

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

**TWENTY-EIGHTH 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

Thursday, May 8, 1997

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Glover	Pinac
Alario	Green	Powell
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezairé
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	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	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Damico	LeBlanc	Thornhill
Daniel	Long	Toomy
Deville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Walsworth
Doerge	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Mitchell	Wiggins
Farve	Montgomery	Wilkerson

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

ABSENT

Fontenot	Johns
Total—2	

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

**Prayer**

Prayer was offered by Reverend Lonnie Wascom.

**Pledge of Allegiance**

Rep. Weston 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. Hammett, the reading of the Journal was dispensed with.

On motion of Rep. Hammett, the Journal of May 7, 1997, was adopted.

**Petitions, Memorials and Communications**

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

**STATE OF ARIZONA**  
**SENATE JOINT RESOLUTION 1001**  
**A JOINT RESOLUTION**

DECLARING THIS STATE'S SOVEREIGNTY UNDER THE UNITED STATES CONSTITUTION AND DEMANDING THAT THE FEDERAL GOVERNMENT STOP MANDATES THAT ARE BEYOND ITS POWERS.

Whereas, the 10th Amendment to the Constitution of the United States reads as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the 10th Amendment defines the total scope of federal power as being that specifically granted by the United States Constitution and no more; and

Whereas, the scope of power defined by the 10th Amendment means that the federal government was created by the states specifically to be the agent of the states; and

Whereas, in the year 1996, the states are demonstrably treated as agents of the federal government; and

Whereas, resolutions have been forwarded to the federal government by the Arizona Legislature without any reply or result from Congress or the federal government; and

Whereas, many federal mandates are directly in violation of the 10th Amendment to the Constitution of the United States; and

Whereas, the United States Supreme Court has ruled in New York v. United States, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the United States Constitution.

Therefore; be it resolved by the Legislature of the State of Arizona:

That the State of Arizona hereby claims sovereignty under the 10th Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the United States Constitution and that this measure serves as notice and demand to the federal government to cease and desist, effective immediately, mandates that exceed the scope of its constitutionally delegated powers.

That the Secretary of State transmit copies of this Resolution to the President and Vice-president of the United States, the Speaker of the House of Representatives of the United States, the President of the Senate of the United States, each Member of the Arizona Congressional Delegation and the Speaker of the House of Representatives and the President of the Senate of each state legislature in the United States.

**Privileged Report of the Legislative Bureau**

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 1272  
Reported without amendments.

Senate Bill No. 1410  
Reported without amendments.

Respectfully submitted,  
JIMMY N. DIMOS  
Chairman

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

May 8, 1997

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

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

Senate Concurrent Resolution No. 85

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

**Message from the Senate**

**SENATE BILLS**

May 8, 1997

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

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

Senate Bill Nos. 172, 191, 272, 344, 350, 381, 409, 411, 485, 527, 857, 902, 1097, 1107, 1119, 1168, 1219, 1251, 1314, 1404, 1405, 1449, and 1547

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

**Suspension of the Rules**

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

**Senate Bills and Joint Resolutions  
on First Reading**

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

**SENATE BILL NO. 172—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 37:1270.1(C) and (F), 1360.21(B), 1360.22(8), 1360.28(A), 1360.31, 1360.38(A), and 1731(A), relative to physician assistants; to provide for the duties and meetings of the physician assistants advisory committee; to provide for legislative intent; to revise the definition of "supervision"; to provide for the supervision of and services performed by a physician assistant; to provide for a limitation of liability for a physician assistant who provides gratuitous services at the scene of an emergency; to provide exemptions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 191—**  
BY SENATOR ROMERO

AN ACT

To enact R.S. 46:2135(G), to provide for hearing officers in certain courts to handle the first rule to show cause in the enforcement of protective orders; to provide for the manner in which the recommendations by the hearing officers are made; to provide for the duration of such orders; and to provide for related matters.

Read by title.

**SENATE BILL NO. 272—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 34:2471(A) and 2472, relative to ports; to provide relative to members of the South Louisiana Port Commission; to require appointment by the governor under certain conditions; to require Senate confirmation; to provide for

retroactive application; to provide for qualifications; to provide for the domicile of such commission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 344—**

BY SENATOR GREENE

AN ACT

To enact R.S. 17:7(22), relative to the duties of the State Board of Elementary and Secondary Education; to require the board to adopt the provisions of the interstate contract of a teacher education and certification association; and to provide for related matters.

Read by title.

**SENATE BILL NO. 350—**

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 32:432, R.S. 37:2952, and R.S. 56:647(A), and to enact Part VI of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47: 299.50 through 299.55, relative to tax collection; to provide for the suspension of certain driver's licenses, and professional, occupational, and hunting, and fishing licenses for failure to pay state personal income tax; to provide for reissuance of such licenses; and to provide for related matters.

Read by title.

**SENATE BILL NO. 381—**

BY SENATOR JORDAN

AN ACT

To enact Title V-A of the Louisiana Code of Criminal Procedure, to be comprised of Article 251, relative to seizure of a person; to provide a definition of seizure of a person for purposes of the right to be free from unreasonable searches and seizures; and to provide for related matters.

Read by title.

**SENATE BILL NO. 409—**

BY SENATOR DEAN

AN ACT

To amend and reenact Civil Code Articles 2025 and 2028, R.S. 9:2712 and 2721(A), R.S. 12:25(E)(1), 205(E)(1), and 304(11)(a), R.S. 13:3720 and 3888(A), and R.S. 42:1124(B)(5), all relative to counter letters; to prohibit the use of a counter letter; and to provide for related matters.

Read by title.

**SENATE BILL NO. 411—**

BY SENATOR DEAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1457(A), relative to interrogatories; to require witnesses or persons other than parties to a suit to answer interrogatories; and to provide for related matters.

Read by title.

**SENATE BILL NO. 485—**

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 24:51(5), relative to the term "lobbyist"; to provide for the definition of "lobbyist"; and to provide for related matters.

Read by title.

**SENATE BILL NO. 527—**

BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 33:4720.17, relative to the sale of abandoned property; to reduce the number of days that notice must be given prior to a post-adjudication sale of abandoned property; to provide for redemption of the property prior to sale; to provide for payment of all fees and charges assessed upon abandoned property prior to sale; and to provide for related matters.

Read by title.

**SENATE BILL NO. 857—**

BY SENATOR BRANCH

AN ACT

To repeal R.S. 15:574.12, relative to confidentiality of certain information obtained by the boards of pardon and parole.

Read by title.

**SENATE BILL NO. 902—**

BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Civil Procedure Arts. 254(D), and 2130, and R.S. 49:955(C) and (E)(2), and to enact Code of Civil Procedure Art. 251.1, relative to adjudicatory proceedings; to require certain courts and administrative agencies in adjudications to record all proceedings; to require the record to be maintained for not less than three years; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1097—**

BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 603(3), relative to children in need of care; to redefine the term "caretaker"; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1107—**

BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:305.6 and to enact R.S. 56:305.7, relative to blue crab trap licenses; to provide for a limitation on the issuance of blue crab trap licenses; to provide a lottery system for the application of new blue crab trap licenses; to provide for a Blue Crab Gear License Limitation Review Panel; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1119—**

BY SENATOR JOHNSON

AN ACT

To enact R.S. 15:574.2(C)(11), relative to the board of parole; to provide relative to parole hearings; to provide for written notification; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1168—**

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2154(B)(2)(b), (c), (d), and (e), to enact R.S. 30:2154(B)(2)(f), and to repeal R.S. 30:2041, relative to the notification of waste disposal; to delete the notice

requirement for the disposal of nonhazardous waste from certain abandoned and inactive sites; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1219—**

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 37:3103(A)(11), 3105(A), 3111(B)(2), 3112(D), 3115(A)(2), 3121(B), 3125(B) and 3143 and to repeal R.S. 37:3112(A)(6), 3126, and 3127, relative to the Auctioneers Licensing Board; to provide for a chairman and vice-chairman; to provide for payments and accounts; to provide for discipline; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1251—**

BY SENATOR ULLO (BY REQUEST)

AN ACT

To enact R.S. 33:1236(21)(g) relative to municipalities and parishes; to authorize the governing authority of the city of Westwego to suspend the driver licenses of persons who allow their weeds, grass or other noxious growths to accumulate on their property in disregard of the health and safety of others; to provide for penalties; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1314—**

BY SENATOR DARDENNE

AN ACT

To enact R.S. 46:236.10, relative to the payment of a child support obligation; to authorize the imposition of a plan for payment of support on the obligor in cases wherein the child is receiving Title IV-A assistance; to authorize the inclusion of certain work activities in the plan; to provide definitions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1404—**

BY SENATOR LAMBERT (BY REQUEST)

AN ACT

To amend and reenact R.S. 37:3391, 3392(8), (9) and (10), 3393(B), 3394(A), 3395, 3396, 3397, the introductory paragraph of 3398(A), 3398(A)(1) and (6), (B) and (C), 3399, 3400, 3401(A), (B), (C)(3) and (C)(3)(d), 3402, 3403, 3404, 3405, 3406, 3407(A)(1), (2), (3) and (5) and (B), 3408 (A), (B), (D), (E) and (F), the introductory paragraph of 3409(A), 3409(A)(6), (B), (B)(1), (C), (D) and the introductory paragraph of 3409(E), 3410, 3411, and 3413, and to enact R.S. 37:3392(11) through (19), 3393(C), (D), (E) and (F), 3398(D) and (E) and 3409(A)(8) through (12), relative to the "Louisiana Real Estate Appraisers Certification Law"; to provide for licensing and registration; to provide for trainees; to provide for the Louisiana Real Estate Appraisers Board; to provide for education and experience requirements; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1405—**

BY SENATOR HAINKEL

AN ACT

To enact R.S. 14:68.5, relative to offenses against property; to provide with respect to misappropriation without violence; to provide for the crime of unauthorized removal of property from the governor's mansion; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1449 (Substitute for Senate Bill No. 134 by Senator Cox)—**

BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:621.14, relative to district courts; to provide for an additional judgeship in the fourteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1547 (Substitute for Senate Bill No. 729 by Senator Ullo)—**

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 26:793(C)(1) and to enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 922, relative to tobacco products; to provide for the office of alcohol and tobacco control to issue licenses to dealers who sell or offer for sale tobacco products at wholesale, retail and through vending machines; to provide for definitions, fees, fines, rules and regulations; to change the name of the office of alcoholic beverage control to the office of alcohol and tobacco control; and to provide for related matters.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 162—**

BY REPRESENTATIVE COPELIN

A CONCURRENT RESOLUTION

To commend and congratulate Eldrick "Tiger" Woods on his winning the 1997 Masters, and to wish him continued success in his career as a professional golfer and all other future endeavors.

Read by title.

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

Ordered to the Senate.

**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. 145—**

BY SENATORS BARHAM AND JONES

AN ACT

To enact R.S. 38:330, relative to levee districts; to authorize such districts to act jointly in certain circumstances; to provide certain limitations to such joint endeavors; 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. 185—**  
BY SENATORS DARDENNE, CRAVINS, DYESS AND ELLINGTON  
AN ACT

To amend and reenact R.S. 15:574.4(H)(4)(o), relative to parole; to provide for the collection of the costs of the supervision of parole; 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. 562—**  
BY SENATORS HAINKEL, DARDENNE AND EWING  
AN ACT

To enact R.S. 9:2798.1(E), relative to offenses and quasi offenses; to provide for limitation of liability for failure of public entities for failure to effectively or properly regulate persons or entities under their authority; to provide for proof of liability; to extend liability to certain persons or entities; 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. 658—**  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 408.1, relative to qualifications and selection of grand and petit jurors; to provide with respect to initial selection of general venire; to provide for source; 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. 1121—**  
BY SENATOR DYESS  
AN ACT

To amend and reenact R.S. 45:162(5)(f) and (10) and 172(A)(4)(c), relative to motor carriers; to provide for removal of exemptions for certain carriers of household goods; to provide for the granting of certain Public Service Commission Certificates; to provide for effective dates; 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. 1334—**  
BY SENATOR SCHEDLER  
AN ACT

To enact R.S. 30:2531(D)(5), relative to penalties to be imposed for littering; to authorize increased penalties for littering on a Louisiana state highway; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 1368—**  
BY SENATORS COX AND SCHEDLER  
AN ACT

To amend and reenact the heading of Chapter 3-B of Title 15 of the Louisiana Revised Statutes of 1950 and R.S. 15:540, 546, 547, and 548(H), and to enact R.S. 15:541 (9) through (16) and R.S. 15:542.1, relative to the registration of sex offenders; to provide for the registration of sexually violent predators and child predators; to provide definitions; to provide for an advisory panel; to provide for evaluation procedures; 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. 1389—**  
BY SENATORS JONES, FIELDS, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, LANDRY, LENTINI, MALONE, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO  
AN ACT

To enact R.S. 14:51.1, relative to offenses against property; to provide with respect to violence to buildings and other property; to provide for arson of a place of worship; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 1447—**  
BY SENATOR DARDENNE  
AN ACT

To enact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to authorize the metropolitan council for the city of Baton Rouge, parish of East Baton Rouge to assign future annexations to the appropriate election sections for the City Court of Baton Rouge; and to provide for related matters.

