

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

TWENTY-NINTH DAY'S PROCEEDINGS

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

House of Representatives
 State Capitol
 Baton Rouge, Louisiana

Friday, May 9, 1997

The House of Representatives was called to order at 10:00 A.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Total—102		

ABSENT

Johns	Riddle	Wiggins
Total—3		

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rev. Maurice Johnson.

Pledge of Allegiance

Rep. Odinet 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. Clarkson, the reading of the Journal was dispensed with.

On motion of Rep. Clarkson, the Journal of May 8, 1997, was adopted.

Petitions, Memorials and Communications

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

Privileged Report of the Legislative Bureau

May 9, 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. 175
 Reported with amendments.

Senate Bill No. 459
 Reported without amendments.

Senate Bill No. 501
 Reported without amendments.

Senate Bill No. 502
 Reported without amendments.

Senate Bill No. 503
 Reported without amendments.

Senate Bill No. 1303
 Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
 Chairman

Message from the Senate

SENATE BILLS

May 9, 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. 606, 763, 960, and 1136

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. DeWitt, 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. 606—
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM
AN ACT

To amend and reenact R.S. 18:461(A) and to enact R.S. 47:1675, relative to elected officials; to provide that any person who desires to become a candidate in a primary election shall obtain a tax clearance; and to provide for related matters.

Read by title.

SENATE BILL NO. 763—
BY SENATOR SHORT
AN ACT

To enact Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.1 through 9039.4, relative to the East Florida Parishes Retirement District; to create the district; to provide for a board of directors to implement the powers, duties, functions, and responsibilities of the district; to authorize the district, with voter approval, to grant certain sales and use tax refunds; and to provide for related matters.

Read by title.

SENATE BILL NO. 960—
BY SENATOR GUIDRY
AN ACT

To enact Part V-A of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3541.21 and 3541.22, relative to home solicitation of aged persons; to provide definitions; to provide for prohibited practices; and to provide for related matters.

Read by title.

SENATE BILL NO. 1136—
BY SENATOR DEAN
AN ACT

To amend and reenact R.S. 18:1432(B), relative to the Louisiana Election Code, to provide for certain remedies; and to provide for related matters.

Read by title.

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 61—
BY SENATOR BAGNERIS
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study its current definition of corporal punishment, the consistency of its use, the possibility of overbreadth, and its appropriateness in light of the state's diverse cultural environment.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATOR MALONE
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study a procedure which will require that a person who sells to, or purchases real property from a person over sixty-five years of age provide notice to descendants or other designated parties thirty days prior to the sale or purchase.

Read by title.

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

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. 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.

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

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.

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

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.

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

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.

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

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.

Motion

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

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.

Motion

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

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.

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

SENATE BILL NO. 350—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 32:432 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 licenses to engage in sporting activities, including 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.

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

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.

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

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.

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

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.

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

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.

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

SENATE BILL NO. 411—
BY SENATOR DEAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1425(3) and 1457(A), relative to interrogatories; to require witnesses or persons other than parties to a suit to answer interrogatories; to provide relative to the rate chargeable by experts for giving a deposition; 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. 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.

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

SENATE BILL NO. 485—
BY SENATORS JORDAN AND DARDENNE

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.

Motion

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

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.

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

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.

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

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.

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

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.

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

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.

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

SENATE BILL NO. 699—
BY SENATORS BAJOE 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.

Motion

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

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.

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

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.

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

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.

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

SENATE BILL NO. 857— BY SENATORS BRANCH, BARHAM, CAIN, CAMPBELL, CASANOVA, DARDENNE, DEAN, DYESS, GREENE, GUIDRY, HAINKEL, HOLLIS, LENTINI, SCHEDLER, SHORT, SIRACUSA, SMITH, THEUNISSEN AND ULLO AN ACT

To amend and reenact R.S. 15:574.12(G), relative to confidentiality of certain information obtained by the boards of pardon and 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. 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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

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.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

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.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

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.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 1119—
BY SENATORS JOHNSON, BARHAM, BEAN, BRANCH, CAIN, COX, CRAVINS, ELLINGTON, FIELDS, GREENE, HAINKEL, HINES, HOLLIS, IRONS, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SMITH, TARVER, THEUNISSEN AND ULLO

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.

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

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.

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

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.

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

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.

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

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.

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

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 require that community service be performed by 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.

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

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.

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

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.

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

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.

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

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.

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

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; to provide for provisional licenses; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 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.

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

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

BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:477(14) and 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.

Motion

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

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.

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

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.

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

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.

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

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

BY SENATORS ULLO, BAJOIE, COX, CRAVINS, DARDENNE, DEAN, DYESS, FIELDS, GUIDRY, JOHNSON, JORDAN, LAMBERT, LANDRY, MALONE, SHORT, SMITH AND TARVER

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.

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

SENATE BILL NO. 364—

BY SENATOR GREENE

AN ACT

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

Called from the calendar.

Read by title.

Motion

Rep. Frith moved that Senate Bill No. 364 be designated as a duplicate of House Bill No. 533.

Which motion was agreed to.

Rep. Frith moved that Senate Bill No. 364 be amended to conform with House Bill No. 533 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Frith to Engrossed Senate Bill No. 364 by Senator Greene (Duplicate of H.B. No. 533)

AMENDMENT NO. 1

On page 1, line 11, after "shall" delete "not" and insert "in no way be construed to"

AMENDMENT NO. 2

On page 1, line 12, after "40:2402" delete "(1)"

AMENDMENT NO. 3

On page 1, at the end of line 14, insert 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. Frith, the amendments were adopted.

Motion

On motion of Rep. Frith, the above bill, as amended, was referred to the Legislative Bureau.

**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. 156—
BY REPRESENTATIVES RIDDLE AND WINDHORST
A CONCURRENT RESOLUTION**

To direct the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to promulgate guidelines similar to the National Asset Forfeiture Ethical Standards; to establish Council on Peace Officer Standards and Training certification status and training for law enforcement officers engaged in interstate highway traffic enforcement and seizures pursuant to state and federal asset forfeiture laws; to gather and report statistics on such highway enforcement activities; 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 Concurrent Resolution No. 156 by Representatives Riddle and Windhorst

AMENDMENT NO. 1

On page 1, line 8, after "on" and before "highway" change "drug and asset" to "such"

AMENDMENT NO. 2

On page 4, line 12, after "to" and before "highway" change "drug" to "such"

AMENDMENT NO. 3

On page 4, between lines 15 and 16, insert the following;

"BE IT FURTHER RESOLVED that the commission is further directed to submit the ethical standards for forfeiture programs, the

course outline for the program for training individuals in the utilization of the forfeiture law, and the rules, regulations, and procedures for acquiring statistical information relative to such highway enforcement activities to the House Committee on Administration of Criminal Justice no later than December 31, 1997."

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

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

**Senate Concurrent Resolutions
Reported by Committees**

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

**SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATORS HINES AND EWING
A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals, office of public health, to enter into a cooperative endeavor with other public and private organizations and institutions in establishing the Louisiana Public Health Institute.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

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

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

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. John Smith, the resolution was ordered 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. 186—
BY REPRESENTATIVES DUPRE, DOWNER, BRUCE, AND HEATON
AN ACT**

To amend and reenact Code of Criminal Procedure Art. 648(A)(2), relative to certain defendants found to lack the mental capacity to proceed; to require a review of the status of those committed to the Feliciana Forensic Facility but held in parish jails; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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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. 370—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact R.S. 24:175(B) and 176(B), relative to statutory severability and implied repeal provisions applicable to acts of the legislature; to provide for the applicability of those provisions to acts affecting the Louisiana Children's Code; 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. 526—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 877(A) and to enact Code of Criminal Procedure Art. 875(F), relative to presentence investigations in misdemeanor cases; to authorize courts with such jurisdiction to create a presentence investigation division; to provide for timeliness and contents of presentence investigation reports; to provide for information to be provided by law enforcement agencies; 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. 685—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 27:301(B)(8) and 306(A)(1) and to enact R.S. 27:306(A)(8), 311(A)(5)(d), (D)(1)(c), and (H)(5) and (6), and 325, and R.S. 33:4861.28, and 4861.29, relative to video draw poker devices and charitable gaming; to provide for the operation of video draw poker devices at charitable gaming premises; to provide for a maximum number of devices at facilities; to provide restrictions; to provide for licensing fees; to provide for franchise payments; to provide exceptions; 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. 685 by Representative Odinet

AMENDMENT NO. 1

On page 1, line 8, after "payments;" and before "and" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 4, at the beginning of line 19, insert "A."

