald, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE SHAW

A CONCURRENT RESOLUTION

To recognize the importance of and express legislative intent to provide funds for conducting a state competition of the United States Academic Decathlon, including the purchase of testing materials, study guides, individual medallions, and team trophies, and awards ceremony costs, sending the winner of the Louisiana state competition to the national United States Academic Decathlon, and providing scholarships to reward the members of the winning state team and individual award winners from Louisiana at the national competition.

Read by title.

On motion of Rep. Shaw, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVE FARVE

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the three higher education management boards, to provide for the conduct of research to find an antidote for "crack cocaine" addiction.

Read by title.

On motion of Rep. Farve, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVES GAUTREUX AND DUPRE
A CONCURRENT RESOLUTION

To recognize the Morgan City Archives as the official Mexican War sesquicentennial commemoration institution for the state of Louisiana and to commend the archives for its efforts to preserve the heritage of the state.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pratt to Engrossed House Concurrent Resolution No. 112 by Representatives Gautreaux and Dupre

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert the following:

"WHEREAS, the ethnic and cultural diversity of the Louisiana citizens who participated in the war, an important reflection of the rich heritage of diversity which the people of Louisiana have always enjoyed, is also worthy of particular recognition; and"

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

On motion of Rep. Gautreaux, the resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 8—
BY REPRESENTATIVE FAUCHEUX
A RESOLUTION

To authorize and direct the Department of Transportation and Development to erect signs on both the northbound and southbound lanes of I-10 at exits 206 and 209 in LaPlace to notify the public that the exits provide lodging, food, gas, and a hospital.

Read by title.

Rep. Fauchaux moved the adoption of the resolution.

By a vote of 90 yeas and 0 nays, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To authorize and direct the Department of Transportation and Development to erect signs on both the northbound and southbound lanes of I-10 at exits 206 and 209 in LaPlace to notify the public that the exits provide lodging, food, gas, and a hospital.

Read by title.

Rep. Fauchaux moved the adoption of the resolution.

By a vote of 96 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 40—
BY Representative JACK SMITH
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to conduct the requisite study and make a determination as to the necessity of installing a traffic light at the intersection of the Cannatas Supermarket driveway and Berwick Road in Berwick, Louisiana.

Read by title.

On motion of Rep. Jack Smith, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To memorialize the United States Congress to provide funding for construction of an interchange on Interstate 10 near Reserve, Louisiana, in St. John the Baptist Parish.

Read by title.

On motion of Rep. Fauchaux, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 79—
BY REPRESENTATIVE TRICHE
A CONCURRENT RESOLUTION

To authorize and direct the Department of Transportation and Development to erect large signs to warn motorists approaching a location recognized for very strict enforcement of speed limits on highways and the Department of Culture, Recreation and Tourism to include a listing of those locations recognized for very strict enforcement of speed limits in its literature available to tourists.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Concurrent Resolution No. 79 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, change "authorize and direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 5, change "authorized and directed" to "urged and requested"

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

On motion of Rep. Triche, the resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to submit a study which evaluates the hazardous road conditions on LA Hwy. 150 from the Ruston city limits on the west and the Simsboro city limits on the east and to suggest improvements which might alleviate the existing dangerous conditions.

Read by title.

Rep. Wilkerson moved the adoption of the resolution.

By a vote of 98 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 111—

BY REPRESENTATIVE DIEZ
A CONCURRENT RESOLUTION

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

Read by title.

Rep. Diez moved the adoption of the resolution.

By a vote of 96 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

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.

Rep. Windhorst moved the adoption of the resolution.

By a vote of 95 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

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.

Rep. Windhorst moved the adoption of the resolution.

By a vote of 99 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

HOUSE RESOLUTION NO. 10—

BY REPRESENTATIVE STELLY
A RESOLUTION

To direct the legislative auditor to coordinate with Louisiana State Employees' Retirement System to conduct a study reviewing retirement benefit provisions with regard to judges and court officers in comparison with other state employees relative to Section 401(a) et seq. of the Internal Revenue Code "benefit testing", to study the feasibility of developing a separate retirement plan for judges and court officers and to coordinate with all the state and statewide retirement systems to study the membership, benefits, and the unfunded accrued liability of each such retirement system.