Read by title.

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

**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. 31—**  
BY REPRESENTATIVE WINDHORST  
A CONCURRENT RESOLUTION

To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits.

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 Concurrent Resolution No. 31 by Representative Windhorst

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety and insert in lieu thereof the following:

"To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits."

AMENDMENT NO. 2

On page 3, delete lines 23 through 27 in their entirety and insert in lieu thereof the following:

"THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC 67:III.1301(A) is hereby amended to read as follows:

§1301. Terms and Conditions

A. Time Limitations: The Office of Family Support shall deny AFDC cash benefits to families if the parent has received AFDC for at least 24 months during the prior 60-month period. Only months of AFDC receipt after the January 1, 1997 date of implementation count toward the 24-month limit. This provision does not apply in the following situations (in two parent households both parents must meet at least one of these criteria):

1. the parent is incapacitated or disabled;
2. ~~the parent has been actively seeking employment by engaging in job-seeking activities and is unable to find employment;~~
3. 2. factors relating to job availability are unfavorable;
4. 3. the parent loses his job as a result of factors not related to his job performance; or ~~5:~~ 4. an extension of benefits of up to one year will enable the adult to complete employment related education or training.

\* \* \*

AMENDMENT NO. 3

On page 4, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the office of the Louisiana Register and to the Department of Social Services, office of family support.

BE IT FURTHER RESOLVED that the Louisiana Register is hereby directed to publish a brief summary of this Resolution as required by R.S. 49:969 and is also directed to incorporate the amendments to LAC 67:III.1301(A) into the Louisiana Administrative Code and to transmit a copy of the revised rules to the Department of Social Services, office of family support."

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. 158—**

BY REPRESENTATIVE BRUN

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections to enter into agreements with other states to provide reciprocity concerning permits for carrying concealed handguns.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

**House Bills and Joint Resolutions on Second Reading Reported by Committees**

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

**HOUSE BILL NO. 43—**

BY REPRESENTATIVE WARNER

**AN ACT**

To amend and reenact R.S. 14:100(C)(2), relative to the crime of hit and run driving; to increase the penalty where death or serious bodily injury results from the accident; 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. 125—**

BY REPRESENTATIVE DOERGE

**AN ACT**

To amend and reenact R.S. 56:105(B), 116(B)(1), 116.1(A)(6), (B)(10), and (E), 116.3(A)(1)(a), and 116.4(A)(1), to enact R.S. 56:115(E) and (F), and to repeal R.S. 56:104.1 and 116.3(B), relative to licensing and other requirements for lawful hunting in this state; to authorize the use of a crossbow and provide for licensing and regulation in the same manner as the hunting by bow and arrow; to provide relative to hunting by disabled hunters, including the establishment of special seasons and the repeal of certain disability classifications; to provide terms, conditions, and penalties for the unauthorized or illegal use of crossbows; to provide relative to deer and wild turkey hunting by crossbow; 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. 184—**

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact Code of Civil Procedure Article 5186, relative to payment of costs incurred by indigents; to provide for the filing and the effect of recordation of an affidavit of account; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 245—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 246—**

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 56:1850(A)(7), relative to the Louisiana Natural and Scenic Rivers System; to provide relative to administration of the system, and rules and regulations that may be issued by the administrator of the system; to authorize the regulation of houseboats docked for longer than thirty days on a natural and scenic river; 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. 246 by Representative Stelly

**AMENDMENT NO. 1**

On page 1, line 6, after "thirty" insert "consecutive"

**AMENDMENT NO. 2**

On page 2, line 5, after "thirty" insert "consecutive"

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. 336—**

BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, relative to public employees; to prohibit the state and any of its political subdivisions from requiring employees to reside or have a domicile in a particular place; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 336 by Representative Scalise

**AMENDMENT NO. 1**

On page 1, line 4, after "requiring" and before "employees" insert "municipal fire or police"

**AMENDMENT NO. 2**

On page 1, line 16, after "public" and before "employees" insert "municipal fire or police"

**AMENDMENT NO. 3**

On page 2, line 2, after "public" and before "employee" insert "municipal fire or police"

**AMENDMENT NO. 4**

On page 2, at the beginning of line 3, before "employee" insert "municipal fire or police"

**AMENDMENT NO. 5**

On page 2, line 5, after "public" and before "employee" insert "municipal fire or police"

**AMENDMENT NO. 6**

On page 2, line 17, after "public" and before "employees" insert "municipal fire or police"

**AMENDMENT NO. 7**

On page 2, line 18, before "employee" delete "an" and insert "a municipal fire or police"

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

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

**HOUSE BILL NO. 397—**  
BY REPRESENTATIVE CURTIS  
AN ACT

To enact R.S. 24:513.4, relative to boards, commissions, and like entities; to require certain boards, commissions, and like entities to provide notification of a vacancy in membership to the legislative auditor; to require the legislative auditor to notify certain members of the legislature of such vacancies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 420—**  
BY REPRESENTATIVE VITTER  
AN ACT

To amend and reenact R.S. 24:51(5), relative to lobbying; to provide for the definition of lobbyist; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 429—**  
BY REPRESENTATIVE WARNER  
A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide for the creation, governance, management, and control of a community college system and for the transfer of the supervision and control of certain educational institutions and programs; to provide certain preconditions for enacting legislation creating a community college system; 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. 509—**  
BY REPRESENTATIVE CARTER  
AN ACT

To amend and reenact R.S. 14:70.1(B), relative to the crime of Medicaid fraud; to provide that a sentence of at least one year of imprisonment shall be imposed without benefit of probation, parole, or suspension of sentence; 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. 509 by Representative Carter

AMENDMENT NO. 1

On page 1, line 5, after "sentence;" and before "and" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 1, at the end of line 15, delete the period "." and insert "if the loss to the state is in excess of five thousand dollars."

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. 533—**  
BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 37:2887(C), relative to certified stress analysts; to provide for an exception regarding peace officers; 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. 533 by Representative Frith

AMENDMENT NO. 1

On page 1, at the end of line 12, add the the following:

"However, the Council on Peace Officers Standards and Training shall adopt standards and guidelines for the operation of such instruments and devices by peace officers in the course and scope of their official law enforcement duties."

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

On motion of Rep. Rodney Alexander, the bill, as amended, was ordered engrossed and returned to the calendar subject to call.

**HOUSE BILL NO. 626—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State University campus police have access to criminal history information; 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. 756—**

BY REPRESENTATIVES PERKINS AND DONELON  
AN ACT

To amend and reenact Civil Code Articles 102 and 103 and R.S. 9:234 and 245(A)(1) and to enact R.S. 9:224(C) and 225(A)(3), Part VII of Chapter 1 of Code Title IV of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:272 through 275, and R.S. 9:307, 308, and 309, all relative to covenant marriages; to provide for a declaration on the application for a marriage license; to provide prerequisites to entering into a covenant marriage, including counseling; to authorize the entering into a covenant marriage by couples already married; to provide for indication thereof on the marriage certificate; to provide the exclusive means to terminate a covenant marriage; to provide with respect to jurisdiction, venue, and incidental relief; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 781—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS, DUPRE, FORSTER, LEBLANC, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND STRAIN

A JOINT RESOLUTION

Proposing a revision of Article IV of the Constitution of Louisiana, to be comprised of Sections 1 through 22 thereof, relative to the executive branch of state government; to provide for the organization and management of the executive branch of state government; for the appointment in lieu of election of certain state officials when provided by law enacted by a two-thirds vote of each house of the legislature; for succession to the office of governor; to provide for the inability of the governor to serve; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1951—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, DEVILLE, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, LEBLANC, MCDONALD, MCMAINS, MICHOT, SCALISE, JOHN SMITH, AND STELLY

AN ACT

To enact Chapter 23 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:931 through 937, to provide for the reorganization of the executive branch of state government; to provide for further reorganization and

consolidation within the executive branch of state government by creating and providing for the Joint Legislative Committee on Reorganization of the Executive Branch, including its membership, powers, and duties; and to provide for related matters.

Called from the calendar.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1951 by Representatives Downer, et al.

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 17, delete pages 2 and 3, and on page 4, delete lines 1 through 9, and insert in lieu thereof:

"enact Chapter 23 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:931 through 937, to provide for the reorganization of the executive branch of state government; to provide for further reorganization and consolidation within the executive branch of state government by creating and providing for the Joint Legislative Committee on Reorganization of the Executive Branch, including its membership, powers, and duties; and to provide for related matters."

AMENDMENT NO. 2

On page 4, line 11, after "Section 1." delete the remainder of the line, delete lines 12 through 24, and on line 25, delete "(9), 768(D) through (G), 769(C)(3) and (4), (K), and (L), and"

AMENDMENT NO. 3

On page 4, at the beginning of line 26, delete "said"

AMENDMENT NO. 4

On page 4, line 27, change "are hereby enacted, all" to "is hereby enacted"

AMENDMENT NO. 5

Delete pages 5 through 107, and on page 108, delete lines 1 through 3

AMENDMENT NO. 6

On page 108, at the end of line 16, delete the comma "," and insert:

"from a list of nominees submitted by the Senate Committee on Senate and Governmental Affairs."

AMENDMENT NO. 7

On page 108, line 18, after "Representatives" delete the comma "," and insert:

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"from a list of nominees submitted by the House Committee on House and Governmental Affairs."

## AMENDMENT NO. 8

On page 113, delete lines 5 through 27, and delete pages 114 through 118

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 790—**

BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To enact R.S. 42:2.1, relative to terms of office of public officers; to restrict the service of persons on boards and commissions; to provide for certain exceptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 1096—**

BY REPRESENTATIVE JETSON  
AN ACT

To enact R.S. 17:416(G), relative to pupil discipline; to prohibit the taking of any disciplinary action against a pupil by the governing authority of a public elementary or secondary school or by any public elementary or secondary school administrator, teacher, or other school employee for the use of force or violence upon another person under specified circumstances involving self-defense of the pupil and the defense of others; to provide for application; to provide for effectiveness; 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. 1096 by Representative Jetson

#### AMENDMENT NO. 1

On page 1, line 6, after "force" and before "upon" delete "or violence"

#### AMENDMENT NO. 2

On page 1, line 7, after "pupil" delete the remainder of the line and at the beginning of line 8 delete "others;" and insert "or the pupil's property;"

#### AMENDMENT NO. 3

On page 2, at the end of line 2, delete the colon ":" and at the beginning of line 3 change "(a) The" to "the"

#### AMENDMENT NO. 4

On page 2, line 3, after "force" and before "upon" delete "or violence"

#### AMENDMENT NO. 5

On page 2, line 4, after "committed" and before "for" insert "solely"

#### AMENDMENT NO. 6

On page 2, line 6, after "force" and before "used" delete "or violence"

#### AMENDMENT NO. 7

On page 2 delete lines 8 through 11

#### AMENDMENT NO. 8

On page 2, line 13, after "right" and before "provided" delete "of self-defense"

#### AMENDMENT NO. 9

On page 2, at the end of line 13, insert "to defend himself or property in his lawful possession"

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. 1192—**

BY REPRESENTATIVE TRICHE  
AN ACT

To enact R.S. 30:27 and 2022.2, relative to public hearings on permit applications; to provide for attendance by certain state officials; to provide for duties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 1192 by Representative Triche

#### AMENDMENT NO. 1

On page 1, line 9, delete "The public officials within the" and insert "At least one public official, either the secretary, assistant secretary, deputy secretary, commissioner, assistant commissioner, or other department official, of the"

#### AMENDMENT NO. 2

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

"who is knowledgeable regarding a permit authorized by"

#### AMENDMENT NO. 3

On page 2, line 3, delete "The public officials within the" and insert "At least one public official, either the secretary, assistant secretary,

deputy secretary, commissioner, assistant commissioner, or other department official, of the"

AMENDMENT NO. 4

On page 2, delete line 4, and insert the following:

"Quality who is knowledgeable regarding a permit"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1232—**

BY REPRESENTATIVES MCMAINS AND DEWITT  
AN ACT

To amend and reenact R.S. 9:5628(A) and to enact R.S. 9:5628(C), relative to prescription; to provide for prescriptive period applicable to state and private health care providers for actions for medical malpractice; to provide that the peremptive period does not apply in cases of fraud; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1253—**

BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To enact R.S. 15:902.1, relative to the placement of juveniles adjudicated delinquent; to authorize and provide with respect to the transfer of such juveniles to adult facilities when the juveniles have attained the age of seventeen years; 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. 1285—**

BY REPRESENTATIVE FORSTER  
AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; 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. 1285 by Representative Forster

AMENDMENT NO. 1

On page 1, line 5, after "per" and before "for" delete "year" and insert in lieu thereof "spell of illness"

AMENDMENT NO. 2

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

"to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave;"

AMENDMENT NO. 3

On page 1, at the beginning of line 15, after "per" and before the comma "," delete "year" and insert in lieu thereof "spell of illness"

AMENDMENT NO. 4

On page 1, at the end of line 17, after the period "." insert the following:

"Further, the department shall promulgate rules and regulations which allow payment for up to fifteen leave of absence days per year, at a minimum, for each nursing facility resident who is Medicaid eligible, when said resident leaves such nursing facility on home leave."