AMENDMENT NO. 3

On page 4, between lines 24 and 25, insert the following:

"B. The Louisiana Gaming Control Board shall not issue a license as provided by this Section for the operation of video draw poker devices at charitable gaming facilities in any parish in which a majority of the electors who voted in the election authorized by R.S. 18:1300.21 voted to discontinue the operation of video draw poker devices."

AMENDMENT NO. 4

On page 5, delete lines 15 and 16 in their entirety and insert in lieu thereof the following:

"in equal payments by session and all monies received by the charitable organization shall be deposited into its charitable gaming account."

AMENDMENT NO. 5

On page 5, after line 25, insert the following:

"F. The Louisiana Gaming Control Board shall not issue a license as provided by this Section for the operation of video draw poker devices at charitable gaming facilities in any parish in which a majority of the electors who voted in the election authorized by R.S. 18:1300.21 voted to discontinue the operation of video draw poker devices."

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. 711—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 27:44(23)(a) and (b) and to enact R.S. 27:65(C), relative to riverboat gaming; to provide with respect to vessel specifications and certifications; 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. 711 by Representative Barton

AMENDMENT NO. 1

On page 1, line 3, after "gaming" insert a semicolon ";" and delete the remainder of the line and insert "to"

AMENDMENT NO. 2

On page 1, delete lines 6 through 8 in their entirety

AMENDMENT NO. 3

On page 2, delete lines 10 through 15 in their entirety and insert in lieu thereof the following:

"the original issuance of a Certification of Inspection by the U.S. Coast Guard to vessels licensed to conduct gaming operations and activities under the provisions of this Chapter shall constitute a continuing certification in cases where the U.S. Coast Guard does not maintain a regular inspection process or in circumstances where the U.S. Coast Guard has certified a third party inspection. The lack of a regular continuing inspection process by the U.S. Coast Guard shall not be grounds for the board to revoke a license to continue gaming activities and operations."

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. 801—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 56:303.6(A)(1) and (B), relative to the oyster harvester license; to provide for who must have such license; to provide for use of revenues generated by such license; 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. 801 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 1, after "56:303.6" insert "(A)(1) and"

AMENDMENT NO. 2

On page 1, line 3, after "license;" insert "to provide for who must have such license;"

AMENDMENT NO. 3

On page 1, line 6, after "56:303.6" insert "(A)(1) and" and change "is" to "are"

AMENDMENT NO. 4

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

"A.(1) ~~All persons, except the spouse of a vessel's owner while on that vessel, and helpers under R.S. 56:303.3.~~ Each captain of a vessel harvesting or possessing oysters in state waters must purchase an oyster harvester license at a cost of one hundred dollars for residents and four hundred dollars for nonresidents."

AMENDMENT NO. 5

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

"Section 2. If, as, and when House Bill No. 1356 of the 1997 Regular Session is enacted and becomes law, the Louisiana Law Institute is hereby directed to redesignate the statutory provisions of this Act to be compatible with the provisions of House Bill No. 1356 of said Regular Session."

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. 1395—
BY REPRESENTATIVES WINDHORST, ANSARDI, DONELON,
LANCASTER, MARTINY, AND VITTER AND SENATOR ULLO
AN ACT

To amend and reenact Children's Code Art. 903(C) and R.S. 15:901(C), relative to commitment of juveniles adjudicated delinquent; to reduce the number of days that a child committed to the Department of Public Safety and Corrections can remain in a parish juvenile detention facility; 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. 1395 by Representative Windhorst, et al.

AMENDMENT NO. 1

On page 1, line 16, after "within" and before "days" change "seven" to "fourteen"

AMENDMENT NO. 2

On page 2, line 17, after "within" and before "days" change "seven" to "fourteen"

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. 1610—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 56:428(B), relative to oyster leases; to require that renewed leases shall retain the same lease number as the original lease; 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. 1610 by Representative Rousselle

AMENDMENT NO. 1

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

"with the addition of a designation to indicate which year the lease was renewed."

AMENDMENT NO. 2

On page 2, after line 8, add the following:

"Section 2. If, as, and when House Bill No. 1356 of the 1997 Regular Session is enacted and becomes law, the Louisiana Law Institute is hereby directed to redesignate the statutory provisions of this Act to be compatible with the provisions of House Bill No. 1356 of said Regular Session."

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. 1806—

BY REPRESENTATIVES R. ALEXANDER AND DEWITT
AN ACT

To enact Part XI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2197, relative to rural health clinics; to authorize the Department of Health and Hospitals to license rural health clinics; to prohibit operation of a rural health clinic without a license; to require the department to prescribe and publish minimum standards, rules, and regulations as necessary; to provide that licenses issued for rural health clinics are not transferrable or assignable between persons, rural health clinics, or both; to provide for the location of each rural health clinic; to require each location of a rural health clinic to be separately licensed; to provide for exemptions; to define rural health clinic and midlevel practitioner; 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. 1806 by Representatives Rodney Alexander and DeWitt

AMENDMENT NO. 1

On page 1, line 6, after "license;" delete the remainder of the line and at the beginning of line 7, delete "and regulations;" and insert in lieu thereof the following:

"to require the department to prescribe and publish minimum standards, rules, and regulations as necessary; to provide that licenses issued for rural health clinics are not transferrable or assignable between persons, rural health clinics, or both; to provide for the location of each rural health clinic; to require each location of a rural health clinic to be separately licensed; to provide for exemptions; to define rural health clinic and midlevel practitioner;"

AMENDMENT NO. 2

On page 1, delete lines 12 through 17 in their entirety and insert in lieu thereof the following:

"PART XI-A. RURAL HEALTH CLINICS, LICENSURE

§2197. Licensure of rural health clinics

A. Rural health clinics, as defined herein, shall be licensed by the Department of Health and Hospitals. The operation of a rural health clinic in the state of Louisiana without a license is prohibited.

B. The department shall prescribe and publish minimum standards, rules, and regulations as necessary to effectuate the provisions of this Section. Such rules and regulations shall include but not be limited to all of the following:

- (1) Access to care and needs assessment policies and procedures.
- (2) Operational and personnel requirements.
- (3) Practice standards to assure quality of care.
- (4) Licensure application procedures and requirements.
- (5) Initial and annual renewal of license investigations.
- (6) Complaint investigations.
- (7) Reimbursement policies, procedures, and requirements.
- (8) Denial, revocation, and nonrenewal of licenses and the appeals thereof.

C. A license issued under the provisions of this Part is not transferrable or assignable between persons, rural health clinics, or both. Each location of a rural health clinic shall be located outside of a thirty-mile radius of any populated region of more than fifty thousand persons and more than fifteen miles from any existing hospital, existing licensed rural health clinic, or federally qualified health center and shall be separately licensed.

D. Rural health clinics currently certified by the Health Care Financing Administration shall be exempt from the provisions of this Section for the period of one year after the effective date of this Section; thereafter, all rural health clinics shall be subject to the provisions of this Section. Any rural health clinic certified by the Health Care Financing Administration prior to the effective date of this Section shall be exempt from the thirty-mile radius requirement and the fifteen mile location requirement until a change of ownership or the revocation of a license occurs.

E. For purposes of this Part, a "rural health clinic" means an outpatient primary care clinic which provides diagnosis and treatment to the public by a qualified midlevel practitioner and a licensed physician. The clinic shall be located in an area which is a non-metropolitan statistical area, as defined by the federal Office of Management and Budget and the Census Bureau population and housing unit counts, and which has a shortage of physicians and other

health care providers as determined by the Department of Health and Hospitals. For purposes of this Part, a "midlevel practitioner" means a certified nurse midwife, a certified nurse practitioner, or a physician assistant."

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. 1839—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:2601(5), 2606, 2611(L), 2612(E) and (G), and 2616(A), (B)(3)(b), (C), and (D), to enact R.S. 40:2616(E) and (F) and R.S. 15:1225, and to repeal R.S. 32:1550 through 1553, relative to seizure and forfeiture of contraband and controlled dangerous substances; to provide definitions; to provide with respect to forfeiture proceedings; to provide for a drug asset forfeiture grant trust fund; to provide for administration of the fund; to reduce the amount of the cost bond requirement for recovery of seized property by an owner or interest holder; to change the burden of proof required in forfeiture proceedings; 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. 1839 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and delete line 3, in its entirety and insert "40:2601(5), 2606, 2611(L), 2612(E) and (G), and 2616(A), (B)(3)(b), (C), and (D), to enact R.S. 40:2616(E) and (F) and R.S. 15:1225, and to repeal R.S. 32:1550 through 1553, relative to seizure and forfeiture of contraband and controlled dangerous substances; to provide definitions; to provide with respect to forfeiture proceedings; to provide for a drug asset forfeiture grant trust fund; to provide for administration of the fund; to reduce"

AMENDMENT NO. 2

On page 1, line 8, after "R.S." and before "are" delete "40:2612(E) and (G)" and insert "40:2601(5), 2606, 2611(L), 2612(E) and (G), and 2616(A), (B)(3)(b), (C), and (D)"

AMENDMENT NO. 3

On page 1, at the end of line 8, insert "and R.S. 40:2616(E) and (F) are hereby enacted all"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

§2601. Definitions

As used in this Chapter the following words and phrases shall have the following meanings:

* * *

(5) "Seizure for forfeiture" means seizure of property by a law enforcement officer designated by the district attorney accompanied by an assertion by the seizing agency or by a district attorney that the property is seized for forfeiture. An assertion is limited to the service of a Notice of Pending Forfeiture, in writing, on the owner or interest holder, pursuant to the provisions of this Chapter.