Read by title.

On motion of Rep. Stelly, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE WRIGHT
A CONCURRENT RESOLUTION

To petition the Congress of the United States to propose an amendment to the Constitution of the United States for ratification, for submission to the states, to limit the term of office for federal district judges to ten years.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Concurrent Resolution No. 4 by Representative Wright

AMENDMENT NO. 1

On page 1, delete line 4 and insert "states, to provide for election of members of the federal judiciary."

AMENDMENT NO. 2

On page 2, line 25, after the comma ",", delete the line and insert "to provide for election of members of the federal judiciary."

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

On motion of Rep. Wright, the resolution, as amended, was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 77—

BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Social Services to make available to children in the state a toll-free twenty-four-hour-a-day telephone number through which children can report any case of abuse of which they are aware and to publicize such number in a manner that will ensure that children of the state are aware of it and will be inclined to use it, including but not limited to postings relative to the telephone number in schools throughout the state.

Read by title.

On motion of Rep. Wilkerson, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE WINDHORST
A CONCURRENT RESOLUTION

To amend the Department of Public Safety and Corrections, office of state police, division of charitable gaming control rule (LAC 42:I.1703(A)(23)), which provides for the length of charitable gaming sessions, to allow for two hour sessions.

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 Concurrent Resolution No. 94 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 4, change "(23)" to "(21)" and at the end of line 5, delete the period "." and insert "and to direct the Louisiana Register to print the amendment in the Louisiana Administrative Code."

AMENDMENT NO. 2

On page 2, line 13, change "(23)" to "(21)" and on line 26, change "(23)" to "(21)" and after "to" delete the remainder of the line and insert "read as follows:"

AMENDMENT NO. 3

On page 2, delete lines 27 and 28 in their entirety and insert in lieu thereof the following:

§1703. Definitions

A. As used throughout this Chapter, the following definitions apply:

* * *

21. Session—represents authorized games of chance played within a time limit of two consecutive hours or four consecutive hours, within the same calendar day, with a minimum of 12 hours between sessions. The four-hour session limit shall not apply to sessions held in conjunction with a bona fide fair or festival on property where no rent is paid for the session and payout of prizes is determined by the number of persons playing. Sessions are limited to not more than one session per day per licensee. In no instance, shall the total prize amounts exceed \$4,500 per session without a special license. A session of keno or bingo, when the licensee possesses a special license is limited to six consecutive hours.

* * *"

AMENDMENT NO. 4

On page 3, after line 4, insert the following:

"BE IT FURTHER RESOLVED that the Louisiana Register is hereby directed to have the amendments to LAC 42:I.1703(A)(21) printed and incorporated into the Louisiana Administrative Code and transmit a copy of the revised rules to the Department of Public Safety and Corrections, office of state police, division of charitable gaming control."

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

Rep. Windhorst moved the adoption of the resolution, as amended.

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
Brun	Iles	Smith, J.D.—50th
Bruneau	Jenkins	Smith, J.R.—30th
Carter	Johns	Stelly
Chaisson	Kennard	Strain
Clarkson	Kenney	Theriot
Copelin	Lancaster	Thomas
Crane	Landrieu	Thompson
Curtis	LeBlanc	Thornhill
Damico	Long	Toomy
Daniel	Marionneaux	Travis
Deville	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	Michot	Welch
Dupre	Montgomery	Weston
Farve	Morrell	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Murray	Willard-Lewis
Fontenot	Odinet	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Fruge	Pinac	
Total—98		

NAYS

Total—0

ABSENT

DeWitt	Hunter	Mitchell
Durand	Jetson	
Guillory	McMains	
Total—7		

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

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

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVES JOHN SMITH, FAUCHEUX, FRITH, AND HUDSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact Teaming with Wildlife legislation to provide a funding source for the conservation and management of nongame wildlife species.