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. 1286—**

BY REPRESENTATIVE FORSTER  
AN ACT

To enact R.S. 40:2109(F), relative to hospital licensure; to require the secretary of the Department of Health and Hospitals to include in the minimum standards adopted relative to the operation and maintenance of hospitals, a provision which prohibits a hospital from paying or reimbursing for, or on behalf of, a patient any sum for which the patient would be responsible, except for certain charges and expenses; to require that such payment be deemed payment for referral; 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.

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Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1298—  
BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact R.S. 40:1563.1, relative to the office of state fire marshal; to add crimes for which the state fire marshal may arrest an individual for; 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. 1467—  
BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact Civil Code Arts. 2762 and 3500 and R.S. 9:2772(A) and (C), relative to actions against architects, engineers, land surveyors, contractors, or other persons surveying, designing, or constructing improvements to immovable property; to provide for peremptive and prescriptive periods of five years in certain actions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1467 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, after "3500" and before "R.S." delete "and" and insert a comma ","

AMENDMENT NO. 2

On page 1, line 3, after "(C)," and before "relative" insert " and 3144(A)(3), and to enact R.S. 9:3144(A)(4),"

AMENDMENT NO. 3

On page 1, line 4, after "contractors," and before "or" insert "new home builders,"

AMENDMENT NO. 4

On page 1, line 6, after "periods" and before "in" delete "of five years" and after the semicolon ";" and before "and" insert "to provide for limitations on new home warranties for certain major structural defects;"

AMENDMENT NO. 5

On page 1, at the end of line 17, delete the period "." and add "if the building is used for residential purposes or ten years if the building is used for commercial purposes."

AMENDMENT NO. 6

On page 2, at the end of line 11, change the period "." to a comma "," and add "in the case of residential immovable property, or by the lapse of ten years, if the property is commercial immovable property."

AMENDMENT NO. 7

On page 2, line 12, after "(C)" delete "is" and insert "and 3144(A)(3) are" and after "reenacted" and before "to" insert "and R.S. 9:3144(A)(4) is hereby enacted"

AMENDMENT NO. 8

On page 2, line 26, after "years" and before "after" insert "if the property is residential immovable property or more than ten years if the property is commercial immovable property"

AMENDMENT NO. 9

On page 3, line 3, after "years" and before "after" insert "if the property is residential immovable property or more than ten years if the property is commercial immovable property"

AMENDMENT NO. 10

On page 3, line 10, after "years" and before "after" insert "if the property is residential immovable property or more than ten years if the property is commercial immovable property"

AMENDMENT NO. 11

On page 3, line 13, after "C." and before "such" delete "If" and insert "(1) If the property is residential immovable property and if"

AMENDMENT NO. 12

On page 3, between lines 18 and 19 insert the following:

"(2) If the property is commercial immovable property and such an injury to the property or to the person or if such a wrongful death occurs during the ninth year after the date set forth in Subsection A, an action to recover the damages thereby suffered may be brought within one year after the date of the injury, but in no event more than eleven years after the date set forth in Subsection A (even if the wrongful death results thereafter)."

AMENDMENT NO. 13

On page 3, between lines 19 and 20 insert the following:

"§3144. Warranties; exclusions

A. Subject to the exclusions provided in R.S. 9:3144(B), every builder warrants the following to the owner:

\* \* \*

(3) ~~Ten~~ Five years following the warranty commencement date, the home will be free from major structural defects provided in R.S. 9:3143(5)(b) through (h) due to noncompliance with the building standards.

(4) Ten years following the warranty commencement date, the home will be free from major structural defects provided in R.S. 9:3143(5)(a).

\* \* \*

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1511—**  
BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 14:98(B)(introductory paragraph), (C)(introductory paragraph), (D), and (E) and to enact R.S. 14:98(K) and 98.1, relative to driving offenses involving alcoholic beverages; to provide for an increase in penalties for commission of the offense of driving while intoxicated; to provide for mandatory driver's license revocation and imprisonment; to prohibit the suspension of sentence relating to the term of imprisonment; to provide for the seizure and sale of the motor vehicle; to provide for the distribution of the proceeds from the sale; to prohibit plea bargaining; to create the offense of possession of alcoholic beverages by the operator of a vehicle; to provide for exceptions and 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. 1511 by Representative Donelon

AMENDMENT NO. 1

On page 1, at the end of line 3, add a comma "," and at the beginning of line 4, delete "and 98.1,"

AMENDMENT NO. 2

On page 1, line 10, after "sale;" delete the remainder of the line and delete line 11, and insert "to provide for rules and regulations to institute an administrative hearing process;"

AMENDMENT NO. 3

On page 1, line 12, delete "provide for exceptions and penalties;"

AMENDMENT NO. 4

On page 1, at the beginning of line 16, delete "and 98.1 are" and insert "is"

AMENDMENT NO. 5

On page 2, at the end of line 3, change "five" to "three"

AMENDMENT NO. 6

On page 2, line 4, after "dollars," and before "have" change "shall" to "may"

AMENDMENT NO. 7

On page 2, at end of line 5, change "shall be" to "may be"

AMENDMENT NO. 8

On page 2, line 10, after "On a" and before "conviction" delete "second" and after "conviction" and before the comma "," insert "of a second offense"

AMENDMENT NO. 9

On page 2, delete line 14, and insert "seven hundred fifty dollars, nor more than one thousand dollars, shall"

AMENDMENT NO. 10

On page 2, line 15, after "period of" delete the remainder of the line and insert "six months,"

AMENDMENT NO. 11

On page 2, at the beginning of line 16, delete "eligibility for a hardship license,"

AMENDMENT NO. 12

On page 2, line 17, after "than" and before "thirty days" insert "forty-eight hours and thereafter may be imprisoned for not less than"

AMENDMENT NO. 13

On page 2, line 20, after "On a" and before "conviction" delete "third" and after "conviction" and before the comma "," insert "of a third offense"

AMENDMENT NO. 14

On page 2, line 23, after "period of" and before "years" change "five" to "three"

AMENDMENT NO. 15

On page 3, at the end of line 9, delete "but" and insert the following:

"or if the driver of the vehicle at the time of the violation was not the owner and the owner did not know that the driver was operating the vehicle while intoxicated, or if the owner did not know of the driver's previous convictions under this Section."

AMENDMENT NO. 16

On page 3, at the beginning of line 10, delete "in that event" and insert "If this exemption is applicable, the vehicle"

AMENDMENT NO. 17

On page 3, line 17, after "E." and before "On" insert "(1)" and after "On a" and before "conviction" delete "fourth" and after "conviction" and before the comma "," insert "of a fourth offense"

AMENDMENT NO. 18

On page 4, line 1, after "was stolen," and before "shall" delete "but in that event" and insert "or if the driver of the vehicle at the time of the violation was not the owner and the owner did not know that the driver was operating the vehicle while intoxicated, or if the owner did not know of the driver's previous convictions under this Section. If this exemption is applicable, the vehicle"

AMENDMENT NO. 19

On page 4, line 9, insert the following:

"(2) At least ~~one year~~ two years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole. In the discretion of the court, any additional portion or all of the sentence may be imposed without benefit of suspension of sentence, probation, or parole. If a portion of the sentence is imposed with benefit of suspension of sentence, probation, or parole, the court shall require the offender to participate in a court-approved substance abuse program and a court-approved driver improvement program. If the offender has previously been required to participate in either or both of such programs pursuant to Subsection D of this Section, at least three years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole. If the offender has previously been required to participate in either or both of such programs under Subsection B or C of this Section, but not under Subsection D, at least two years of the sentence shall be imposed without benefit of suspension of sentence, probation, or parole. If the offender has previously received the benefit of suspension of sentence, probation, or parole as a fourth offender, no part of the sentence may be imposed with benefit of suspension of sentence, probation, or parole, and no portion of the sentence shall be imposed concurrently with the remaining balance of any sentence to be served for a prior conviction for any offense."

AMENDMENT NO. 20

On page 5, delete lines 6 through 26, and insert the following:

"the provisions of Code of Criminal Procedure Article 894 shall not be applicable to violations of this Section, except for a first conviction under Subsection B of this Section. The Department of Public Safety and Corrections shall by rules and regulations, provide for an administrative hearing procedure with respect to the provisions of Subsections D and E of this Section regarding the seizure and sale of motor vehicles."

AMENDMENT NO. 21

On page 6, delete lines 1 through 4

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. 1605—**  
BY REPRESENTATIVE FORSTER  
AN ACT

To amend and reenact R.S. 40:2144(H), relative to the Hospital Records and Retention Act; to authorize the Department of Health and Hospitals to promulgate rules to regulate the use of orders for the care and treatment of hospital patients transmitted electronically; to authorize such rules to include when and under what circumstances the ordering health care provider must sign or countersign the order; 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. 1631—**  
BY REPRESENTATIVES HAMMETT, DOWNER, AND DUPRE  
AN ACT

To enact Code of Civil Procedure Art. 894, relative to the filing of any malpractice action against an architect, landscape architect, engineer, or land surveyor; to require the filing of certain affidavits verifying negligent acts with the original petition; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1673—**  
BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:224(A)(2), (B)(2), and (F)(3)(introductory paragraph) and to repeal R.S. 22:224(F)(3)(c) and (d), relative to Medicare supplemental insurance; to provide for minimum standards; to provide for notice requirements; 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. 1673 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 3, after "paragraph)" insert ", and (H)"

AMENDMENT NO. 2

On page 1, line 8, after "paragraph)" insert ", and (H)"

AMENDMENT NO. 3

On page 2, line 7, delete "or"

AMENDMENT NO. 4

On page 2, at the beginning of line 8, delete "Section 1833"

AMENDMENT NO. 5

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

"H. Every insurer, health care service plan, or other entity providing Medicare supplement insurance or benefits in this state shall provide a copy of any Medicare supplement advertisement intended for use in this state, whether through written, radio, or television medium, to the commissioner for his review ~~or~~ and approval to the extent permitted under the Insurance Code, particularly under R.S. 22:1215 and any applicable regulations issued by the Department of Insurance under the Administrative Procedure Act governing advertisements of Medicare supplement 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. 1720—**  
BY REPRESENTATIVE THORNHILL  
AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to create a new cause of action for damages attributable to the termination of a pregnancy; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1720 by Representative Thornhill

AMENDMENT NO. 1

On page 1, line 9, delete "and father"

AMENDMENT NO. 2

On page 1, line 10, delete "three" and insert in lieu thereof "ten years from the date of the abortion." and delete line 11 in its entirety

AMENDMENT NO. 3

On page 1, line 13, delete "a" and insert in lieu thereof "an intrauterine"

AMENDMENT NO. 4

On page 1, line 16, after "child" insert a period "." and delete the remainder of the line and delete line 17 in its entirety

AMENDMENT NO. 5

On page 2, line 4, after "child" and before "mother" delete the comma "," and insert in lieu thereof "or" and after "mother" change the comma "," to a period "." and delete "or father." and at the end of the line insert "However, if the court determines that an act or action of the mother was the proximate cause of her damages, she shall be barred from any recovery."