* * *

§2606. Seizure of property

A. Property that is not evidence of a criminal violation may be seized for forfeiture by any law enforcement agency designated by the district attorney, upon with or without process issued by any district court, on probable cause to believe that the property is subject to forfeiture under this Chapter. The court may issue a seizure warrant on an affidavit under oath demonstrating that probable cause exists for its forfeiture or that the property has been the subject of a previous final judgment of forfeiture in the courts of any state or of the United States. The court may order that the property be seized on such terms and conditions as are reasonable in the discretion of the court. Within seventy-two hours, exclusive of holidays or weekends, after actual or constructive seizure, the seizing agency shall apply to the court for a warrant of seizure to hold the property pending forfeiture, unless such warrant has been previously obtained. Such application shall be on an affidavit under oath demonstrating that probable cause exists for seizure of the property, regardless of whether the proceedings to forfeit property are brought pursuant to federal or state action and regardless of whether the property has been the subject of a previous final judgment of forfeiture in the courts of any state or of the United States. The sufficiency of the warrant of seizure and affidavit under oath shall be determined in accordance with the law on search warrants. The court may order that the property be held pending forfeiture, on such terms and conditions as are reasonable in the discretion of the court. Upon a finding of no probable cause, the property shall be released to the established owner.

B. Property may be seized for forfeiture by any law enforcement agency designated by the district attorney without process on probable cause to believe that the property is subject to forfeiture under this Chapter. A seizure for forfeiture without process is reasonable if made under circumstances in which a warrantless seizure or arrest would be reasonable in accordance with law.

C. Property that is alleged to be evidence of a criminal violation may be seized for forfeiture by any law enforcement agency designated by the district attorney, with or without process issued by any district court, on probable cause to believe that the property is subject to forfeiture under this Chapter. Within seventy-two hours, exclusive of holidays or weekends, after service of notice of pending forfeiture, the seizing agency shall apply to the court for a warrant of seizure to hold the property pending forfeiture, unless such warrant has been previously obtained. Such application shall be on an affidavit under oath demonstrating that probable cause exists for seizure of the property, regardless of whether the proceedings to forfeit property are brought pursuant to federal or state action and regardless of whether the property has been the subject of a previous final judgment of forfeiture in the courts of any state or of the United States. The sufficiency of seizure and affidavit under oath shall be determined in accordance with the law on search warrants. The court may order that the property be held pending forfeiture, on such terms and conditions as are reasonable in the discretion of the court.

~~☐~~ D. The court's jurisdiction over forfeiture proceedings is not affected by circumstances of its seizure, with or without process, in violation of the federal or state constitution.

~~☐~~ E. Any seizing agency designated by the district attorney to make seizures for forfeiture shall notify the district attorney within ten days after such seizure.

* * *

§2611. Judicial proceedings generally

* * *

L. If a claimant whose property has been seized for forfeiture is successful in obtaining the return of the property in a civil proceeding, the court may award the claimant reasonable attorney fees, to be paid by the seizing agency, and the claimant shall also be exempt from any storage fees, or other costs incurred in the seizure, preservation, storage, or return of such seized property. Any searched or seized vehicle that is subsequently returned to a claimant, with or without court mandate, shall be returned in substantially the same condition as when searched or seized. Including any interest earned on monies or other negotiable instruments deposited, held, or invested.

AMENDMENT NO. 5

On page 2, after line 20, insert the following:

"§2616. Allocation of forfeited property; creation of special funds; reporting

A. When property is forfeited under the provisions of this Chapter the district attorney ~~may~~

~~(1) Upon agreement with the seizing agency, retain it for official use or transfer the custody or ownership of any forfeited property to any local, state, or federal agency. A decision to distribute the property is not subject to review.~~

~~(2) Destroy or use for investigative purposes, any illegal or controlled substances or other contraband, upon the written approval of the district attorney after not less than twenty days after the seizure, provided that materials necessary as evidence shall be preserved.~~

~~(3) Authorize shall authorize a public sale without appraisal of that which is not required by law to be destroyed and which is not harmful to the public. The proceeds of any sale and any monies forfeited or obtained by judgment or settlement under this Section shall be deposited in the Special Asset Forfeiture Fund as established herein until disposed of pursuant to court order.~~

B. A Special Asset Forfeiture Fund is hereby established within the Special District Attorney Asset Forfeiture Trust Fund. All monies obtained under the provisions of this Chapter shall be deposited in the fund. The court shall ensure the equitable distribution of any forfeited property, or of monies under and subject to the provisions of this Subsection, to the appropriate local, state, or federal law enforcement agency so as to reflect generally the contribution of that agency's participation in any of the activity that led to the seizure or forfeiture of the property or deposit of monies under and subject to the provisions of this Subsection. The office of the district attorney shall administer expenditures from the fund. The fund is subject to public audit. Money in the fund shall be distributed in the following order of priority:

* * *

(3) The remaining funds shall be allocated as follows:

* * *

(b) Twenty percent thereof to the ~~criminal court fund.~~ Louisiana Commission on Law Enforcement and Administration of Criminal Justice as provided in Subsection C of this Section.

* * *

C.(1) All funds received under the provisions of R.S. 40:2616(B)(3)(b) shall be deposited immediately upon receipt in the state treasury.

(2) After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required by Paragraph (1) hereof shall be credited to a special fund hereby created in the state treasury to be known as the "Drug Asset Forfeiture Grant Trust Fund" hereinafter referred to as "the fund". The monies in the fund shall be appropriated by the legislature to the Louisiana Commission on Law Enforcement and Administration of Criminal Justice. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the fund.

(3) The commission shall distribute the money appropriated to it as provided in R.S. 15:1225.

~~☐~~ D. The district attorney may require the appropriate administrative agency to take custody of the property and remove it for disposition in accordance with law, and forward controlled substances to the United States Drug Enforcement Administration for disposition.

~~☐~~ E. Notwithstanding any other provision of this Chapter, each district attorney shall, no later than March first of each year, submit to the governor, the president of the Senate, the speaker of the House of Representatives, the chief judge and the clerk of court of the judicial district where the district attorney has jurisdiction or, in Orleans Parish, to the chief judge of the Orleans Parish Criminal District Court and the clerk of that court, a report which lists the total amount of seized funds or estimated value of property seized and the amounts of funds or property distributed to any entity, agency, or fund, pursuant to the provisions of this Chapter during the previous calendar year.

F. All funds distributed to the local governmental entity pursuant to this Chapter shall not supplant any state or local funds that would, in the absence of this provision, be made available to support the law enforcement and prosecutorial efforts of these agencies.

* * *

Section 2. R.S. 15:1225 is hereby enacted to read as follows:

§1225. Drug Asset Forfeiture Grant Trust Fund; administration

A. Monies in the Drug Asset Forfeiture Grant Trust Fund created in R.S. 40:2616, and appropriated by the legislature to the commission, shall be used exclusively by the commission to administer a grant program to assist prosecutorial or local law enforcement entities in the state of Louisiana and solely for funding the following:

(1) Development, implementation, or enhancement of criminal justice computer information systems.

(2) Development, implementation, or enhancement for criminalistic laboratory services.

B. The commission shall adopt, pursuant to the Administrative Procedure Act, any rules and regulations necessary to implement the provisions of this Section. These rules shall be subject to legislative oversight as provided in the Administrative Procedure Act and shall be subject to review by the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C.

C. The legislative auditor may audit the Drug Asset Forfeiture Fund as well as the Special Asset Forfeiture Fund for each parish at any time or upon request by the legislature.

Section 3. R.S. 32:1550 through 1553 are hereby repealed in their entirety."