Read by title.

On motion of Rep. John Smith, the resolution was adopted.

Ordered to the Senate.

Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate the month of May 1997 as Teen Pregnancy Awareness and Prevention Month.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Original Senate Concurrent Resolution No. 28 by Senator Irons

AMENDMENT NO. 1

On page 1, line 8, after "national" and before "teen" insert "unmarried"

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

On motion of Rep. Pratt, the resolution, as amended, was concurred in.

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:

Consent Calendar

HOUSE BILL NO. 263—
BY REPRESENTATIVE BRUN

AN ACT

To enact R.S. 11:783(J), relative to the Teachers' Retirement System of Louisiana; to provide with respect to the payment of survivor benefits for a totally and permanently disabled child to a trust; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Brun moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Guillory	Jetson	Mitchell
Hill	McMains	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1553—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1002(17), relative to the Louisiana School Employees' Retirement System; to provide with respect to membership age limits; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

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	Hammett	Riddle
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	Michot	Welch
Durand	Montgomery	Weston
Farve	Morrell	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Murray	Willard-Lewis
Fontenot	Odinot	Windhorst
Forster	Perkins	Winston
Frith	Pierre	Wright
Total—99		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Hill	McMains
Guillory	Jetson	Mitchell
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Regular Calendar

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.

HOUSE BILL NO. 386—

BY REPRESENTATIVE LANDRIEU
AN ACT

To amend and reenact Code of Criminal Procedure Arts. 881.2(B)(1) and 881.4(D), relative to review and appellate court action regarding criminal sentences; to provide that a criminal sentence may be reviewed and set aside if the sentence is manifestly lenient or manifestly severe; and to provide for related matters.

Read by title.

Rep. Landrieu moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Baylor	Landrieu	Weston
Carter	Marionneaux	Wilkerson
Durand	McCain	
Holden	Romero	
Total—10		

NAYS

Mr. Speaker	Forster	Powell
Alario	Frith	Pratt
Alexander, A.—93rd	Fruge	Quezaire
Ansardi	Gautreaux	Riddle
Barton	Glover	Rousselle
Baudoin	Hammett	Salter
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jenkins	Stelly
Copelin	Johns	Theriot
Crane	Kennard	Thomas
Curtis	Kenney	Thompson
Damico	Lancaster	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
Diez	Martiny	Triche
Dimos	McDonald	Walsworth
Doerge	Michot	Warner
Donelon	Montgomery	Wiggins
Dupre	Morrish	Willard-Lewis
Farve	Murray	Windhorst
Faucheux	Odinot	Winston
Flavin	Perkins	Wright
Fontenot	Pinac	
Total—80		

ABSENT

Alexander, R.—13th	Hopkins	Morrell
DeWitt	Jetson	Pierre
Green	McCallum	Strain
Guillory	McMains	Vitter
Hill	Mitchell	Welch
Total—15		

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 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.

Called from the calendar.

Read by title.

Rep. Ansardi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Fruge	Powell
Alexander, A.—93rd	Gautreaux	Pratt
Alexander, R.—13th	Glover	Quezairé
Ansardi	Green	Riddle
Barton	Hammett	Romero
Baudoin	Heaton	Rousselle
Baylor	Hebert	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	Theriot
Copelin	Johns	Thomas
Crane	Kennard	Thompson
Curtis	Kenney	Thornhill
Damico	Lancaster	Toomy
Daniel	Landrieu	Travis
Deville	LeBlanc	Triche
DeWitt	Long	Vitter
Diez	Martiny	Walsworth
Dimos	McCain	Warner
Doerge	McCallum	Welch
Donelon	McDonald	Weston
Dupre	Michot	Wiggins
Durand	Montgomery	Wilkerson
Farve	Morrell	Willard-Lewis
Faucheux	Morrish	Windhorst
Flavin	Murray	Winston
Fontenot	Perkins	Wright
Forster	Pierre	
Frith	Pinac	
Total—97		