AMENDMENT NO. 6

On page 2, line 8, delete "or father"

AMENDMENT NO. 7

On page 2, line 11, delete "or father"

AMENDMENT NO. 8

On page 2, line 12, delete "or he"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1972—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact Code of Evidence Article 411, relative to relevant evidence; to prohibit a policy of insurance from being admitted into evidence or communicated to the jury; to provide consequences thereof; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1972 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 15, after "Article" delete the remainder of the line and insert in lieu thereof "shall be cause for a mistrial."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1993—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 56:263(A) and 307.1(A), relative to fishing and fish industry licensing; to provide resident and nonresident fees for certain licenses required for transport, for alligator parts dealers, and for retailers purchasing for retail sale finished alligator parts; 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. 2000—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 56:301.2, relative to fishing licenses; to require notification be given to the Department of Wildlife and Fisheries of any changes of licensure information; 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. 2000 by Representative DeWitt

AMENDMENT NO. 1

On page 2, at the end of line 12, change "Class Two" to "class one"

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. 2037—**  
BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 40:1846(E) and to enact R.S. 40:1842(10) and (11) and 1846(G), relative to the Liquefied Petroleum Gas Commission; to provide relative to manufacturers and resellers of liquefied petroleum gas; to provide definitions, requirements, and exclusions; to provide for the obtaining of a permit and payment of a permit fee by resellers; 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. 2037 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 2, change "40:1846(E)" to "40:1846(D) and (E)" and after "40:1842(10)" delete the remainder of the line and insert ", (11), and (12)"

AMENDMENT NO. 2

On page 1, line 4, after "manufacturers" and before "and resellers" insert ", dealers,"

AMENDMENT NO. 3

On page 1, line 6, after "fee by" delete "resellers" and insert in lieu thereof "certain persons"

AMENDMENT NO. 4

On page 1, line 9, change "40:1846(E) is" to "40:1846(D) and (E) are"

AMENDMENT NO. 5

On page 1, line 10, change "40:1842(10) and (11)" to "40:1842(10), (11), and (12)"

AMENDMENT NO. 6

On page 1, delete line 16 and insert in lieu thereof:

"raw materials, such as crude oil or natural gas, through an artificial process that gives the raw materials new qualities or combinations that are suitable for use in some form other than in its raw state."

AMENDMENT NO. 7

On page 2, before line 1, insert the following:

"(11) Manufacturer of products of which liquefied petroleum gas forms a component part" means any person, firm, or corporation which uses liquefied petroleum gas as a raw material or in combination with other materials to form another product."

AMENDMENT NO. 8

On page 2, line 1, change "(11)" to "(12)"

AMENDMENT NO. 9

On page 2, line 3, after "gas" and before "or of" insert:

", manufacturer of products of which liquefied petroleum gas form a component part,"

AMENDMENT NO. 10

On page 2, line 4, after "facility" delete the remainder of the line and delete lines 5 through 7 in their entirety and insert:

", or (b) transfers such title or ownership to another without substantially changing the form of the liquefied petroleum gas, or (c) transfers such title or ownership to a liquefied petroleum gas dealer for sale at retail. This definition shall include a manufacturer of liquefied petroleum gas or a manufacturer of products of which liquefied petroleum gas forms a component part, if title or ownership transfers directly to a liquefied petroleum gas dealer for retail. This definition shall not include a manufacturer of liquefied petroleum gas or a manufacturer of products of which liquefied petroleum gas forms a component part, if title or ownership transfers to a reseller."

AMENDMENT NO. 11

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

"D. The power of regulation vested in the commission shall not extend to the ~~manufacture~~ plant site of a manufacturer of liquefied petroleum gases, or to the ~~manufacture~~ plant site of a manufacturer of products of which liquefied petroleum gases form a component part, or to installations or storage or delivery of such gases within the plant site of any such manufacturer."

AMENDMENT NO. 12

On page 2, line 19, after "purchased" delete the remainder of the line and insert:

"exclusively to ~~resellers~~ (1) another manufacturer of liquefied petroleum gases, or to (2) resellers who are subject to the provisions of this Part."

AMENDMENT NO. 13

On page 2, delete lines 21 through 24 and insert:

"G. Liquefied petroleum gas dealers and resellers, as defined in this Part, shall be subject to the provisions of this Part, including the obtaining of a permit, payment of a permit fee and obtaining the required insurance. The permit fee amount shall be based on the cost of the liquefied petroleum gases or the sales price of those gases,"

whichever is greater. A manufacturer of liquefied petroleum gases or a manufacturer of products of which liquefied petroleum gas form a component part, who is also a dealer or reseller within the meaning of this Part, shall not include within the term "annual gross sales", for the purpose of computing the permit fee as a dealer or reseller, those sales of liquefied petroleum gas made by such manufacturer to another manufacturer of liquefied petroleum gases or to resellers. It is the intent of this Part to make all sales subject to a permit fee at the reseller's point of sale and at the dealer's point of sale."

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. 2043—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 40:1841(A) and (C) and 1851(E) and (G), relative to the Louisiana Liquefied Petroleum Gas Commission; to provide for membership of the commission to provide relative to assessments by the commission and deductions of expenses from such assessments; to provide for an advisory board to the commission on the expenditure of such assessments and provide members and terms thereof; 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. 2117—**

BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To enact R.S. 40:1379.3(C)(16), relative to concealed handgun permits; to provide that a history of engaging in violent behavior shall preclude the issuance of a concealed handgun permit; to authorize the use of an arrest record as an indication of a history of engaging in violent behavior; 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. 2117 by Representatives Windhorst and DeWitt

AMENDMENT NO. 1

On page 1, line 4, after "permit;" delete the remainder of the line and delete line 5, and insert "to provide for a presumption based upon the applicant's arrest record;"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, at the end of line 14, delete "Arrest" and delete lines 15 and 16 and insert the following:

"There shall be a rebuttable presumption that an applicant has a history of engaging in violent behavior upon proof that, within a ten-year period immediately preceding the date of the application, the applicant has been arrested or charged three or more times for any crime of violence as defined in R.S. 14:2(13), or has been arrested or charged two or more times for any crime of violence that may be punished by death."

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. 2119—**

BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To amend and reenact R.S. 40:1379.3(E), to provide that it shall be illegal to present fraudulent documents to prove training in handguns in order to obtain a concealed handgun permit; 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. 2130—**

BY REPRESENTATIVES DONELON AND MCMAINS  
AN ACT

To enact R.S. 22:15 and 253.1, relative to funeral service policies; to provide for an advisory commission to the commissioner of insurance; to authorize the commissioner of insurance to promulgate regulations; to provide for the membership of the advisory commission; to provide for the discontinuation of funeral service policies; 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. 2130 by Representatives Donelon and McMains

AMENDMENT NO. 1

On page 1, line 6, after "policies;" insert "to authorize the commissioner to promulgate regulations;"

AMENDMENT NO. 2

On page 2, at the beginning of line 1, after "B." insert "(1)" and after "consist of" change "nine" to "twelve"

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## AMENDMENT NO. 3

On page 2, line 2, after "designee," insert "the secretary of the Department of Health and Hospitals or his designee."

## AMENDMENT NO. 4

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

## AMENDMENT NO. 5

On page 2, at the beginning of line 4, delete "other"

## AMENDMENT NO. 6

On page 2, at the beginning of line 6, delete "(1) Two" and insert in lieu thereof "(a) One"

## AMENDMENT NO. 7

On page 2, at the beginning of line 7, change "(2)" to "(b)"

## AMENDMENT NO. 8

On page 2, at the beginning of line 9, change "(3)" to "(c)"

## AMENDMENT NO. 9

On page 2, at the beginning of line 11, change "(4)" to "(d)"

## AMENDMENT NO. 10

On page 2, at the beginning of line 13, delete "(5) Two" and insert in lieu thereof "(e) One"

## AMENDMENT NO. 11

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

"(f) One member from Citizens Action.

(2) The remaining members shall be:

(a) The chairman of the Senate Insurance Committee or his designee.

(b) The chairman of the House Insurance Committee or his designee.

(c) One consumer, selected by the commissioner, who has registered a complaint with the Department of Insurance regarding burial insurers."

## AMENDMENT NO. 12

On page 3, at the end of line 12, after "benefits" and before the period ".", insert the following:

"and assure compliance with income and resource standards for Medicaid eligibility under Title XIX of the Social Security Act, 42 U.S.C. 1396 et seq., as amended"

## AMENDMENT NO. 13

On page 3, between lines 16 and 17, insert the following:

"(4) To advise the secretary of the Department of Health and Hospitals on the adoption of such rules and regulations as are

appropriate to assure residents of Louisiana are not denied eligibility for Medicaid based on funeral service policy benefits or the funding of funeral and burial contracts with the proceeds of insurance authorized under this Chapter."

## AMENDMENT NO. 14

On page 3, delete lines 23 through 26 in their entirety and insert in lieu thereof the following:

"§253.1. Prohibitions and requirements regarding insurance policies and contracts for provision of funeral and burial services

A. No insurance policy or contract for the provision of funeral or burial services approved under this Title which shall include but not be limited to those described in R.S. 22:162, R.S. 22:252, R.S. 22:253, R.S. 22:291(1), R.S. 22:332, R.S. 22:337, and R.S. 22:556, shall continue to be sold in this state after twelve o'clock midnight December 31, 1997.

B. The commissioner of insurance, based on the recommendations of the Louisiana burial insurance advisory commission and consultation with the secretary of the department of health and hospitals, shall be authorized to adopt reasonable regulations regarding the surrender, conversion, or transfer of insurance policies and contracts for the provision of funeral and burial services. Such regulations shall be for the sole purpose of protecting the benefits of insureds under such policies who would otherwise be ineligible for coverage under Medicaid based on the value of an insurance policy or contract for funeral or burial services."

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. 2166—**

BY REPRESENTATIVE WINDHORST  
AN ACT

To amend and reenact R.S. 46:460.1, relative to welfare reform; to remove the authority granted to the secretary of the Department of Social Services to promulgate rules and regulations which provide exceptions to time limitations for the receipt of benefits in cases of hardship; 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. 2166 by Representative Windhorst

## AMENDMENT NO. 1

On page 1, at the end of line 2, change "the" to "certain"

## AMENDMENT NO. 2

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

"C. The secretary of the department may promulgate rules and regulations providing exceptions to the time limitations of this Section in cases of hardship. In promulgating rules and regulations, in accordance with the Administrative Procedure Act, the secretary shall address circumstances:

~~(1) Where an individual has been actively seeking employment by engaging in job-seeking activities and is unable to find employment.~~

~~(2) (1) Where factors relating to job availability may be unfavorable.~~

~~(3) (2) Where an individual loses his job as a result of factors not related to his job performance.~~

~~(4) (3) Where extension of benefits for up to one year will enable an individual to complete employment-related education or training."~~

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. 2174—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact R.S. 49:141 and to repeal Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 584, relative to the Old Governor's Mansion; to provide for transfer of supervision and administrative control of the mansion from the Department of Culture, Recreation and Tourism and the Board of Commissioners of the Louisiana Arts and Science Center to the commissioner of administration; to repeal provisions relative to the Louisiana Arts and Science Center and its board of commissioners; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 2174 by Representative McMains

AMENDMENT NO. 1

On page 1, line 4, after "584" and before the comma "," insert "and R.S. 36:209(H)(2)"

AMENDMENT NO. 2

On page 1, line 9, after "commissioners;" and before "and" insert "to repeal the provisions regarding the transfer of the functions of such board to the Department of Culture, Recreation and Tourism;"

AMENDMENT NO. 3

On page 2, line 16, after "preservation," and before "maintenance" insert "heritage education."

AMENDMENT NO. 4

On page 2, after line 27 insert the following:

"Section 3. R.S. 36:209(H)(7) is hereby repealed in its entirety."

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

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

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 2183—**  
BY REPRESENTATIVE DONELON  
AN ACT

To enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:3051 through 3065, relative to insurance; to provide with respect to consumer protections applicable to insurance sales, including licensure requirements, sales, referrals, anti-tying, disclosures, solicitations, discrimination, customer privacy, and maintenance of insurance records by certain companies, agencies, and institutions; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

**HOUSE BILL NO. 2509 (Substitute for House Bill No. 2183 by Representative Donelon)—**  
BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 6:242(A)(6)(a) and R.S. 22:1113(G) and (H) and to enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:3051 through 3065, relative to insurance; to provide with respect to consumer protections applicable to insurance sales, including licensure requirements, sales, referrals, anti-tying, disclosures, solicitations, discrimination, customer privacy, and maintenance of insurance records by certain companies, agencies, and institutions; and to provide for related matters.

Read by title.

On motion of Rep. Donelon, the substitute was adopted and became House Bill No. 2509 by Rep. Donelon, on behalf of the Committee on Insurance, as a substitute for House Bill No. 2183 by Rep. Donelon.

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

**HOUSE BILL NO. 2281—**  
BY REPRESENTATIVES MARTINY, ALARIO, AND ANSARDI  
AN ACT

To amend and reenact R.S. 27:312(C)(1)(introductory paragraph), relative to the Video Draw Poker Device Fund; to increase the allocation of monies in the fund to certain local governments; 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. 2295—**  
BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 40:1846(B)(3)(f), relative to liquefied petroleum gas; to provide for the commission; to provide for rules; to provide for mobile air conditioning systems; to provide for prohibitions; and to provide for related matters.

Read by title.

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. 2297—**  
BY REPRESENTATIVE MCCALLUM  
AN ACT

To amend and reenact R.S. 40:1849(C), relative to the Liquefied Petroleum Gas Commission; to provide for rules; to provide for reciprocal agreements; to provide for examination requirements; and to provide for related matters.

Read by title.

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. 2299—**  
BY REPRESENTATIVE THORNHILL  
AN ACT

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

Read by title.