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. 1971—

BY REPRESENTATIVES BOWLER, DUPRE, MARIONNEAUX, MCCAIN, AND MORRELL

AN ACT

To amend and reenact R.S. 27:25(B)(1) and (2)(d) and to enact R.S. 27:25(B)(4), (E), and (F), relative to the Louisiana Gaming Control Board; to provide that hearings are conducted in conformity with the Administrative Procedure Act; to provide a time limit for the rendering of a decision by the hearing officer; to prohibit ex parte communication with the hearing officer; to provide for appeals to the appropriate district court; 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. 1971 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and to" change "R.S. 27:25(B)(2)(d)" to "R.S. 27:25(B)(1) and (2)(d)"

AMENDMENT NO. 2

On page 1, line 3, after "Board;" and before "to provide" insert "to provide that hearings are conducted in conformity with the Administrative Procedure Act;"

AMENDMENT NO. 3

On page 1, line 4, after "limit for" and before "hearing" change "submission of recommendation by" to "the rendering of a decision by the" and at the end of the line, delete "to"

AMENDMENT NO. 4

On page 1, delete line 5

AMENDMENT NO. 5

On page 1, at the beginning of line 6, delete "error can be shown;"

AMENDMENT NO. 6

On page 1, line 7, after "to provide" delete the remainder of the line and insert "for appeals to the appropriate district court;"

AMENDMENT NO. 7

On page 1, line 8, delete "decision after receipt of the hearing officer's report;"

AMENDMENT NO. 8

On page 1, line 11, after "Section 1." and before "amended" change "R.S. 27:25(B)(2)(d) is" to "R.S. 27:25(B)(1) and (2)(d) are"

AMENDMENT NO. 9

On page 1, delete line 16 and on line 15, after "B." insert the following:

"(1) Any matter which is disputed or contested, ~~or which the board determines should be heard by a hearing officer,~~ shall be heard by a hearing officer in a public hearing conducted in accordance with the adjudication provisions of the Administrative Procedure Act."

AMENDMENT NO. 10

On page 2, at the end of line 1, delete "rules"

AMENDMENT NO. 11

On page 2, delete line 2 and insert "the Administrative Procedures Act and,"

AMENDMENT NO. 12

On page 2, at the beginning of line 3, delete "officer which,"

AMENDMENT NO. 13

On page 2, line 17, after "The" and before "decision" change "board shall render its" to "hearing officer shall render his" and after "within" and before "days" change "ten" to "thirty"

AMENDMENT NO. 14

On page 2, delete lines 18 and 19 and insert "the hearing is conducted."

AMENDMENT NO. 15

On page 2, delete lines 20 through 23 and insert the following:

"F. Notwithstanding the provisions of R.S. 27:26, any person aggrieved by a decision of the hearing officer may appeal that decision to the district court of the domicile of the person."

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. 2127—
BY REPRESENTATIVES THORNHILL AND FAUCHEUX
AN ACT

To enact R.S. 24:59, relative to lobbying; to provide that any person who receives or expends funds in excess of ten thousand dollars in any calendar year for certain purposes related to legislation shall be required to file certain reports; to provide for the filing of reports; to provide for penalties; to provide for definitions; 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. 2127 by Representative Thornhill and Fauchoux

AMENDMENT NO. 1

On page 1, line 3, after "excess of" and before "dollars" delete "five hundred" and insert "ten thousand"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, line 10, after "A." and before "Any" insert "(1)"

AMENDMENT NO. 4

On page 1, line 11, after "excess of" delete the remainder of the line and delete lines 12 through 14, and insert "ten thousand dollars, in the aggregate, for the purpose of conducting multimedia or mass communication activities to aid in influencing the passage or defeat of legislation shall be required to file a report"

AMENDMENT NO. 5

On page 1, delete lines 16 and 17, and on page 2, delete lines 1 through 14 in their entirety and insert the following:

"(2) For the purposes of this Section only receipts and expenditures of funds for similar legislation shall be aggregated during the calendar year.

"(3) For the purposes of this Section, "multimedia or mass communication activities" shall include, but not be limited to activities such as phone banks, direct mail, and radio, television, magazine, and newspaper advertisements. However, it shall not include inter-office communications of an organization or communications between an organization and its members. "Organization" shall mean a person other than an individual.

B. The report shall be filed semiannually, and shall be filed, or if mailed shall be postmarked, as follows:

(1) By August fifteenth for the period from January first through June thirtieth.

(2) By February fifteenth for the period from July first through December thirty-first.

C. The report shall be filed on forms provided by the board, shall be signed by the person filing, and shall be under oath.

D. Each report shall include:

(1) The name and address of each person from whom funds were received for the purpose of conducting multimedia or mass communication activities, including the amount of such funds received, the date on which such funds were received, and a description of the legislation that such funds were contributed to influence. The report shall also include an aggregate total of all such funds received during the reporting period.

(2) A statement of each expenditure for multimedia or mass communication activities, including a description of the expenditure, the date on which and to whom such expenditure was made, and a description of the legislation that such expenditure was made to influence. The report shall also include an aggregate total of all such expenditures made during the reporting period."

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. 2303—
BY REPRESENTATIVE COPELIN
AN ACT

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

Read by title.

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. 2303 by Representative Copelin

AMENDMENT NO. 1

On page 2, after line 26 insert the following:

"Section 2. The provisions of Section 1 of this Act shall not prohibit the completion of any project begun prior to the effective date of this Act.

Section 3. This Act shall become effective on July 1, 1997; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later."

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. 2329—
BY REPRESENTATIVE PRATT
AN ACT

To enact R.S. 18:1907, relative to census data; to create the Advisory Commission for Census 2000; to provide for the members, powers, and duties of such commission; to provide for the termination of the commission; 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. 2329 by Representative Pratt

AMENDMENT NO. 1

On page 2, line 1, delete "eighteen" and insert "twenty-two"

AMENDMENT NO. 2

On page 2, between lines 25 and 26, insert the following:

"(l) One member selected by the Council for a Better Louisiana.

(m) One member selected by the Louisiana Association of Business and Industry.

(n) One member selected by the Public Affairs Research Council of Louisiana, Inc.

(o) One member from the Research Division, the College of Administration and Business, Louisiana Tech University selected by the dean of the college."

AMENDMENT NO. 3

On page 3, line 8, delete "Ten" and insert "Twelve"

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. 2383—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 56:495(A)(47) through (60), (62), and (100) and to enact R.S. 56:495(A)(46.1), (46.2), (47.1), (47.2), (48.1), (48.2), (51.1), (52.1), (52.2), (52.3), (52.4), (54.1), (54.2), (55.1), (55.2), (56.1), (56.2), (56.3), (56.4), (56.5), (56.6), and (99.1), relative to the boundary between inside and outside waters for purposes of shrimping; to move the boundary line in and around Plaquemines Parish to conform to the current coastline; to provide for an effective date; 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. 2383 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 8, after "coastline;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 7, after line 10, add the following:

"Section 2. This Act shall become effective on January 1, 1998."

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. 2405—
BY REPRESENTATIVES DIMOS AND TRICHE
AN ACT

To enact R.S. 56:109(E), relative to wildlife management areas; to provide relative to uses of wildlife management areas; to provide relative to trail rides; to provide for the establishment of certain all-terrain vehicle trails; to provide for the uses of such trails under certain terms and conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 2405 by Representatives Dimos and Triche

AMENDMENT NO. 1

On page 1, at the end of line 13, add the following:

"The trail established shall be the same trail that was previously approved and permitted by the department for use by Wish I Could, Incorporated."

AMENDMENT NO. 2

On page 1, line 14, delete "solely"

AMENDMENT NO. 3

On page 1, line 15, delete the period at the end of the line and insert:

"no more than twice per year per organization. No alcohol shall be sold or consumed on the trail during the rides."

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. 2413 (Duplicate of Senate Bill No. 1323)—
BY REPRESENTATIVE DEVILLE AND SENATOR EWING
AN ACT

To amend and reenact R.S. 36:4(B)(1)(e) and to enact Part VIII-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:301, relative to access to public data bases; to provide for an advisory council on access by the visually impaired to the Louisiana Data Base Commission; 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. 2413 by Representative Deville

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 39:301" delete "through "303," and insert a comma ","

AMENDMENT NO. 2

On page 1, delete lines 5 through 8 and insert "data bases; to provide for an advisory"

AMENDMENT NO. 3

On page 2, line 11, after "R.S. 39:301" delete "through" and on line 12, delete "303," and insert a comma ","

AMENDMENT NO. 4

On page 2, line 13, after "PART VIII-A." and before "ELECTRONIC" insert "ADVISORY COMMISSION ON"

AMENDMENT NO. 5

On page 2, delete lines 15 through 25 and delete pages 3 and 4 and on page 5, delete lines 1 through 7

AMENDMENT NO. 6

On page 5, at the beginning of line 8, delete "§303." and insert "§301."