NAYS

Total—0

ABSENT

Mr. Speaker	Marionneaux	Odinot
Guillory	McMains	Strain
Hill	Mitchell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi 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. 2053 —
BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 2053 by Representatives Ansardi and McMains

AMENDMENT NO. 1

On page 4, line 10, after "health" delete the remainder of the line and add "and age of the"

AMENDMENT NO. 2

On page 4, line 15, after "obligor's" and before "income" insert "net"

AMENDMENT NO. 3

On page 7, at the beginning of line 10, delete "When" and insert in lieu thereof "Upon motion of a party or when"

AMENDMENT NO. 4

On page 7, at the end of line 13, add "The obligation to pay interim periodic support shall not extend beyond one hundred eighty days from the rendition of judgment of divorce, except for good cause shown."

AMENDMENT NO. 5

On page 8, at the end of line 12, add "The subsequent remarriage of the obligor spouse shall not constitute a change of circumstance."

AMENDMENT NO. 6

On page 10, line 9, change "enforce" to "claim"

AMENDMENT NO. 7

On page 10, line 10, change "five" to "three"

AMENDMENT NO. 8

On page 10, line 16, change "five" to "three"

AMENDMENT NO. 9

On page 10, line 19, change "five" to "three"

AMENDMENT NO. 10

On page 12, line 2, change "signed" to "rendered"

AMENDMENT NO. 11

On page 15, at the end of line 21, delete the period "." and add "and specifically the application of Civil Code Article 115 to a homosexual relationship despite the definition of marriage as provided in Civil Code Article 86."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 2053 by Representatives Ansardi and McMains

AMENDMENT NO. 1

On page 10, delete line 7 in its entirety and insert in lieu thereof

"Art. 116. Modification of spousal support obligation

The obligation of final spousal support may be modified, waived, and/or extinguished by judgment of a court of competent jurisdiction or by authentic act or act under private signature duly acknowledged by the obligee."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farve to Engrossed House Bill No. 2053 by Representatives Ansardi and McMains

AMENDMENT NO. 1

On page 2, line 14, after "fault" insert "as to the cause of the termination of the marriage."

AMENDMENT NO. 2

On page 4, after line 13, insert the following:

"(10) The comparative marital misconduct, if any, of the parties.

B. The term "marital misconduct" as used in this Article means any substantial act or omission which occurred prior to the filing of the petition for divorce that violates a spouse's marital duties or responsibilities."

AMENDMENT NO. 3

On page 4, line 14, delete "B." and insert "C."

Motion

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

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

Rep. Dimos objected.

The vote recurred on the substitute motion.

By a vote of 41 yeas and 49 nays, the House refused to order the previous question on the amendments.

Rep. Dimos insisted on his motion that the previous question be ordered on the entire subject matter.

By a vote of 59 yeas and 33 nays, the motion was agreed to.

Rep. Farve moved the adoption of the amendments.

Rep. Ansardi objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Faucheux	Odinet
Alexander, A.—93rd	Flavin	Perkins
Barton	Gautreaux	Pratt
Baudoin	Glover	Scalise
Baylor	Holden	Smith, J.R.—30th
Bowler	Hudson	Theriot
Bruce	Hunter	Toomy
Clarkson	Iles	Warner
Curtis	Jetson	Welch
Damico	Kenney	Weston
Doerge	Lancaster	Wilkerson
Dupre	Marionneaux	Willard-Lewis
Farve	McCain	Winston
Total—39		

NAYS

Mr. Speaker	Heaton	Romero
Ansardi	Hebert	Rousselle
Bruneau	Jenkins	Salter
Chaisson	Johns	Schneider
Copelin	Kennard	Shaw
Crane	LeBlanc	Smith, J.D.—50th
Daniel	Long	Stelly
Deville	Martiny	Thompson
Diez	McDonald	Thornhill