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

The substitute was read by title as follows:

**HOUSE BILL NO. 2508 (Substitute for House Bill No. 2299 by Representative Thornhill)—**  
BY REPRESENTATIVE THORNHILL  
AN ACT

To enact Chapter 1 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4101 through 4107, to redesignate existing Chapters 1 and 2 of Code Title XIX of Code Book III of Title 9 of the Louisiana

Revised Statutes of 1950 as Chapters 2 and 3 thereof, and to rename Code Title XIX thereof, all relative to mediation of claims resulting from vehicular accidents; and to provide for related matters.

Read by title.

On motion of Rep. McMains, the substitute was adopted and became House Bill No. 2508 by Rep. Thornhill, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 2299 by Rep. Thornhill.

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

**HOUSE BILL NO. 2324—**  
BY REPRESENTATIVE PINAC  
AN ACT

To repeal R.S. 22:801(B), relative to life insurers; to repeal certain conversion requirements for life insurance companies.

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. 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.

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. 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.

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. 2374—**  
BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 46:450.4, relative to providers of nonemergency, nonambulance transportation services for Medicaid recipients; to require the Department of Health and Hospitals to withhold Medicaid reimbursement for a provider of nonemergency, nonambulance transportation services for Medicaid recipients

under certain circumstances; to provide for notification of the provider; to provide for fines; to provide for rules and regulations; 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. 2386—**

BY REPRESENTATIVES LONG, ALARIO, BOWLER, BRUN, CRANE, DAMICO, DEWITT, DIEZ, DIMOS, DONELON, DUPRE, DURAND, FAUCHEUX, FONTENOT, GAUTREAU, HEBERT, JOHNS, KENNARD, LANCASTER, LEBLANC, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MORRISH, PINAC, POWELL, QUEZAIRE, SALTER, SCALISE, JOHN SMITH, STELLY, THOMAS, TRICHE, WIGGINS, AND WINSTON AND SENATORS BEAN, HINES, LANDRY, AND SIRACUSA  
AN ACT

To amend and reenact R.S. 46:450.1(C), (D), and (E) and to enact R.S. 46:450.1(F) and (G), relative to the system for electronic distribution of certain public entitlement benefits; to require the contract program for such distribution system to provide merchants the option to utilize commercial automated teller machines and point of sale terminals to interface with the electronic benefits transfer provider; to require the contract program to provide for reimbursement by the department or the electronic benefits transfer provider of all costs incurred by merchants in the processing of benefits under the electronic issuance system; to require the contract program to provide that the cash back provisions of the electronic issuance system contain a schedule of permissible fees and charges for the provision of cash back services; to provide that participation in the program not cause or require any merchant to incur any expense or cost directly or indirectly; to require that the statewide expansion and implementation of the electronic issuance program not commence and contracts with merchants and providers not be required for participation in the program until certain acts occur; 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. 2386 by Representative Long, et al.

AMENDMENT NO. 1

On page 1, line 8, after "reimbursement by" delete the remainder of the line

AMENDMENT NO. 2

On page 2, line 19, after "reimbursement by" delete the remainder of the line and insert "the"

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. 2389—**

BY REPRESENTATIVE MICHOT  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 887(A) and to enact Code of Criminal Procedure Art. 887(I), relative to the imposition of court costs on criminal defendants; to provide that court costs may be imposed when the defendant enters into a pretrial diversion program; 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. 2393—**

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 40:31.3(D) and to enact R.S. 40:31.3(C)(3) and (4) and (E), relative to school-based health centers; to prohibit health centers in schools from referring students to organizations for the distribution of any contraceptive or abortifacient drug, device, or similar product, from counseling students relative to any contraceptive or abortifacient drug, device, or similar product, or referring any student to an organization for such counseling; to specify certain information to be required on consent forms to be signed by the parent or guardian of a student; to require school-based health centers to post signs stating the prohibitions placed upon the centers which include a telephone number for reporting violations; to require employees of school-based health centers to sign statements acknowledging certain limitations imposed upon them; to require all requests for proposals to establish school-based health centers to recite certain state law relative to the counseling or referring of students for abortions, distributing or counseling relative to contraceptives or abortifacients, and referring of a student for such distribution or counseling; and to require all contracts for the operation of school-based health centers to clearly recite such state law and possible sanctions; 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. 2394—**

BY REPRESENTATIVES BAYLOR, BARTON, COPELIN, DOERGE, GLOVER, HOLDEN, HUNTER, MONTGOMERY, PRATT, QUEZAIRE, ROUSSELLE, TRAVIS, WESTON, AND WILLARD-LEWIS AND SENATOR JONES  
AN ACT

To amend and reenact R.S. 17:1206(A), relative to sick leave for certain public school employees; to provide limitations on salary deductions due to the absence of a public school employee who is not a bus driver, teacher, or other person required to hold a teacher's certificate; to prohibit any deduction from the salary of such an employee under certain circumstances; 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. 2396—**  
BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 17:181 and to repeal R.S. 17:2006.1, relative to secondary school vocational education; to require each governing authority of a public secondary school to allocate certain funding for instructional materials and supplies for students enrolled in vocational agricultural, agribusiness, and agriscience programs; to provide for effectiveness; to repeal certain provisions relative to funding for such students by the State Board of Elementary and Secondary Education; 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. 2401—**  
BY REPRESENTATIVE PERKINS  
AN ACT

To enact R.S. 22:1474, relative to homeowners' policies; to prohibit certain actions by insurers based upon nonfault losses; to define nonfault loss; to provide for penalties; 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. 2401 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 11, after "based" insert "solely"

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. 2403—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To enact R.S. 17:1835, to enable the Board of Trustees for State Colleges and Universities to assess a student technology fee; to authorize the board to provide for the assessment of such fee at each institution in the University of Louisiana system; 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. 2403 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 5, after "system;" and before "to" insert "to provide limitations;"

AMENDMENT NO. 2

On page 1, line 13, after "hour" and before "The" delete the period "." and add "but shall not exceed sixty dollars for any semester."

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. 2409—**  
BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To enact R.S. 56:318.1, relative to fishing; to provide relative to fishing tournaments; to provide definitions, terms, conditions, requirements, and procedures; to provide for special permits for the possession of certain fish; to provide for applications; 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. 2409 by Representative Marionneaux

AMENDMENT NO. 1

On page 1, line 14, after "hybrids" and before "crappie" change the semi-colon ";" to a comma "," and delete the remainder of the line and on line 15, delete "Morone saxatilis, or its hybrids,"

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. 2424—**  
BY REPRESENTATIVES CRANE AND BRUN  
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to tuition and attendance fees at public colleges and universities; to provide for the powers, duties, and responsibilities of public higher education management boards; to grant authority to the management boards to establish in accordance with certain

guidelines tuition and attendance fees applicable to nonresident students; 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. 2426—**  
BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 17:1855, relative to public higher education tuition and attendance fees; to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose certain specified tuition and attendance fee amounts; 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. 2442—**  
BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 17:7.1(F), relative to certification of teachers; to provide for certain reciprocal agreements for teacher certification; to require that such agreements include certain educational requirements under certain circumstances; to provide 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. 2442 by Representative Hunter

AMENDMENT NO. 1

On page 2, line 3, after "Louisiana" and before "requirements" change "the same requirements that" to "similar requirements to those"

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. 2444—**  
BY REPRESENTATIVE BRUN

AN ACT

To enact R.S. 17:181, relative to public elementary school students; to require each governing authority of a public elementary school to implement a reading program at each elementary

school in accordance with certain guidelines; to provide for certain reports; to require the inclusion of reported information in school progress profiles; to provide for implementation and 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. 2450—**  
BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 17:7(22), relative to the duties and responsibilities of the State Board of Elementary and Secondary Education; to require that the board provide an annual report to each legislator ranking public elementary and secondary schools throughout the state in accordance with certain indicators; to provide for the time of such report; 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. 2450 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 4, after "legislator" and before "public" change "ranking" to "listing"

AMENDMENT NO. 2

On page 1, line 17, after "a" and before "of" change "ranking" to "listing"

AMENDMENT NO. 3

On page 2, line 7, after "exam," and before "the" insert "the percent of students who take the American College Test, the percent of students who take the Scholastic Aptitude Test,"

AMENDMENT NO. 4

On page 2, line 8, after "rates," and before "and" insert "the number of graduating seniors who enroll in an institution of higher education the semester following graduation,"

AMENDMENT NO. 5

On page 2, at the end of line 8, add "Upon request, the board shall provide the listing required by this Paragraph to any legislator in the form of a computer diskette."

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. 2451—**  
BY REPRESENTATIVES ANSARDI AND PIERRE  
AN ACT

To enact R.S. 33:2740.35, to create an educational facilities improvement district in each school district; to provide for the purposes and governance of such districts; to provide for the rights and powers of any such district including the authority, subject to voter approval, to levy a sales and use tax and to issue bonds; to provide relative to agreements between educational facilities improvement districts and school districts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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. 2493—**  
BY REPRESENTATIVE THORNHILL  
AN ACT

To enact R.S. 22:2.1, relative to recommendations of the commissioner regarding insurance rates; to provide that the commissioner shall make recommendations regarding rates to the House Committee on Insurance and the Senate Committee on Insurance; to provide for the scope of the recommendations; 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. 2494—**  
BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:229.1, relative to health insurance policies; to permit rate increases for individual accident and health insurance policies under certain circumstances; 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. 2494 by Representative Donelon

AMENDMENT NO. 1

On page 2, at the end of line 3, delete "An" and delete lines 4 through 6 in their entirety

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. 2498—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 46:450.1(F), relative to electronic issuance of certain public assistance program benefits; to require that the system for electronic issuance of food stamps provide for identification of nonallowable items; to require photo identification; 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. 2507 (Substitute for House Bill No. 2290 by Representative Hammett)—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact the heading of Chapter 8 of Title 37 of the Louisiana Revised Statutes of 1950 and R.S. 37:690(A), 693(B)(1)(introductory paragraph) and (c) and (2), 694(B), relative to engineers; to provide for various revisions to the provisions regulating engineers; to provide for receipts and disbursements; to provide for requirements for registration; to provide for application fees; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Senate Instruments on Second Reading  
Returned from the Legislative Bureau**

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

**SENATE BILL NO. 687—**  
BY SENATORS LANDRY, CAIN AND SMITH  
AN ACT

To amend and reenact R.S. 32:387(C)(3)(f)(ii), relative to motor vehicles; to provide relative to vehicles transporting recyclable waste paper products; to require width limits; to provide for effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 867 (Duplicate of House Bill No. 1244)—**  
BY SENATOR CAIN AND REPRESENTATIVE WIGGINS  
AN ACT

To amend and reenact R.S. 33:1236(31) and R.S. 30:2057(B), relative to governmental regulation; to allow property owners in certain parishes to burn yard waste under certain conditions; to

exclude such burn activities from the provisions of the Louisiana Air Control Law; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 1104 (Duplicate of House Bill No. 1885)—**  
BY SENATOR ROBICHAUX AND REPRESENTATIVE DONELON AND  
COAUTHORED BY SENATOR CAMPBELL AND REPRESENTATIVE  
THOMPSON

AN ACT

To amend and reenact R.S. 37:1731(A), relative to the Good Samaritan Law; to provide immunity from liability for certain professional medical corporations or limited liability companies; to provide for qualified immunity from liability for emergency care rendered at a licensed public or private hospital or other health care facility; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 1161—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 30:2419, relative to scrap metal recycling; to prohibit the knowing and intentional delivery of certain scrap to a scrap metal collection and recycling facility; to require persons delivering scrap to these facilities to certify that certain prohibited materials have been removed; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 1162—**  
BY SENATOR DARDENNE

AN ACT

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

Read by title.

Reported favorably by the Committee on Environment.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

### Senate Bills on Second Reading Reported by Committees

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

**SENATE BILL NO. 232—**  
BY SENATORS HINES AND SHORT  
AN ACT

To amend and reenact R.S. 17:1681.1, relative to scholarships for children of police officers or deputy sheriffs killed or permanently disabled in performance of duty; to increase the types of expenses covered by such scholarships; and to provide for related matters.

Read by title.

Reported without action by the Committee on Education.

Rep. Brun moved that the bill be recommitted to the Committee on Appropriations.

### Reconsideration

**HOUSE BILL NO. 1476—**  
BY REPRESENTATIVE SHAW  
AN ACT

To enact R.S. 14:32.1(C) and R.S. 32:239, relative to the crime of vehicular homicide; to require offenders with the consent of the victim's family to pay the cost of creating, erecting, and removing signs memorializing the accidents in which persons died; to require the Department of Transportation and Development to establish a program to implement this requirement as it relates to accidents on state highways; to require parish and municipal governing authorities to establish programs to implement this requirement as it relates to accidents on parish and municipal roads and streets; to provide that this requirement shall not create liability for or impose liability on the state or the parishes or municipalities; and to provide for related matters.

Read by title.