AMENDMENT NO. 7

On page 5, line 22, after "impaired" delete the period "." and insert the following:

"and one shall be a representative of the Louisiana Assistive Technology Access Network."

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. 2419—
BY REPRESENTATIVE WIGGINS
AN ACT

To authorize and provide for the lease of certain state property by the Department of Health and Hospitals to the Family Counseling Agency, Incorporated; 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. 2472—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:992(D)(1) and (2), relative to the division of administrative law; to provide for the delegation of certain adjudication proceedings to the division of administrative law; 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. 2472 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "(2)" delete the remainder of the line and delete lines 3 through 5 in their entirety and at the beginning of line 6, delete "state government;" and insert a comma "," and "relative to the division of administrative law;"

AMENDMENT NO. 2

On page 2, at the end of line 8, delete "Any" and delete lines 9 through 11 in their entirety and at the beginning of line 12, before "shall" delete "or orders;" and insert "However, if such federally mandated hearings may be delegated by contract or other means, the department or agency"

AMENDMENT NO. 3

On page 2, delete lines 13 and 14 in their 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 regular calendar.

HOUSE BILL NO. 2479—

BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 32:398.1(C), R.S. 49:121(I), and Code of Criminal Procedure Article 215.1(D), to provide procedures for the issuance of citations and detention of persons violating provisions of motor vehicle laws; 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. 2495—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 18:55(A)(2) and (3)(a) and (C) and 59(B)(2) and (3)(a), (C)(2) and (3)(a), and (E), relative to the compensation of certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for a salary increase for certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for changes to the pay schedule for each; 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. 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. Thornhill, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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 bill was ordered passed to its third reading.

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. 1272—

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

AN ACT

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

Read by title.

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 Reengrossed Senate Bill No. 1272 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 26, after "projects" and before "submitted" change "in the priority order" to "from the priority list"

AMENDMENT NO. 2

On page 9, line 15, after "committee" and before "each" delete the comma " , "

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1410—
BY SENATOR DARDENNE

AN ACT

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

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

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. 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.

Called from the calendar.

Read by title.

Rep. Hebert moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Murray
Alario	Flavin	Odinot
Alexander, A.—93rd	Forster	Perkins
Barton	Frith	Pinac
Baudoin	Fruge	Powell
Bowler	Gautreaux	Quezaire
Bruce	Guillory	Romero
Brun	Heaton	Rousselle
Bruneau	Hebert	Scalise
Carter	Hopkins	Schneider
Clarkson	Hunter	Theriot
Crane	Iles	Thornhill
Damico	Jetson	Toomy
Daniel	Kennard	Triche
Deville	Landrieu	Vitter
DeWitt	LeBlanc	Warner
Diez	Marionneaux	Welch
Dimos	Martiny	Willard-Lewis
Donelon	McCain	Windhorst
Dupre	McMains	Winston
Durand	Michot	
Total—62		

NAYS

Baylor	Hill	Pratt
Copelin	Hudson	Salter
Curtis	Kenney	Shaw
Doerge	Long	Smith, J.D.—50th
Farve	McCallum	Smith, J.R.—30th
Fontenot	McDonald	Thomas
Glover	Montgomery	Walsworth
Hammett	Morrish	Wilkerson
Total—24		

ABSENT

Alexander, R.—13th	Lancaster	Thompson
Ansardi	Mitchell	Travis
Chaisson	Morrell	Weston
Green	Pierre	Wiggins
Holden	Riddle	Wright
Jenkins	Stelly	
Johns	Strain	
Total—19		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hebert 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. Jack Smith, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Consent Calendar

HOUSE BILL NO. 1903—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 34:201 and 2103(A) and (C), relative to port commissions; to provide for the boundaries of the Lake Charles Harbor and Terminal District and the West Calcasieu Port, Harbor and Terminal District; and to provide for related matters.

Read by title.

Rep. DeWitt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Holden	Johns	Riddle
Jenkins	Mitchell	Wiggins
Jetson	Morrell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2174—

BY REPRESENTATIVES MCMAINS, WELCH, AND WESTON AND SENATOR GUIDRY

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 and R.S. 36:209(H)(2), 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; to repeal the provisions regarding the transfer of the functions of such board to the Department of Culture, Recreation and Tourism; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Forster	Perkins
Alario	Frith	Pierre
Alexander, A.—93rd	Fruge	Pinac
Alexander, R.—13th	Gautreaux	Powell
Ansardi	Glover	Quezaire
Barton	Green	Romero
Baudoin	Guillory	Rousselle
Baylor	Hammett	Salter
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Brun	Hill	Shaw
Bruneau	Hopkins	Smith, J.D.—50th
Carter	Hudson	Smith, J.R.—30th
Chaisson	Hunter	Stelly
Clarkson	Iles	Strain
Copelin	Jetson	Theriot
Crane	Kennard	Thomas
Curtis	Kenney	Thompson
Damico	Lancaster	Toomy
Daniel	Landrieu	Travis
Deville	LeBlanc	Triche
DeWitt	Long	Vitter
Diez	Marionneaux	Walsworth
Dimos	Martiny	Warner
Doerge	McCallum	Welch
Donelon	McDonald	Wilkerson
Dupre	McMains	Willard-Lewis
Durand	Michot	Windhorst
Farve	Montgomery	Winston
Faucheux	Morrish	Wright
Flavin	Murray	
Fontenot	Odinet	
Total—94		

NAYS

Total—0

ABSENT

Holden	Mitchell	Thornhill
Jenkins	Morrell	Weston

Johns Pratt Wiggins
McCain Riddle
Total—11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Regular Calendar

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

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Engrossed House Bill No. 750 by Representative McDonald, et al.

AMENDMENT NO. 1

On page 1, at the beginning of line 11, change "A." to "A.(1)"

AMENDMENT NO. 2

On page 2, line 8, after "salaries" and before "provided" change the semicolon ";" to a comma ","

AMENDMENT NO. 3

On page 2, line 10, after "further" and before "that" delete the comma ","

AMENDMENT NO. 4

On page 2, line 11, after "salary" and before "or" delete the comma ","

AMENDMENT NO. 5

On page 2, line 11, after "schedule" and before "presently" delete the comma ","

AMENDMENT NO. 6

On page 2, line 11, after "force." delete the remainder of the line and delete lines 12 and 13 and insert in lieu thereof the following:

"(2) Compliance with the provisions of the state school law shall be enforced by the boards."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shaw to Engrossed House Bill No. 750 by Representative McDonald, et al.

AMENDMENT NO. 1

On page 2, at the end of line 2, delete the period "." and insert in lieu thereof ", provided that a majority of the full membership of the board may elect teachers and all other certified personnel without the endorsement of the superintendent."

Motion

Rep. Curtis 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. Curtis objected.

The vote recurred on the substitute motion.

By a vote of 55 yeas and 33 nays, the House agreed to order the previous question on the amendments.

Rep. Shaw moved the adoption of the amendments.

Rep. McDonald objected.

By a vote of 53 yeas and 41 nays, the amendments were adopted.

Motion

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

HOUSE BILL NO. 768—

BY REPRESENTATIVE TRICHE

AN ACT

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

Read by title.

Rep. Triche moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
Bruce	Hopkins	Schneider

Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Clarkson	Jetson	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wilkerson
Fauchoux	Morrell	Willard-Lewis
Flavin	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	

Total—98

NAYS

Total—0

ABSENT

Dimos	Marionneau	Wiggins
Fontenot	McDonald	
Johns	Riddle	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche 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. 796—
BY REPRESENTATIVE PRATT

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pratt to Engrossed House Bill No. 796 by Representative Pratt

AMENDMENT NO. 1

On page 1, at the end of line 3, delete "may" and at the beginning of line 4, delete "attend" and insert in lieu thereof "enter"

AMENDMENT NO. 2

On page 2, at the end of line 6, delete "of" and at the beginning of line 3, delete "a child"

AMENDMENT NO. 3

On page 3, line 22, after "requirements" delete "and the consequences for failure to" and on line 23, delete "attend." and insert in lieu thereof a period "."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 796 by Representative Pratt

AMENDMENT NO. 1

On page 2, line 3, after "duration" delete the period "." and insert "and shall be scheduled to accommodate the attendance of the parents or guardians without the loss of work."

AMENDMENT NO. 2

On page 3, delete lines 24 and 25 in their entirety and on page 4, delete lines 1 and 2 in their entirety.

AMENDMENT NO. 3

On page 4, line 3, change "F." to "E."

AMENDMENT NO. 4

On page 4, line 8, change "G." to "F."