Dimos	Michot	Travis
Donelon	Morrish	Triche
Fontenot	Murray	Walsworth
Forster	Pinac	Wiggins
Frith	Powell	Windhorst
Fruge	Quezaire	Wright
Hammett	Riddle	
Total—47		

ABSENT

Alexander, R.—13th	Hill	Morrell
Brun	Hopkins	Pierre
Carter	Landrieu	Strain
DeWitt	McCallum	Thomas
Durand	McMains	Vitter
Green	Mitchell	
Guillory	Montgomery	
Total—19		

The amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Powell
Alario	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Holden	Rousselle
Bruneau	Hudson	Salter
Chaisson	Iles	Scalise
Copelin	Jenkins	Schneider
Crane	Jetson	Shaw
Damico	Johns	Smith, J.D.—50th
Daniel	Kennard	Smith, J.R.—30th
Deville	Kenney	Stelly
Diez	Lancaster	Theriot
Dimos	Landrieu	Thompson
Doerge	LeBlanc	Thornhill
Donelon	Long	Toomy
Dupre	Martiny	Travis
Faucheux	McDonald	Triche
Flavin	Michot	Walsworth
Fontenot	Montgomery	Warner
Forster	Morrish	Wiggins
Frith	Murray	Wright
Fruge	Odinet	
Gautreaux	Pinac	
Total—70		

NAYS

Alexander, A.—93rd	Farve	Welch
Baylor	Hunter	Weston
Bowler	Marionneaux	Wilkerson
Bruce	McCain	Willard-Lewis
Clarkson	Perkins	Windhorst
Curtis	Pratt	Winston
Total—18		

ABSENT

Alexander, R.—13th	Guillory	Morrell
Brun	Hill	Pierre
Carter	Hopkins	Strain
DeWitt	McCallum	Thomas

Durand	McMains	Vitter
Green	Mitchell	
Total—17		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi 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. Rousselle, the rules were suspended in order to take up Introduction of Resolutions, House and House Concurrent at this time.

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. 136—

BY REPRESENTATIVE ROUSSELLE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to increase the speed limit on Louisiana Highway 23 in Plaquemines Parish on certain areas of the roadway.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Labor and Industrial Relations

April 25, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 548, by Riddle
Reported favorably. (12-0) (Regular)

Senate Bill No. 1047, by Ellington
Reported with amendments. (8-3-1) (Regular)

GAREY FORSTER
Chairman

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

Report of the Committee on House and Governmental Affairs

April 25, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 24, 1997, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Resolution No. 22, by Windhorst
Reported favorably. (8-0)

House Bill No. 340, by Toomy
Reported with amendments. (8-0) (Regular)

House Bill No. 486, by Welch
Reported with amendments. (8-0) (Regular) (Duplicate)

House Bill No. 1549, by Vitter
Reported with amendments. (10-0) (Regular)

House Bill No. 1613, by Travis
Reported with amendments. (8-0) (Regular)

House Bill No. 1749, by McCain
Reported with amendments. (9-0) (Regular)

House Bill No. 1856, by Lancaster
Reported with amendments. (8-0) (Regular)

House Bill No. 2032, by Brun
Reported favorably. (10-0) (Regular)

House Bill No. 2133, by Windhorst
Reported favorably. (8-0) (Regular)

House Bill No. 2204, by Travis
Reported with amendments. (7-1) (Regular)

Senate Bill No. 736, by Robichaux
Reported with amendments. (8-0) (Regular) (Duplicate)

Senate Bill No. 989, by Ellington
Reported with amendments. (8-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

Report of the Committee on Agriculture

April 25, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1381, by Farve
Reported with amendments. (13-0) (Regular)

Senate Bill No. 180, by Cain
Reported favorably. (11-0) (Regular)

Senate Bill No. 230, by Ellington
Reported favorably. (11-0) (Regular)