On motion of Rep. Shaw, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

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

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

### Regular Calendar

**HOUSE BILL NO. 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.

**Motion**

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

**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. 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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 309 by Representative Flavin

AMENDMENT NO. 1

On page 1, line 17, change "can be" to "is being"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Lancaster	Thornhill
Daniel	Landrieu	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Montgomery	Wilkerson
Faucheux	Morrell	Willard-Lewis
Flavin	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinot	Wright

Total—96

**NAYS**

Total—0

**ABSENT**

Carter	Johns	Powell
Fontenot	LeBlanc	Smith, J.D.—50th
Hebert	Mitchell	Thompson

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Flavin 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. 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.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Brun to Engrossed House Bill No. 188 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 17, after "Part." add the following language:

"Nothing herein shall be construed as expanding the access to confidential law enforcement records of the state of Louisiana or its political subdivisions or authorizing access by said agency to the computerized records of law enforcement agencies."

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

Rep. Fauchaux 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	Green	Pratt
Alexander, A.—93rd	Guillory	Quezairé
Alexander, R.—13th	Hammett	Riddle
Ansardi	Heaton	Salter
Barton	Hill	Scalise
Baudoin	Holden	Schneider
Baylor	Hopkins	Shaw
Bowler	Hudson	Smith, J.D.—50th
Bruce	Hunter	Smith, J.R.—30th
Brun	Jenkins	Stelly
Bruneau	Jetson	Strain
Chaisson	Johns	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	McMains	Weston
Dupre	Michot	Wiggins
Durand	Montgomery	Wilkerson
Farve	Morrell	Willard-Lewis
Fauchaux	Morrish	Windhorst
Flavin	Murray	Winston
Forster	Perkins	Wright
Früge	Pierre	
Gautreaux	Pinac	
Total—94		

**NAYS**

Total—0

**ABSENT**

Carter	Hebert	Odinot
Clarkson	Iles	Romero
Fontenot	Kennard	Rousselle
Frith	Mitchell	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fauchaux 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. 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.

**Motion**

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

**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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. 349 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "22:" insert "855(13) and" and after "and" delete "to repeal R.S. 22:855(13)"

AMENDMENT NO. 2

On page 1, line 7, after "22:" delete "856(1) is" and insert "855(13) and 856(1) are"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:

"§855. Admitted assets

For the purposes of this Part, the following assets, if owned by an insurer, shall be known as admitted assets:

\* \* \*

(13) Goodwill of an insurer that satisfies the requirements of R.S. 22:856(1) purchased by a domestic life insurance company possessing twice the required capital and surplus. Goodwill shall be the same as defined in the Purposes and Procedures Manual of the Securities Valuation Office of the National Association of Insurance Commissioners. Goodwill shall be amortized in accordance with the instructions set forth in the same manual, and amounts in excess of ten percent of an insurer's capital and surplus shall be written off immediately by a direct charge to surplus.

\* \* \*"

AMENDMENT NO. 4

On page 1, delete lines 13 through 17 and on page 2, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"(1) Goodwill, trade names, and other intangible assets, other than goodwill purchased by a domestic life insurance company with capital and surplus twice that required for that life insurance company as reported in R.S. 22:1451(D). "Goodwill" shall be defined as the term allowed in the Purposes and Procedures Manual by the Securities Valuation Office of the National Association of Insurance Commissioners: except as provided for pursuant to R.S. 22:855(13)."

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AMENDMENT NO. 5

On page 2, delete line 4 in its entirety

AMENDMENT NO. 6

On page 2, line 5, after "Section" change "3" to "2"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS category, including Mr. Speaker, Alario, Alexander, A.—93rd, etc.

NAYS

Table listing names of representatives under the NAYS category, including Brun, Total—3, Donelon.

ABSENT

Table listing names of representatives under the ABSENT category, including Clarkson, Frith, Mitchell, etc.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jenkins to Engrossed House Bill No. 358 by Representative Quezaire

AMENDMENT NO. 1

On page 1, at the end of line 4, delete "and"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "state approved nonpublic"

AMENDMENT NO. 3

On page 1, line 13, after "public" delete the remainder of the line

Rep. Jenkins moved the adoption of the amendments.

Rep. Quezaire objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS category, including Alario, Alexander, R.—13th, Heaton, etc.

Gautreaux  
Hammett  
Total—73

Perkins  
Powell

NAYS

Baudoin  
Baylor  
Chaisson  
Copelin  
Deville  
Farve  
Frith  
Glover  
Total—22

Green  
Guillory  
Hill  
Hudson  
Hunter  
Marionneaux  
Morrell  
Murray

Pinac  
Quezaire  
Salter  
Welch  
Wilkerson  
Willard-Lewis

ABSENT

Mr. Speaker  
Alexander, A.—93rd  
Carter  
Curtis  
Total—10

Fontenot  
Glover  
Pierre  
Rousselle

Thomas  
Weston

The amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Alexander, A.—93rd  
Alexander, R.—13th  
Ansardi  
Barton  
Baudoin  
Baylor  
Bruce  
Carter  
Chaisson  
Clarkson  
Copelin  
Curtis  
Damico  
Daniel  
Deville  
Diez  
Dimos  
Doerge  
Dupre  
Durand  
Farve  
Fauchoux  
Flavin  
Forster  
Frith  
Total—77

Fruge  
Gautreaux  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Hill  
Holden  
Hopkins  
Hudson  
Hunter  
Iles  
Jetson  
Johns  
Kenney  
Landrieu  
LeBlanc  
Long  
Marionneaux  
Martiny  
McCain  
McDonald  
Michot  
Montgomery  
Morrell  
Murray  
Odinet  
Pinac  
Powell  
Pratt  
Quezaire  
Riddle  
Romero  
Rousselle  
Salter  
Smith, J.D.—50th  
Smith, J.R.—30th  
Strain  
Thompson  
Thornhill  
Triche  
Walsworth  
Warner  
Welch  
Weston  
Wilkerson  
Willard-Lewis  
Winston  
Wright

NAYS

Alario  
Bowler  
Brun  
Bruneau  
Crane  
DeWitt  
Donelon  
Jenkins  
Total—23

Kennard  
Lancaster  
McCallum  
McMains  
Morrish  
Perkins  
Scalise  
Schneider

Stelly  
Theriot  
Toomy  
Travis  
Vitter  
Wiggins  
Windhorst

ABSENT

Fontenot  
Mitchell  
Total—5

Pierre  
Shaw

Thomas

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander, A.—93rd  
Alexander, R.—13th  
Ansardi  
Barton  
Baudoin  
Baylor  
Bowler  
Bruce  
Bruneau  
Carter  
Chaisson  
Clarkson  
Copelin  
Crane  
Curtis  
Damico  
Daniel  
Deville  
DeWitt  
Diez  
Dimos  
Doerge  
Donelon  
Dupre  
Durand  
Farve  
Fauchoux  
Flavin  
Forster  
Frith  
Fruge  
Total—99

Gautreaux  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Hill  
Holden  
Hopkins  
Hudson  
Hunter  
Iles  
Jenkins  
Jetson  
Kennard  
Kenney  
Lancaster  
Landrieu  
LeBlanc  
Long  
Marionneaux  
Martiny  
McCain  
McCallum  
McDonald  
McMains  
Michot  
Montgomery  
Morrell  
Morrish  
Murray  
Odinet

Perkins  
Pierre  
Pinac  
Powell  
Pratt  
Quezaire  
Riddle  
Romero  
Rousselle  
Salter  
Scalise  
Schneider  
Shaw  
Smith, J.D.—50th  
Smith, J.R.—30th  
Stelly  
Strain  
Theriot  
Thompson  
Thornhill  
Toomy  
Travis  
Triche  
Vitter  
Walsworth  
Welch  
Weston  
Wiggins  
Wilkerson  
Willard-Lewis  
Windhorst  
Winston  
Wright

NAYS

Total—0

ABSENT

Brun Johns Thomas
Fontenot Mitchell Warner
Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Pro Tempore Bruneau in the Chair

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.

Motion

Rep. Forster moved that House Bill No. 735 be designated as a duplicate of Senate Bill No. 308.

Which motion was agreed to.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 2, line 6, following "three" and before "days" change "wording" to "working"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 1, at the end of line 5 and the beginning of line 6, delete "to provide for penalties for failure to make such reports;"

AMENDMENT NO. 2

On page 2, delete lines 18 through 20 in their entirety

AMENDMENT NO. 3

On page 2, line 21, change "E." to "D."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Holden and Bowler to Engrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

On page 2, line 1, change "immediately" to "within six hours"

AMENDMENT NO. 2

On page 2, line 5, after "to the" and before "oral" delete "immediate"

AMENDMENT NO. 3

On page 2, line 8, delete "oral and subsequent" and change "reports" to "report"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—101

NAYS

Dupre  
Total—1

ABSENT

Fontenot Hill Mitchell  
Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Forster 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. 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.

**Motion**

Rep. Forster moved that House Bill No. 737 be designated as a duplicate of Senate Bill No. 310.

Which motion was agreed to.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Copelin to Engrossed House Bill No. 737 by Representative Forster

AMENDMENT NO. 1

On page 1, line 9, after "carjacking" and before "shall" insert "by use of force or intimidation or while armed with a dangerous weapon"

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

**Motion**

Rep. Murray moved that the bill be returned to the calendar subject to call.

Rep. Forster objected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Baudoin Green Pratt  
Baylor Guillory Quezairé

Bruce Holden Welch  
Carter Hudson Weston  
Copelin Hunter Wilkerson  
Doerge Morrell Willard-Lewis  
Farve Murray  
Total—20

NAYS

Mr. Speaker Hammett Romero  
Alario Heaton Rousselle  
Alexander, A.—93rd Hebert Salter  
Alexander, R.—13th Hill Scalise  
Ansardi Hopkins Schneider  
Bowler Iles Shaw  
Bruneau Jenkins Smith, J.D.—50th  
Chaisson Kennard Smith, J.R.—30th  
Clarkson Kenney Stelly  
Crane Lancaster Strain  
Damico Landrieu Theriot  
Daniel LeBlanc Thomas  
Deville Long Thompson  
DeWitt Martiny Thornhill  
Diez McCain Toomy  
Dimos McCallum Travis  
Donelon McDonald Triche  
Dupre McMains Vitter  
Durand Michot Walsworth  
Fauchoux Montgomery Warner  
Flavin Odinet Wiggins  
Forster Perkins Windhorst  
Frith Pinac Winston  
Fruge Powell Wright  
Gautreaux Riddle  
Total—74

ABSENT

Barton Glover Mitchell  
Brun Jetson Morrish  
Curtis Johns Pierre  
Fontenot Marionneaux  
Total—11

The House refused to return the bill to the calendar.

**Motion**

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

Rep. Copelin objected.

By a vote of 26 yeas and 59 nays, the House refused to order the previous question on the entire subject matter.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Copelin to Engrossed House Bill No. 737 by Representative Forster

AMENDMENT NO. 1

On page 1, line 2, change "14:64.2(B)" to "14.64.2"

AMENDMENT NO. 2

On page 1, line 3, after "penalties;" and before "and" insert the following: "to provide for elements of the crime;"

AMENDMENT NO. 3

On page 1, line 5, change "14:64.2(B)" to "14.64.2"

AMENDMENT NO. 4

On page 1, line 8, delete the line and insert in lieu thereof the following:

"A. Carjacking is the intentional taking of a motor vehicle, as defined in R.S. 32:1(40), belonging to another person, in the presence of that person, or in the presence of a passenger, or any other person in lawful possession of the motor vehicle, by the use of force or intimidation, while armed with a dangerous weapon."

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

Rep. Forster moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Guillory	Pratt
Hunter	Welch
Total—4	

ABSENT

Dimos	Johns	Pierre
-------	-------	--------

Fontenot Mitchell  
Total—5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Forster 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. 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.

**Motion**

Rep. Forster moved that House Bill No. 738 be designated as a duplicate of Senate Bill No. 309.

Which motion was agreed to.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 738 by Representative Forster

AMENDMENT NO. 1

On page 2, line 2, following "of" and before "for" change "Article 315" to "Chapter 3"

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

**Speaker Downer in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Farve to Engrossed House Bill No. 738 by Representative Forster

AMENDMENT NO. 1

On page 1, line 3, after (B)(introductory paragraph) and before the comma "," insert "and (1)"

AMENDMENT NO. 2

On page 1, line 5, after "procedure;" and before "to" insert "to restrict the drug testing for violations of the Uniform Controlled Dangerous Substances Law, to delete the mandatory testing program in a certain parish;"

AMENDMENT NO. 3

On page 1, line 14, after "for a" and before "may be" delete "state crime" and insert in lieu thereof "violation of the Uniform Controlled Dangerous Substances Law"

AMENDMENT NO. 4

On page 1 line 18, after "for a" delete the remainder of the line in its entirety and delete lines 19 and 20 in their entirety and insert in lieu thereof "violation of the Uniform Controlled Dangerous Substances Law"

AMENDMENT NO. 5

On page 2, at the beginning of line 1, before "if released" delete "R.S. 40:961 through 1036,"

AMENDMENT NO. 6

On page 2, line 5, after "may" delete the comma "," and the remainder of the line in its entirety

AMENDMENT NO. 7

On page 2, at the beginning of line 6, before "implement" delete "hundred thousand or more persons shall,"

AMENDMENT NO. 8

On page 2, line 7, after "arrestees" and before "are" insert "for violations of the Uniform Controlled Dangerous Substances Law"

AMENDMENT NO. 9

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

"(1) Mandatory participation for all persons arrested for violations of ~~state law~~ the Uniform Controlled Dangerous Substances Law."