AMENDMENT NO. 5

On page 4, line 11, change "H." to "G."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander, A.—93rd	Gautreaux	Powell
Alexander, R.—13th	Glover	Pratt
Ansardi	Green	Quezaire
Baudoin	Guillory	Romero
Baylor	Hammett	Rousselle
Bowler	Heaton	Salter
Bruce	Hebert	Scalise
Brun	Hopkins	Schneider
Bruneau	Hudson	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jenkins	Stelly
Copelin	Jetson	Theriot
Crane	Kennard	Thompson
Curtis	Kenney	Thornhill

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Damico	Lancaster	Toomy
Daniel	Landrieu	Travis
Deville	Long	Triche
DeWitt	Martiny	Vitter
Diez	McCain	Walsworth
Dimos	McCallum	Warner
Doerge	McDonald	Welch
Donelon	McMains	Weston
Dupre	Michot	Wilkerson
Durand	Montgomery	Willard-Lewis
Farve	Morrell	Windhorst
Faucheux	Morrish	Winston
Flavin	Murray	Wright
Fontenot	Odinet	
Forster	Perkins	

Total—94

NAYS

Total—0

ABSENT

Barton	LeBlanc	Strain
Hill	Marionneaux	Thomas
Holden	Mitchell	Wiggins
Johns	Riddle	

Total—11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pratt 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. 714—
BY REPRESENTATIVES BRUN AND HOPKINS AND SENATOR MALONE
AN ACT

To enact R.S. 33:4558.1, relative to contracts and agreements between certain municipalities and other entities for the management of state fair grounds and facilities; to provide relative to the duration of such contracts; to provide that such contracts or agreements shall not authorize certain actions and to provide relative to the effectiveness of provisions regarding such actions; to provide for termination of certain contracts; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Brun moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Forster	Murray
Alario	Frith	Odinet
Alexander, A.—93rd	Gautreaux	Perkins
Alexander, R.—13th	Glover	Pierre
Ansardi	Green	Pinac
Barton	Guillory	Powell
Baudoin	Hammett	Pratt
Baylor	Heaton	Quezairé
Bowler	Hebert	Romero
Bruce	Hill	Rousselle

Brun	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Schneider
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Jetson	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Toomy
Diez	Long	Triche
Dimos	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Welch
Dupre	McDonald	Weston
Durand	McMains	Wilkerson
Farve	Michot	Willard-Lewis
Faucheux	Montgomery	Windhorst
Flavin	Morrell	Winston
Fontenot	Morrish	Wright

Total—93

NAYS

Total—0

ABSENT

DeWitt	Marionneaux	Thornhill
Früge	Mitchell	Travis
Holden	Riddle	Warner
Johns	Shaw	Wiggins

Total—12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1956—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(a) and to enact R.S. 32:863.1(F), relative to motor vehicle security; to allow a law enforcement officer to issue a traffic citation to an owner of a motor vehicle registered in another state for lack of liability security; to provide for penalties; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 1956 by Representative Martiny
AMENDMENT NO. 1

On page 2, line 15, after "coverage" delete "or security"

AMENDMENT NO. 2

On page 2, line 16, after "noncompliance" insert the following:

"or proof that insurance coverage was not required by the state in which the vehicle was registered"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Windhorst
Total—1

ABSENT

Green	Mitchell	Thornhill
Holden	Quezaire	Weston
Johns	Riddle	Wiggins
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny 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. 384—

BY REPRESENTATIVE JETSON

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(B) of the Constitution of Louisiana, to provide with respect to extraordinary sessions of the legislature; to provide that the legislature may legislate generally or specifically with respect to any object included in the proclamation convening the session, including any additional or alternative approach to any such object; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Jetson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Chaisson	McMains	Theriot
Hammett	Mitchell	Wiggins
Johns	Riddle	
Total—8		

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

The title of the above bill was read and adopted.

Rep. Jetson 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. 1429—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 15:587.1(E) and R.S. 46:51.2(A), (B), and (C) and to enact R.S. 15:587.1(F), relative to criminal history checks of persons exercising authority over children; to provide for penalties for failure to obtain required background checks or for hiring persons convicted of certain crimes; to prohibit the hiring of persons that the background checks indicate have committed certain crimes; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 1429 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and R.S. 46:51.2(A)" change "R.S. 15:587.1(E)" to "R.S. 15:587(D) and 587.1(A) and (E)"

AMENDMENT NO. 2

On page 1, line 3, after "checks" delete the remainder of the line and insert a semicolon ";"

AMENDMENT NO. 3

On page 1, at the beginning of line 4, insert "to allow local law enforcement agencies to conduct screening functions of public entities" and after "children;" insert "to allow agencies conducting such functions to charge reasonable processing fees;"

AMENDMENT NO. 4

On page 1, line 10, after "Section 1." and before "hereby" change "R.S. 15:587.1(E) is" to "R.S. 15:587(D) and 587.1(A) and (E) are"

AMENDMENT NO. 5

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

"§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information Fund

* * *

D. Any local law enforcement agency may conduct any screening function conducted by the bureau, except those screening functions conducted for entities regulated by any office of the Department of Public Safety and Corrections, mentioned above and also may charge a reasonable processing fee of not more than fifteen dollars per inquiry for information provided. The provisions of this Subsection shall also apply to any screening function provided for in R.S. 15:587.1."

AMENDMENT NO. 6

On page 1, between lines 12 and 13, insert the following:

"A. As provided in R.S. 15:825.3, R.S. 17:15, and R.S. 46:51.2, any ~~employer or others~~ public entity responsible for the actions of one or more persons who have been given or have applied to be considered for a position of supervisory or disciplinary authority over children shall request in writing that the bureau supply information to ascertain whether that person or persons has been convicted of, or pled nolo contendere to, any one or more of the crimes listed in Subsection C. The request must be on a form prepared by the bureau and signed by a responsible officer or official of the organization making the request. It must include a statement signed by the person about whom the request is made which gives his permission for such information to be released."

AMENDMENT NO. 7

On page 1, line 15, after "any" delete the remainder of the line and insert "public entity"

AMENDMENT NO. 8

On page 1, delete line 16

AMENDMENT NO. 9

On page 1, at the beginning of line 17, delete "of that Subsection," and insert "who fails to comply with the provisions of Subsection A of this Section"

AMENDMENT NO. 10

On page 1, line 18, change "R.S. 46:51.2" to "R.S. 46:51.2(A) or (B)"

AMENDMENT NO. 11

On page 1, at the beginning of line 19, change "not less than" to "not more than" and after "hundred" and before "dollars" delete "nor more than one thousand"

AMENDMENT NO. 12

On page 2, delete lines 1 and 2

Rep. Schneider moved the adoption of the amendments.

Rep. Jenkins objected.

By a vote of 92 yeas and 0 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Glover	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Brun	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th

Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Strain
Curtis	Lancaster	Theriot
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneau	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Fauchoux	Montgomery	Weston
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wright
Total—93		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Green	Mitchell
Barton	Holden	Pierre
Bruce	Jetson	Riddle
Farve	Johns	Wiggins
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 149—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rousselle to Engrossed House Bill No. 149 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 3, after "for the" delete the remainder of the line and delete lines 4 through 7 and insert in lieu thereof:

"enforcement as to vessels and motorboats of state and local laws and ordinances prohibiting trespass and unauthorized entry; and to provide for related matters."

AMENDMENT NO. 2

On page 2, delete lines 2 through 13 in their entirety and insert in lieu thereof:

"operation of all vessels and motorboats shall be subject to state law and local ordinance prohibiting trespass or unauthorized entry. Such state and local laws shall be enforced by state and local law enforcement agencies, including sheriffs, and by wildlife agents duly authorized to perform enforcement functions."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 149 by Representative Rousselle

AMENDMENT NO. 1

On page 2, line 3, after "regulate the" and before "operation" insert "recreational"

AMENDMENT NO. 2

On page 2, line 5, delete "commercial or"

Rep. Daniel moved the adoption of the amendments.

Rep. Rousselle objected.

By a vote of 16 yeas and 68 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pinac
Alario	Fruge	Powell
Alexander, A.—93rd	Glover	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle
Baudoin	Hebert	Salter
Bowler	Hill	Scalise
Bruce	Hopkins	Schneider
Brun	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Kennard	Theriot
Clarkson	Kenney	Thompson
Copelin	Lancaster	Thornhill
Crane	Landrieu	Toomy
Curtis	LeBlanc	Travis
Damico	Long	Triche
Deville	Marionneau	Vitter
DeWitt	Martiny	Walsworth
Diez	McCallum	Warner

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Doerge	McMains	Welch
Donelon	Montgomery	Weston
Dupre	Morrell	Wilkerson
Farve	Morrish	Willard-Lewis
Faucheux	Murray	Windhorst
Flavin	Odinot	Winston
Fontenot	Perkins	Wright
Forster	Pierre	
Total—86		

NAYS

Daniel	Gautreaux	McCain
Durand	Jenkins	Michot
Total—6		

ABSENT

Baylor	Johns	Strain
Dimos	McDonald	Thomas
Green	Mitchell	Wiggins
Holden	Riddle	
Jetson	Stelly	
Total—13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Rousselle 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. 887—

BY REPRESENTATIVES QUEZAIRE AND FAUCHEUX
AN ACT

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

Read by title.