R. H. STRAIN
Chairman

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

Report of the Committee on Retirement

April 25, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 273, by Hill
Reported with amendments. (8-0) (Regular)

House Bill No. 437, by Daniel
Reported favorably. (7-0) (Regular)

House Bill No. 1007, by Pinac
Reported favorably. (9-0) (Regular)

House Bill No. 1008, by Pinac
Reported favorably. (8-0) (Regular)

House Bill No. 1009, by Pinac
Reported favorably. (8-0) (Consent)

House Bill No. 1333, by Wilkerson
Reported with amendments. (8-0) (Regular)

House Bill No. 1353, by Perkins
Reported with amendments. (10-0) (Regular)

House Bill No. 2131, by Shaw
Reported with amendments. (10-0) (Regular)

Senate Bill No. 195, by Heitmeier
Reported favorably. (10-0) (Regular)

Senate Bill No. 438, by Heitmeier
Reported favorably. (10-0) (Regular)

Senate Bill No. 1145, by Heitmeier
Reported favorably. (10-0) (Regular)

VICTOR T. STELLY
Chairman

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

Report of the Committee on Judiciary

April 25, 1997

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 7, by J. R. Smith
Reported by substitute. (6-0-1)

House Concurrent Resolution No. 109, by Willard-Lewis
Reported with amendments. (6-0-1)

House Bill No. 85, by Heaton
Reported with amendments. (6-0-1) (Regular)

House Bill No. 361, by Schneider
Reported favorably. (6-0-1) (Regular)

House Bill No. 812, by Damico
Reported with amendments. (6-0-1) (Regular)

House Bill No. 900, by Iles
Reported favorably. (6-0-1) (Regular)

House Bill No. 910, by Chaisson
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1255, by Winston
Reported favorably. (7-0-1) (Regular)

House Bill No. 1257, by Winston
Reported favorably. (7-0-1) (Regular)

House Bill No. 1370, by Donelon
Reported with amendments. (6-0-1) (Regular)

House Bill No. 1401, by Schneider
Reported favorably. (6-0-1) (Regular)

House Bill No. 1410, by Brun
Reported favorably. (6-0-1) (Regular)

House Bill No. 1478, by Toomy
Reported with amendments. (7-0-1) (Regular)

House Bill No. 1629, by Frith
Reported favorably. (6-0-1) (Regular)

House Bill No. 2288, by R. Alexander
Reported with amendments. (5-1-1) (Regular)

JOSEPH F. TOOMY
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. Toomy, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 690.

HOUSE BILL NO. 690—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact Code of Civil Procedure Art. 1446(A)(1) and (C), relative to court reporters; to provide for procedures concerning depositions; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the above bill was recommitted to the Committee on Judiciary.

Motion

On motion of Rep. Donelon, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of House Bill No. 2201.

HOUSE BILL NO. 2201—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 33:4361(A), and R.S. 45:781(A), and to enact R.S. 33:4360, 4361(A)(6) and (C), 4460, and R.S. 45:781(C), relative to granting authority for use of telecommunication lines; to provide relative to the authority of parish governing authorities to grant franchises for use of public rights of way; to provide relative to use agreements regarding telecommunications services; to provide for definitions; and to provide for related matters.

Read by title.

Motion

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

**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:

Motion

On motion of Rep. Rodney Alexander, the Committee on Health and Welfare was discharged from further consideration of Senate Bill No. 609.

SENATE BILL NO. 609—
BY SENATORS HAINKEL, DARDENNE, EWING AND HINES
AN ACT

To amend and reenact R.S. 40:32(10) and to enact R.S. 40:32(18), relative to vital statistics; to redefine "vital records"; to define "signature", "sign(ed)" to include written or electronic signatures; and to provide for related matters.

Read by title.

Motion

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

Leave of Absence

Rep. Guillory - 1 day
Rep. McMains - 1 day

Adjournment

On motion of Rep. Jetson, at 12:30 P.M., the House agreed to adjourn until Monday, April 28, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Monday, April 28, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