Rep. Farve moved the adoption of the amendments.

Rep. Forster objected.

**Motion**

Rep. Morrell moved to table the entire subject matter.

Rep. Forster objected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Alario	Dupre	Murray
Alexander, A.—93rd	Durand	Perkins
Ansardi	Farve	Pinac
Barton	Gautreaux	Pratt
Baudoin	Glover	Quezairé
Baylor	Green	Riddle
Bowler	Guillory	Rousselle
Bruce	Heaton	Smith, J.D.—50th
Brun	Hudson	Theriot
Carter	Hunter	Thomas

Chaisson	Jetson	Triche
Copelin	Long	Welch
Deville	Marionneaux	Weston
Diez	McCain	Wilkerson
Doerge	Morrell	Willard-Lewis
Total—45		

NAYS

Alexander, R.—13th	Jenkins	Scalise
Bruneau	Kennard	Shaw
Clarkson	Kenney	Smith, J.R.—30th
Crane	Lancaster	Stelly
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Dimos	Martiny	Vitter
Donelon	McCallum	Walsworth
Flavin	McDonald	Warner
Forster	McMains	Wiggins
Frith	Montgomery	Windhorst
Fruge	Morrish	Winston
Hammett	Odinot	Wright
Hebert	Powell	
Hill	Salter	
Total—43		

ABSENT

Mr. Speaker	Hopkins	Romero
Curtis	Iles	Schneider
DeWitt	Johs	Strain
Faucheux	Michot	Thompson
Fontenot	Mitchell	Travis
Holden	Pierre	
Total—17		

The House agreed to table the entire subject matter.

**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.

**Motion**

Rep. Forster moved that House Bill No. 739 be designated as a duplicate of Senate Bill No. 311.

Which motion was agreed to.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McCain to Engrossed House Bill No. 739 by Representative Forster

AMENDMENT NO. 1

On page 1, line 17, after "substance" and before "as" insert "at the time of arrest"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed House Bill No. by 739 Representative Forster

AMENDMENT NO. 1

On page 1, line 5, after "urine," and before "shall" delete "hair, perspiration, or other bodily fluids" and insert "breath, or perspiration"

AMENDMENT NO. 2

On page 2, line 2, after "urine" delete the remainder of the line and insert in lieu thereof "or perspiration."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Landrieu to Engrossed House Bill No. 739 by Representative Forster

AMENDMENT NO. 1

On page 2, line 2, at the end of the line delete the period "." and insert in lieu thereof "conducted in accordance with regulations established by the Department of Public Safety and Corrections, office of state police, applied technology unit."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Copelin to Engrossed House Bill No. 739 by Representative Forster

AMENDMENT NO. 1

On page 1, line 5, after "urine," delete the remainder of the line and insert "or breath shall"

AMENDMENT NO. 2

On page 2, line 2, delete "urine, or perspiration," and insert "or urine"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed House Bill No. 739 by Representative Forster

AMENDMENT NO. 1

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

"Upon motion of the defendant or his counsel, whenever the court orders blood, breath, urine, hair, perspiration, or other bodily substances tests for purposes of setting bail, the defendant shall be authorized either to be present during testing procedure or to acquire one-half of the sample used to be tested separately by the defendant at his/her expense."

**Motion**

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

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

Rep. Windhorst objected.

The vote recurred on the substitute motion.

By a vote of 46 yeas and 34 nays, the House agreed to order the previous question on the amendments.

Rep. Hunter moved the adoption of the amendments.

Rep. Forster objected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Farve	Murray
Alexander, A.—93rd	Faucheux	Pinac
Ansardi	Glover	Pratt
Baudoin	Green	Quezaire
Baylor	Guillory	Rousselle
Bowler	Hammett	Salter
Bruce	Hopkins	Smith, J.D.—50th
Brun	Hudson	Travis
Carter	Hunter	Warner
Clarkson	Jetson	Welch
Copelin	Marionneaux	Wilkerson
Deville	McCallum	Willard-Lewis
DeWitt	Montgomery	Wright
Doerge	Morrell	
Durand	Morrish	
Total—43		

**NAYS**

Alexander, R.—13th	Gautreaux	Powell
Barton	Heaton	Riddle
Bruneau	Hebert	Scalise
Chaisson	Hill	Smith, J.R.—30th
Crane	Iles	Stelly
Damico	Jenkins	Theriot
Daniel	Kenney	Toomy
Diez	Lancaster	Triche
Dimos	Landrieu	Vitter
Donelon	LeBlanc	Walsworth
Dupre	Long	Wiggins
Flavin	McDonald	Windhorst
Forster	McMains	Winston
Frith	Michot	

Fruge  
Total—43

Odinet

ABSENT

Mr. Speaker  
Curtis  
Fontenot  
Holden  
Johns  
Kennard  
Martiny  
Total—19

McCain  
Mitchell  
Perkins  
Pierre  
Romero  
Schneider  
Shaw

Strain  
Thomas  
Thompson  
Thornhill  
Weston

The amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker  
Alario  
Alexander, A.—93rd  
Alexander, R.—13th  
Ansardi  
Barton  
Baylor  
Bowler  
Bruce  
Brun  
Bruneau  
Chaisson  
Clarkson  
Copelin  
Crane  
Damico  
Daniel  
Deville  
DeWitt  
Diez  
Dimos  
Doerge  
Donelon  
Dupre  
Durand  
Fauchoux  
Flavin  
Forster  
Total—83

Frith  
Fruge  
Gautreaux  
Glover  
Green  
Hammett  
Heaton  
Hibert  
Hill  
Hopkins  
Iles  
Jenkins  
Kennard  
Kenney  
Lancaster  
Landrieu  
LeBlanc  
Long  
Marionneaux  
Martiny  
McCain  
McCallum  
McDonald  
McMains  
Michot  
Montgomery  
Morrish  
Murray

Odinet  
Perkins  
Pinac  
Powell  
Pratt  
Quezaire  
Riddle  
Rousselle  
Salter  
Scalise  
Schneider  
Smith, J.D.—50th  
Smith, J.R.—30th  
Stelly  
Theriot  
Thomas  
Toomy  
Travis  
Triche  
Vitter  
Walsworth  
Warner  
Wiggins  
Willard-Lewis  
Windhorst  
Winston  
Wright

NAYS

Baudoin  
Carter  
Farve  
Guillory  
Total—10

Hudson  
Hunter  
Jetson  
Morrell

Welch  
Weston

ABSENT

Curtis  
Fontenot  
Holden  
Johns  
Total—12

Mitchell  
Pierre  
Romero  
Shaw

Strain  
Thompson  
Thornhill  
Wilkerson

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Brun to Engrossed House Bill No. 740 by Representative Forster

AMENDMENT NO. 1

On page 2, line 6, after "surety" and before "include" insert "may"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Green to Engrossed House Bill No. 740 by Representative Forster

AMENDMENT NO. 1

On page 1, line 16, after "surety" and before the comma "," insert "for an amount in excess of fifty thousand dollars"

Rep. Green moved the adoption of the amendments.

Rep. Forster objected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Alario  
Ansardi  
Baudoin  
Baylor  
Bowler  
Bruce  
Brun

Glover  
Green  
Guillory  
Hammett  
Heaton  
Hill  
Hudson

Pinac  
Pratt  
Quezaire  
Riddle  
Rousselle  
Salter  
Shaw

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Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Copelin	Jetson	Stelly
Damico	Kennard	Theriot
Daniel	Kenney	Thomas
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	McCain	Travis
Doerge	Montgomery	Warner
Dupre	Morrell	Welch
Durand	Morrish	Weston
Farve	Murray	Wilkerson
Faucheux	Odinet	Willard-Lewis
Flavin	Perkins	Wright
Total—63		

NAYS

Alexander, A.—93rd	Fruge	Powell
Alexander, R.—13th	Hebert	Scalise
Barton	Jenkins	Triche
Bruneau	Lancaster	Vitter
Clarkson	Landrieu	Walsworth
Crane	LeBlanc	Wiggins
Dimos	McCallum	Windhorst
Donelon	McDonald	Winston
Forster	McMains	
Frith	Michot	
Total—28		

ABSENT

Mr. Speaker	Hopkins	Romero
Curtis	Johns	Schneider
Fontenot	Martiny	Strain
Gautreaux	Mitchell	Thompson
Holden	Pierre	
Total—14		

The amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Perkins
Alexander, R.—13th	Hebert	Powell
Ansardi	Hill	Scalise
Barton	Jenkins	Shaw
Brun	Kennard	Smith, J.R.—30th
Clarkson	Lancaster	Triche
Crane	Landrieu	Vitter
Dimos	LeBlanc	Walsworth
Donelon	McCallum	Wiggins
Dupre	McDonald	Windhorst
Forster	McMains	Winston
Frith	Michot	
Gautreaux	Odinet	
Total—37		

NAYS

Alario	Flavin	Quezaire
Alexander, A.—93rd	Fruge	Riddle
Baudoin	Glover	Rousselle
Baylor	Green	Salter
Bowler	Guillory	Smith, J.D.—50th
Bruce	Heaton	Stelly

Bruneau	Hudson	Theriot
Carter	Hunter	Thomas
Chaisson	Iles	Thornhill
Copelin	Jetson	Toomy
Damico	Kenney	Travis
Daniel	Long	Warner
Deville	Marionneaux	Welch
DeWitt	McCain	Weston
Diez	Montgomery	Wilkerson
Doerge	Morrish	Willard-Lewis
Durand	Murray	Wright
Farve	Pinac	
Faucheux	Pratt	
Total—55		

ABSENT

Curtis	Martiny	Schneider
Fontenot	Mitchell	Strain
Holden	Morrell	Thompson
Hopkins	Pierre	
Johns	Romero	
Total—13		

The Chair declared the above bill failed to pass.

Rep. Green 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.

Motion

On motion of Rep. LeBlanc, House Bill No. 1 was made Special Order of the Day No. 1 for Monday, May 12, 1997.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 8, 1997

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 162  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

Message from the Senate

**HOUSE BILLS**

May 8, 1997

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

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

House Bill No. 200  
Returned with amendments.

House Bill No. 198  
Returned with amendments.

House Bill No. 1437  
Returned with amendments.

House Bill No. 1821  
Returned with amendments.

House Bill No. 1472  
Returned without amendments.

House Bill No. 1075  
Returned without amendments.

House Bill No. 1714  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

May 8, 1997

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

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

Senate Bill Nos. 58, 151, 294, 359, 389, 447, 513, 516, 529, 616, 699, 704, 827, 832, 894, 927, 1007, 1020, 1070, 1071, 1112, 1114, 1115, 1117, 1156, 1160, 330, 1348, 1385, 1454, 1511, 1546

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

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

**Senate Bills and Joint Resolutions  
on First Reading**

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

**SENATE BILL NO. 58—**

BY SENATOR GUIDRY

AN ACT

To enact R.S. 49:1015(F), relative to employee drug testing; to require drug testing prior to the hiring of certain public employees; to require random drug testing of certain public employees; and to provide for related matters.

Read by title.

**SENATE BILL NO. 151—**

BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 894.2(A)(2); relative to requirements of home incarceration; to provide that home incarceration may be recommended by the district attorney, or under certain circumstances, ordered by the court; and to provide for related matters.

Read by title.

**SENATE BILL NO. 294—**

BY SENATOR JORDAN

A JOINT RESOLUTION

Proposing to amend and reenact Article III, Section 2(B) of the Louisiana Constitution of 1974, relative to extraordinary sessions of the legislature; to provide that the proclamation for extraordinary sessions of the legislature state in general terms the objects of the session; to provide for the power of the legislature to legislate with regard to such objects; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**SENATE BILL NO. 359—**

BY SENATOR GREENE AND REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:21(A), 1353(C)(3), and 1371(A), relative to elections; to provide for the notification of contracts for lease of space for voting machines; to provide for the notification of contracts for the delivery of voting machines to the precincts; and to provide for related matters.

Read by title.