Rep. Quezaire moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander, A.—93rd	Gautreaux	Powell
Alexander, R.—13th	Glover	Pratt
Ansardi	Green	Quezaire
Barton	Guillory	Romero
Baudoin	Hammett	Rousselle
Baylor	Heaton	Salter
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Brun	Hopkins	Shaw
Bruneau	Hudson	Smith, J.R.—30th
Carter	Hunter	Strain
Chaisson	Iles	Theriot
Clarkson	Jenkins	Thomas
Copelin	Kennard	Thompson
Crane	Kenney	Thornhill

Curtis	Lancaster	Toomy
Damico	Landrieu	Travis
Daniel	LeBlanc	Triche
Deville	Long	Vitter
DeWitt	Marionneaux	Walsworth
Diez	Martiny	Warner
Doerge	McCallum	Welch
Donelon	McDonald	Weston
Dupre	McMains	Wilkerson
Durand	Michot	Willard-Lewis
Farve	Montgomery	Windhorst
Faucheux	Morrell	Winston
Flavin	Morrish	Wright
Fontenot	Murray	
Forster	Odinot	
Total—94		

NAYS

Total—0

ABSENT

Dimos	McCain	Smith, J.D.—50th
Holden	Mitchell	Stelly
Jetson	Perkins	Wiggins
Johns	Riddle	
Total—11		

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. 897—

BY REPRESENTATIVE MONTGOMERY
AN ACT

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

Read by title.

Rep. Montgomery moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Pierre
Alexander, A.—93rd	Gautreaux	Pinac
Alexander, R.—13th	Glover	Powell
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th

Copelin	Kennard	Strain
Crane	Kenney	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	Welch
Durand	Michot	Wilkerson
Farve	Montgomery	Willard-Lewis
Faucheux	Morrell	Windhorst
Flavin	Morrish	Winston
Fontenot	Murray	Wright
Forster	Odinet	
Total—92		

NAYS

Total—0

ABSENT

Chaisson	Johns	Theriot
Dimos	Lancaster	Weston
Green	Mitchell	Wiggins
Holden	Riddle	
Jetson	Stelly	
Total—13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery 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. 976—
BY REPRESENTATIVE DURAND
AN ACT

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

Read by title.

Rep. Durand moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Gautreaux	Pinac
Alexander, A.—93rd	Glover	Powell
Alexander, R.—13th	Guillory	Pratt
Ansardi	Hammett	Quezaire
Barton	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw

Carter	Iles	Smith, J.D.—50th
Clarkson	Jenkins	Smith, J.R.—30th
Copelin	Kennard	Strain
Crane	Kenney	Thomas
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Wilkerson
Farve	Montgomery	Willard-Lewis
Faucheux	Morrell	Windhorst
Flavin	Morrish	Winston
Fontenot	Murray	Wright
Forster	Odinet	
Frith	Perkins	
Total—91		

NAYS

Total—0

ABSENT

Baudoin	Jetson	Stelly
Chaisson	Johns	Theriot
Dimos	McCain	Weston
Green	Mitchell	Wiggins
Holden	Riddle	
Total—14		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 998—
BY REPRESENTATIVE PRATT
AN ACT

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

Read by title.

Rep. Pratt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Murray
Alario	Gautreaux	Odinet
Alexander, A.—93rd	Glover	Perkins
Ansardi	Green	Pierre
Baudoin	Guillory	Pinac
Baylor	Hammett	Powell
Bowler	Heaton	Pratt
Bruce	Hebert	Quezaire
Brun	Hill	Romero

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Bruneau	Hopkins	Rousselle
Carter	Hudson	Salter
Clarkson	Hunter	Scalise
Copelin	Iles	Schneider
Crane	Jenkins	Shaw
Curtis	Jetson	Smith, J.D.—50th
Damico	Kenney	Smith, J.R.—30th
Daniel	Lancaster	Strain
Deville	Landrieu	Thomas
DeWitt	LeBlanc	Thompson
Diez	Long	Thornhill
Doerge	Marionneaux	Travis
Donelon	Martiny	Triche
Dupre	McCain	Walsworth
Durand	McCallum	Warner
Farve	McDonald	Welch
Faucheux	McMains	Wilkerson
Flavin	Michot	Willard-Lewis
Fontenot	Montgomery	Windhorst
Forster	Morrell	Winston
Frith	Morrish	Wright

Total—90

NAYS

Toomy Vitter

Total—2

ABSENT

Alexander, R.—13th	Johns	Theriot
Barton	Kennard	Weston
Chaisson	Mitchell	Wiggins
Dimos	Riddle	
Holden	Stelly	

Total—13

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pratt 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. 1012—
BY REPRESENTATIVE WILKERSON
AN ACT

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

Read by title.

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. 1012 by Representative Wilkerson

AMENDMENT NO. 1

On page 3, line 19, before "a" change "conduct of" to "conducting"

AMENDMENT NO. 2

On page 4, line 13, following "for" and before "not" insert "an amount"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—90

NAYS

Total—0

ABSENT

Chaisson	Jetson	Riddle
Daniel	Johns	Stelly
Dimos	Mitchell	Theriot
Flavin	Odinet	Weston
Holden	Pratt	Wiggins

Total—15

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Wilkerson 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. 1116—
BY REPRESENTATIVE THORNHILL
AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thornhill to Engrossed House Bill No. 1116 by Representative Thornhill

AMENDMENT NO. 1

On page 1, line 13, delete "prior to" and insert in lieu thereof "immediately after"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Heaton	Romero
Baylor	Hebert	Rousselle
Bowler	Hill	Salter
Bruce	Hopkins	Scalise
Brun	Hudson	Schneider
Bruneau	Hunter	Shaw
Copelin	Jenkins	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Damico	Lancaster	Strain
Daniel	Landrieu	Thomas
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Dimos	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Vitter
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinot	Wright
Fruge	Perkins	
Total—89		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Iles	Stelly
Carter	Jetson	Theriot
Chaisson	Johns	Weston
Clarkson	Kennard	Wiggins
Curtis	Mitchell	
Holden	Riddle	
Total—16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thornhill 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. Damico, the rules were suspended in order to take up Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

SENATE BILL NO. 612—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To enact R.S. 30:2054.1, relative to motor vehicle emissions; to provide for reauthorization of the motor vehicle emissions control program; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 629—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To repeal R.S. 30:2004(1), (5), and (6), relative to the Environmental Quality Act; to delete certain definitions and references to the Environmental Control Commission.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pierre
Alexander, A.—93rd	Green	Pinac
Ansardi	Guillory	Powell
Barton	Hammett	Pratt

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Baudoin	Heaton	Quezaire
Baylor	Hebert	Romero
Bowler	Hill	Rousselle
Bruce	Hopkins	Salter
Brun	Hudson	Scalise
Bruneau	Hunter	Schneider
Clarkson	Iles	Shaw
Copelin	Jenkins	Smith, J.D.—50th
Crane	Kennard	Smith, J.R.—30th
Curtis	Kenney	Strain
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
DeWitt	LeBlanc	Thornhill
Diez	Long	Toomy
Dimos	Marionneaux	Travis
Doerge	Martiny	Triche
Donelon	McCain	Vitter
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Fruge	Odinet	
Total—92		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Jetson	Theriot
Carter	Johns	Weston
Chaisson	Mitchell	Wiggins
Deville	Riddle	
Holden	Stelly	
Total—13		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 951—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To amend and reenact R.S. 30:2011(C)(1)(c), the introductory paragraph of R.S. 30:2154(A), 2158(A)(1), 2160, 2180(B), 2195(B) and (E), the introductory paragraph of R. S. 30:2195.2(A) and 2195.2(B)(1)(c), 2195.4(C)(2), 2205(C) and (D), 2226(A), 2305(G), 2521, and 2522(5), and R.S. 36:231(C)(1), the introductory paragraph of R. S. 36:238(D), and 238(D)(b), relative to the office of solid and hazardous waste; to reorganize and rename the office of solid and hazardous waste as the office of waste services; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

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

NAYS

Total—0

ABSENT

Chaisson	Johns	Thornhill
Dimos	Mitchell	Triche
Holden	Riddle	Weston
Jetson	Theriot	Wiggins
Total—12		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1026—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 33:1974(C) and to enact R.S. 33:1974(D), relative to reimbursement of costs associated with the discharge of hazardous or nonhazardous materials; to provide for expenses fire departments may recover for performing remedial actions or fire fighting in conjunction with the discharge of hazardous or nonhazardous materials; and to provide for related matters.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, A.—93rd	Guillory	Powell
Alexander, R.—13th	Hammett	Pratt
Ansardi	Heaton	Quezaire
Baudoin	Hebert	Romero
Baylor	Hill	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Brun	Hunter	Schneider
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Donelon	McCain	Triche
Dupre	McCallum	Vitter
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Gautreaux	Perkins	
Total—92		

NAYS

Total—0

ABSENT

Barton	Holden	Theriot
Chaisson	Jetson	Weston
Curtis	Johns	Wiggins
Dimos	Mitchell	
Doerge	Riddle	
Total—13		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 1442—
BY SENATOR SIRACUSA

AN ACT

To enact R.S. 33:4861.28, relative to charitable gaming; to exempt certain fund raising activities conducted by a candidate for public office from certain state gaming laws; and to provide for related matters.