**SENATE BILL NO. 389—**

BY SENATOR GUIDRY

AN ACT

To enact R.S. 32:354(G), relative to motor vehicles; to require rear vision mirrors on state delivery vans; and to provide for related matters.

Read by title.

**SENATE BILL NO. 447—**

BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 899(C), relative to suspended sentence and probation; to provide with respect to arrest or summons for violation of probation; to provide for bail; and to provide for related matters.

Read by title.

**SENATE BILL NO. 513—**  
BY SENATORS COX AND JORDAN  
AN ACT

To repeal R.S. 15:571, relative to time limitations, to delete requirement for an expeditious disposition of criminal cases involving minors; and to provide for related matters.

Read by title.

**SENATE BILL NO. 516—**  
BY SENATOR LENTINI  
AN ACT

To amend and reenact the introductory paragraph of R.S. 40:1484.2 and R.S. 40:1484.2(4), (5), (6), (7), (8), (9), and (10), 1484.3(A) and (B)(1), 1484.4, 1484.5(B), 1484.6, 1484.7, 1484.8, 1484.9, 1484.10, 1484.11(2), and 1484.13 and to enact R.S. 40:1484.2(11), relative to amusement attractions or rides; to provide for certain inspections on behalf of an owner or operator's insurer prior to operation; to prohibit operation of the attraction or ride until such inspection; and to provide for related matters.

Read by title.

**SENATE BILL NO. 529—**  
BY SENATOR GUIDRY  
AN ACT

To amend and reenact R.S. 17:350.21(B), relative to funding of laboratory schools; to increase state funding for the university laboratory schools operated by Louisiana State University and Agricultural and Mechanical College and by Southern University and Agricultural and Mechanical College; and to provide for related matters.

Read by title.

**SENATE BILL NO. 616—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To amend and reenact R.S. 30:2351.59, and to repeal R.S. 30:2351.60, relative to lead abatement programs; to provide for licensure, certification, accreditation, and notification fees to be paid into the Lead Hazard Reduction Fund; and to provide for related matters.

Read by title.

**SENATE BILL NO. 699—**  
BY SENATORS BAJOEIE AND GUIDRY  
AN ACT

To enact R.S. 22:215.18, relative to health insurance coverage; to provide coverage for reconstructive breast surgery following a mastectomy; to prohibit certain health insurance policies from imposing certain limitations on coverage; and to provide for related matters.

Read by title.

**SENATE BILL NO. 704—**  
BY SENATOR LANDRY  
AN ACT

To enact R.S. 32:1728.2, relative to motor vehicles; to provide with respect to the procedure for disposal of junk vehicles; and to provide for related matters.

Read by title.

**SENATE BILL NO. 827—**  
BY SENATORS HAINKEL, DARDENNE AND EWING  
AN ACT

To amend and reenact R.S. 42:456, relative to permitted payroll withholdings; to provide authority for certain payroll deductions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 832—**  
BY SENATORS HAINKEL, DARDENNE AND EWING  
AN ACT

To amend and reenact R.S. 49:149, 149.1, 149.2, 149.3, 149.4, and 149.5(A) and (C), relative to the capitol police; to rename the capitol police; to change the court jurisdiction relative to certain parking and traffic violations; and to provide for related matters.

Read by title.

**SENATE BILL NO. 894—**  
BY SENATOR JORDAN  
AN ACT

To amend and reenact R.S. 24:11(E), relative to extraordinary sessions of the legislature; to provide that the proclamation for extraordinary sessions of the legislature state in general terms the objects of the session; to provide for the power of the legislature to legislate with regard to such objects; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 927—**  
BY SENATOR BRANCH  
AN ACT

To enact R.S. 47:463.46, relative to license plates; to create a prestige plate to promote Louisiana education; to provide for a fee; to create a special fund and to provide for the use of revenue from the plate; to purchase text books; to provide relative to the design of the plate; to authorize promulgation of rules; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1007—**  
BY SENATOR DYESS  
AN ACT

To enact R.S. 47:463.46, relative to veterans prestige license plates; to authorize retention of plates by spouse under certain circumstances; to authorize retention of plates by direct descendants under certain circumstances; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1020—**  
BY SENATOR HEITMEIER  
AN ACT

To enact R.S. 11:2016, relative to the Parochial Employees' Retirement System; to provide for the recovery of money owed the system, plus interest thereon; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1070—**  
BY SENATOR HEITMEIER  
AN ACT

To enact R.S. 11:1457 and 1939.1 and to repeal R.S. 11:154(D), relative to Assessors' Retirement Fund and the Parochial Employees' Retirement System; to provide relative to qualified

plan status under the Internal Revenue Code; to provide for direct rollover of funds from a qualified retirement plan to certain eligible plans; to repeal provision requiring income tax withholdings pending certain rulings; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1071—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1253(B)(2), (D), and (I), and 1254(C) and (K)(2), and to enact R.S. 32:1254(A)(3) and 1256(I), relative to the Louisiana Motor Vehicle Commission; to provide for the location and domicile of the commission; to provide for certain powers of the commission; to provide for the application for motor vehicle dealer licenses and certain duties of the applicants; to provide for cease and desist orders; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1112—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1121(B) and 1124, relative to worker's compensation; to provide for expedited hearing relative to examination of injured employee; to provide with respect to refusal to submit to medical examinations; to provide for expedited hearing; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1114—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 23:1208(C)(4), relative to worker's compensation; to provide with respect to misrepresentations concerning benefits; to provide for definition; to provide for penalties; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1115—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1208(D), relative to worker's compensation; to provide with respect to misrepresentations concerning benefit payment; to authorize restitution; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1117—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1121(A), relative to worker's compensation; to provide with respect to examination of injured employee; to provide for reasonable diagnostic testing; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1156—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 17:1979(C)(2), to enact R.S. 36:4(R); and to repeal R.S. 36:651(Z), all relative to the Louisiana Interagency Coordinating Council for Child Net; to transfer the

Council from the Department of Education to the office of the governor; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1160—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 36:53(I), relative to the transfer of boards, commissions, and departments to the Department of Civil Service; to provide for the transfer type for the division of administrative law; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1330—**  
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 48:719, relative to applicability of laws pertaining to the sale or exchange of roads and streets; to exempt cities having a population in excess of two hundred fifteen thousand persons located within a parish having a population in excess of three hundred seventy-five thousand persons from laws relative to the sale or exchange of roads and streets; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1348—**  
BY SENATORS HAINKEL, DARDENNE AND EWING

AN ACT

To amend and reenact R.S. 39:200(I), relative to the procurement support team; to provide for quorums at meetings; to provide for written recommendations in lieu of attendance at meetings; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1385—**  
BY SENATOR HINES

AN ACT

To enact R.S. 46:460.4; relative to public assistance; to authorize the Department of Social Services to limit the applicability of time limits in certain situations; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1454—**  
BY SENATOR ELLINGTON

AN ACT

To designate portions of Louisiana Highway 15 from its intersection with Louisiana Highway 137 and portions of Louisiana Highways 65 and 84 to their intersection with Louisiana Highway 131 as the Veterans Memorial Highway; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1511—**  
BY SENATOR BAJOIE

AN ACT

To amend and reenact Sections 2(A) and (b) and 3 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 572 of the 1984 Regular Session of the Legislature, and Act No. 1013 of the 1993 Regular Session of the Legislature, relative to the board of commissioners for the Ernest N. Morial-New Orleans Exhibition Authority; to add one additional member to the board; to provide for confirmation of members; to provide with respect to quorum requirements; and to provide for related matters.

Read by title.

**SENATE BILL NO. 1546 (Substitute for Senate Bill No. 511 by Senator Cox)—**  
BY SENATOR COX

AN ACT

To enact Part X of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:221 through 234, relative to civil commitment; to provide for special procedures for commitment of sexually violent predators; to define terms; to provide for offenses considered as sexually violent offenses; to provide for initial assessments, the filing of sexually violent offender petitions, detention, evaluations, hearing procedures, trials, and dispositions in connection therewith; to provide for periodic examinations and judicial review; to provide for notifications upon release; to provide for special allegations in certain criminal cases; to provide with respect to confidential or privileged information and the sealing of court records; and to provide for related matters.

Read by title.

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

May 8, 1997

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

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

Senate Concurrent Resolution No. 61

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

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

**HOUSE RESOLUTION NO. 47—**  
BY REPRESENTATIVES MURRAY, A. ALEXANDER, COPELIN, FARVE,  
GREEN, MORRELL, PRATT, AND WILLARD-LEWIS  
A RESOLUTION

To express the condolences of the House of Representatives of the Legislature of Louisiana and its sincere regrets upon the death of Mrs. Thelma L. Tucker Desselle Smith.

Read by title.

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

**HOUSE RESOLUTION NO. 48—**  
BY REPRESENTATIVES FORSTER AND MCMAINS  
A RESOLUTION

To commend small businesses for their contribution to the economic health of the state and for their civic and social contributions to communities throughout Louisiana to declare May 8, 1997, as Small Business Day at the House of Representatives of the Louisiana Legislature.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 163—**  
BY REPRESENTATIVE THORNHILL  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of James Edward Champagne of Covington.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 164—**  
BY REPRESENTATIVE WILKERSON  
A CONCURRENT RESOLUTION

To recognize the month of May as "National Stroke Month" and to commend the National Stroke Association for efforts to promote public awareness of the high incidence of stroke and stroke's symptoms, as well as its preventability and treatability.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

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

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 156, by Riddle  
Reported with amendments. (7-0-1)

House Bill No. 186, by Dupre  
Reported favorably. (6-0-1) (Regular)

House Bill No. 526, by Dupre  
Reported favorably. (6-0-1) (Regular)

House Bill No. 685, by Odinet  
Reported with amendments. (5-2-1) (Regular)

House Bill No. 711, by Barton  
Reported with amendments. (5-1-1) (Regular)

House Bill No. 1395, by Windhorst  
Reported with amendments. (6-1-0) (Regular)

House Bill No. 1839, by Windhorst  
Reported with amendments. (7-2-1) (Regular)

House Bill No. 1971, by Bowler

Reported with amendments. (5-2-0) (Regular)

House Bill No. 2479, by Perkins  
Reported favorably. (8-0-1) (Regular)

STEPHEN J. WINDHORST  
Chairman

**Report of the Committee on Health and Welfare**

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1806, by Rodney Alexander  
Reported with amendments. (9-0) (Regular)

Senate Concurrent Resolution No. 7, by Hines  
Reported favorably. (9-0)

Senate Bill No. 175, by Hines  
Reported with amendments. (9-5) (Regular) (Duplicate)

Senate Bill No. 459, by Hines  
Reported favorably. (10-0) (Regular)

Senate Bill No. 501, by Hines  
Reported favorably. (11-0) (Regular)

Senate Bill No. 502, by Hines  
Reported favorably. (11-0) (Regular)

Senate Bill No. 503, by Hines  
Reported favorably. (9-0) (Regular)

Senate Bill No. 1303, by Hines  
Reported favorably. (10-0) (Regular) (Duplicate)

RODNEY ALEXANDER  
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**

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 370, by Dimos  
Reported favorably. (8-0) (Regular)

House Bill No. 2127, by Thornhill  
Reported with amendments. (9-1) (Regular)

House Bill No. 2303, by Copelin  
Reported with amendments. (9-0) (Regular)

House Bill No. 2329, by Pratt  
Reported with amendments. (10-0) (Regular)

House Bill No. 2413, by Deville  
Reported with amendments. (9-0) (Regular) (Duplicate)

House Bill No. 2472, by Windhorst  
Reported with amendments. (8-0) (Regular)

House Bill No. 2495, by Walsworth  
Reported favorably. (8-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Report of the Committee on Natural Resources**

May 8, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 801, by Rousselle  
Reported with amendments. (10-0) (Regular)

House Bill No. 1610, by Rousselle  
Reported with amendments. (10-0) (Regular)

House Bill No. 2383, by Rousselle  
Reported with amendments. (12-0) (Regular)

House Bill No. 2405, by Dimos  
Reported with amendments. (6-5) (Regular)

House Bill No. 2419, by Wiggins  
Reported favorably. (11-0) (Regular)

Senate Concurrent Resolution No. 48, by Cain  
Reported favorably. (10-0)

JOHN R. SMITH  
Chairman

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 100—**

BY SENATOR GUIDRY

**A CONCURRENT RESOLUTION**

To urge and request the immediate reinstatement of Melissa Williamson by the legislative auditor.

Called from the calendar.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

**Leave of Absence**

Rep. Fontenot - 1/2 day  
Rep. Johns - 1/2 day

**Adjournment**

On motion of Rep. Jetson, at 6:30 P.M., the House agreed to adjourn until Friday, May 9, 1997, at 10:00 A.M.

The Speaker of the House declared the House adjourned until 10:00 A.M., Friday, May 9, 1997.

ALFRED W. SPEER  
Clerk of the House

C. Wayne Hays  
Journal Clerk, *Emeritus*