Read by title.

Suspension of the Rules

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

Rep. Windhorst moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Perkins
Alexander, A.—93rd	Green	Pierre
Alexander, R.—13th	Guillory	Pinac
Ansardi	Hammett	Pratt
Barton	Heaton	Quezaire
Baylor	Hebert	Romero
Bowler	Hill	Rousselle
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Shaw
Clarkson	Iles	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Curtis	Kenney	Thompson
Damico	Lancaster	Thornhill
Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Marionneaux	Triche
Doerge	Martiny	Vitter
Dupre	McCain	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	
Gautreaux	Odinet	
Total—76		

NAYS

Alario	Donelon	Long
Baudoin	Forster	McCallum
Crane	Jenkins	Powell
Total—9		

ABSENT

Brun	Johns	Theriot
Chaisson	McDonald	Thomas
Diez	Mitchell	Weston
Dimos	Riddle	Wiggins
Fontenot	Schneider	Wilkerson
Holden	Stelly	Wright
Jetson	Strain	
Total—20		

The Chair declared the above bill was finally passed.

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

Suspension of the Rules

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

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

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

HOUSE RESOLUTION NO. 49—

BY REPRESENTATIVE MURRAY

A RESOLUTION

To direct the legislative auditor to provide a written report to the Louisiana Legislature no later than September 30, 1997, relative to unpaid taxes and monies owed the state by Freeport-McMoran, Inc.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To memorialize U.S. Congress to standardize administration and regulation of federal laws on the taking of migratory game birds.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Judiciary

May 9, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1391, by Murray
Reported favorably. (7-0-1) (Consent)

House Bill No. 1398, by Dupre
Reported favorably. (8-0-1) (Regular)

House Bill No. 1526, by Toomy
Reported favorably. (9-0-1) (Regular)

House Bill No. 1834, by Toomy
Reported favorably. (9-0-1) (Regular)

House Bill No. 1912, by Hunter
Reported favorably. (8-0-1) (Consent)

House Bill No. 2287, by R. Alexander
Reported favorably. (9-0-1) (Regular)

House Bill No. 2330, by Theriot
Reported favorably. (8-0-1) (Regular)

House Bill No. 2343, by Baylor
Reported without action. (5-3-1)

House Bill No. 2349, by J. D. Smith
Reported with amendments. (6-0-1) (Regular)

House Bill No. 2412, by J. D. Smith
Reported favorably. (6-0-1) (Regular)

House Bill No. 2432, by Weston
Reported with amendments. (9-0-1) (Consent)

JOSEPH F. TOOMY
Chairman

Report of the Committee on Labor and Industrial Relations

May 9, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1191, by Strain
Reported favorably. (10-0) (Regular)

House Bill No. 1284, by Forster
Reported with amendments. (7-5-1) (Regular)

GAREY FORSTER
Chairman

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

May 8, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 8, 1997, I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 772, by Weston
Reported favorably. (7-0) (Regular)

House Bill No. 808, by Weston
Reported with amendments. (8-0) (Regular)

House Bill No. 1397, by Fauchaux
Reported with amendments. (8-0) (Regular)

House Bill No. 1463, by Lancaster
Reported by substitute. (9-0)

House Bill No. 1908, by Daniel
Reported with amendments. (9-0) (Consent)

Senate Bill No. 461, by Hines
Reported favorably. (8-0) (Regular)

Senate Bill No. 465, by Bagneris
Reported favorably. (8-0) (Regular)

Senate Bill No. 467, by Bagneris
Reported with amendments. (8-0) (Regular)

Senate Bill No. 1163, by Hollis
Reported favorably. (8-0) (Regular)

SHARON WESTON
Chairman

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

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

May 9, 1997

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 2237, by DeWitt
Reported by substitute. (9-0) (Consent)

SHARON WESTON
Chairman

Report of the Committee on Retirement

May 9, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1011, by Pinac
Reported with amendments. (9-0) (Regular)

Senate Bill No. 434, by Heitmeier
Reported favorably. (9-0) (Consent)

Senate Bill No. 435, by Heitmeier
Reported favorably. (9-0) (Regular)

Senate Bill No. 819, by Heitmeier
Reported favorably. (9-0) (Consent)

VICTOR T. STELLY
Chairman

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Baudoin, the Committee on Municipal, Parochial and Cultural Affairs was discharged from further consideration of House Bill No. 2460.

HOUSE BILL NO. 2460—
BY REPRESENTATIVE BAUDOIN
AN ACT

To enact R.S. 30:2073(9) and 2075.3, relative to public sewer systems; to provide for operating; to provide for receiverships; to provide for conditions; to provide for powers of the court; to provide for powers and duties of the receiver; and to provide for related matters.

Read by title.

On motion of Rep. Baudoin, the above bill was recommitted to the Committee on Environment.

Motion

On motion of Rep. Schneider, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 2487.

HOUSE BILL NO. 2487—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 33:1338 and R.S. 36:509(R) and to repeal Section 11 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission, including provisions to abolish the commission and to transfer its powers, duties, functions, responsibilities, and obligations and those of the parishes of Jefferson and St. Tammany which the commission exercises or administers to the Department of Transportation and Development, except for law enforcement; and to provide for related matters.

Read by title.

Motion

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

Privileged Report of the Committee on Enrollment

May 9, 1997

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 162—
BY REPRESENTATIVE COPELIN AND SENATOR BAJOE
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.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

May 9, 1997

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 1075—

BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 11:2225(A)(11)(a) and 3501(D)(1), relative to the Municipal Police Employees' Retirement System; to provide with respect to mergers of municipal systems into the Municipal Police Employees' Retirement System and the funding thereof; to reduce the percentage of payment to be made by the municipality in such mergers; and to provide for related matters.

HOUSE BILL NO. 1472—

BY REPRESENTATIVE POWELL
AN ACT

To authorize and provide for the transfer of certain state property to the Louisiana Agricultural Finance Authority from the Department of Agriculture and Forestry; and to provide for related matters.

HOUSE BILL NO. 1714—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:511(4) and (5), relative to the Louisiana State Employees' Retirement System; to provide with respect to the board of trustees and the composition thereof; to further provide with respect to limitation on service as a trustee; to provide an effective date; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Privileged Report of the Committee on Enrollment

May 9, 1997

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 46—

BY REPRESENTATIVES ALARIO, THOMPSON, ANSARDI, BAUDOIN, BAYLOR, BRUCE, BRUN, CLARKSON, CRANE, DAMICO, DANIEL, DIEZ, DONELON, DURAND, FARVE, FAUCHEUX, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAU, GLOVER, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, KENNEY, LANCASTER, LANDRIEU, LONG, MARTINY, MCCAIN, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PRATT, QUEZAIRE, RIDDLE, SCALISE, SHAW, JACK SMITH, JOHN SMITH, THORNHILL, TOOMY, TRAVIS, VITTER, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, WILLARD-LEWIS, WINSTON, AND WRIGHT
A RESOLUTION

To commend Dr. Daniel G. Kyle, Legislative Auditor, on his decision to reconsider his action regarding an employee who responded to a press inquiry concerning her opinion on the proposed legislative pay raise issue and commend Dr. Kyle for his excellent service as Legislative Auditor.

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 and to declare May 8, 1997, as Small Business Day at the House of Representatives of the Louisiana Legislature.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Leave of Absence

Rep. Wiggins - 1 day
Rep. Johns - 1 day
Rep. Riddle - 1 day

Adjournment

On motion of Rep. Alario, at 1:45 P.M., the House agreed to adjourn until Monday, May 12, 1997, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Monday, May 12, 1997.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*