

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

THIRTY-FOURTH 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 16, 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	Glover	Pierre
Alario	Green	Pinac
Alexander, A.—93rd	Guillory	Powell
Alexander, R.—13th	Hammitt	Pratt
Ansardi	Heaton	Quezairé
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Brun	Hunter	Schneider
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Fauchoux	Mitchell	Wiggins

Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Gautreaux	Perkins	
Total—104		

ABSENT

Dimos
 Total—1

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

Prayer

Prayer was offered by Rev. Roy Stubbins.

Pledge of Allegiance

Rep. Walsworth 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. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Holden, the Journal of May 15, 1997, was adopted.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

**ASKING CONCURRENCE IN
 SENATE CONCURRENT RESOLUTIONS**

May 16, 1997

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

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

Senate Concurrent Resolution Nos. 3, 101, and 108

Respectfully submitted,

MICHAEL S. BAER, III
 Secretary of the Senate

Message from the Senate

SENATE BILLS

May 15, 1997

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

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

Senate Bill Nos. 74, 117, 781, 879, 934, and 978

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

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

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

SENATE BILL NO. 74—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 33:103(A) and (B) and 2955(A)(1)(d), relative to municipalities and parishes; to provide relative to investments of such entities; to provide relative to time certificates of deposit; and to provide for related matters.

Read by title.

SENATE BILL NO. 117—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 54:111(1) and 116, relative to warehouses; to provide relative to definitions; to eliminate certain required payments; to provide for authorization of court to require certain payments; to provide for maximum payments under certain conditions; and to provide for related matters.

Read by title.

SENATE BILL NO. 781—
BY SENATOR COX

AN ACT

To amend and reenact the title of Chapter 12-B of Title 33 of the Louisiana Revised Statutes of 1950, R.S. 33:4710.1(1), 4710.2(A)(1), and 4710.3(A)(10) and R.S. 38:2233.2(E)(3), relative to the Chennault Industrial Air Park Authority; to change name of such authority to the Chennault International Airport Authority; and to provide for related matters.

Read by title.

SENATE BILL NO. 879—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 46:56(F)(1) and Ch. C. Art. 616(B), relative to the accessing of child abuse and neglect records; to allow a judge of a court exercising juvenile jurisdiction to request a central registry record check from the Department of Social Services; and to provide for related matters.

Read by title.

SENATE BILL NO. 934—
BY SENATORS ELLINGTON AND SCHEDLER
AN ACT

To amend and reenact R.S. 46:1074, relative to hospital service districts; to authorize the hospital service district commission to sell and convey certain immovable property; to provide for certain requirements prior to the sale and conveyance; to provide for exemption; and to provide for related matters.

Read by title.

SENATE BILL NO. 978—
BY SENATORS IRONS, BAJOIE, CASANOVA, HINES, LANDRY AND SCHEDLER AND REPRESENTATIVE WILLARD-LEWIS
AN ACT

To enact Part L of Chapter 5 of Title 40, to be comprised of R.S. 40:1300.111 through 1300.115, relative to health care for Alzheimer's patients; to require facilities that offer to provide or provide a special care program or special unit for persons with Alzheimer's disease or a related disorder to disclose certain information; to provide for definitions; to provide for promulgation of rules and regulations; and to provide for related matters.

Read by title.

Privileged Report of the Legislative Bureau

May 16, 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. 273
Reported without amendments.

Senate Bill No. 536
Reported without amendments.

Senate Bill No. 1152
Reported with amendments.

Senate Bill No. 1285
Reported with amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 175—
BY REPRESENTATIVE DOWNER
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature for a less onerous method of garnishment under a writ of fieri facias with respect to the third party garnishee.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 178—

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To urge and request the State Employees Group Benefits Program (SEGBP) to extend its open enrollment period to July 1, 1997.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR GUIDRY

A CONCURRENT RESOLUTION

To request the State Civil Service Commission and the State Police Commission to implement a plan for pooling employee leave.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 89—

BY SENATOR ULLO

A CONCURRENT RESOLUTION

To memorialize Congress to request the Environmental Protection Agency to grant an exemption relative to the painting of the Crescent City Connection which would limit the requirements for the removal and capture of residue from previous paint coatings during the painting procedure.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 104—

BY SENATORS HAINKEL AND EWING

A CONCURRENT RESOLUTION

To clarify the Louisiana Legislature's intent that Act 761 of the 1985 Regular Session, which added R.S. 47:1580(B)(2) and (3), and Act 245 of the 1991 Regular Session, which added R.S. 47:1623(E)(1) and (2), were enacted to suspend the prescription of income tax solely for the purpose of incorporating federal changes that result from audits by the Internal Revenue Service.

Read by title.

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

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. 530—

BY SENATORS GUIDRY AND BAOJIE

AN ACT

To amend and reenact R.S. 46:460(4) and to enact R.S. 46:460(7) and R.S. 46:460.4, relative to public assistance; to define Temporary Assistance to Needy Families (TANF); to establish

individual development accounts; to provide for administration of such accounts; to require earned income disregard for certain transactions; to require Department of Social Services to promulgate rules and regulations; 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. 594—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To amend and reenact R.S. 40:600.4(A)(2), relative to the Louisiana Housing Finance Agency; to provide for membership of the board of commissioners; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 599—

BY SENATOR ROMERO

AN ACT

To enact Section 9(f) of the charter of the city of New Iberia, as originally enacted by Act No. 187 of the 1910 Regular Session and as subsequently amended as provided by law, relative to the compensation paid to mayor, mayor pro tem and trustees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 740—

BY SENATORS IRONS, HEITMEIER, DARDENNE AND EWING

AN ACT

To amend and reenact R.S. 40:2010.2, relative to the office of the state long term care ombudsman; to provide relative to funding of such office; 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. 796—

BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 22:215.1(B), relative to health care services; to provide coverage for ambulatory transportation for a temporarily medically handicapped mother and her newly born infant; to prohibit certain insurance policies from imposing certain limitations on coverage; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 797—

BY SENATORS BAGNERIS AND GUIDRY

AN ACT

To enact R.S. 44:36(E), relative to public records; to provide for retention of certain records by prosecuting agencies; to provide for effective date; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 936—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 32:5, relative to the Highway Regulatory Act; to authorize certain law enforcement officers to stop vehicles only while in marked police units; 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. 1475—
BY SENATORS SCHEDLER, COX, GUIDRY AND ULLO
AN ACT

To repeal Civil Code Art. 1501, relative to inter vivos donations or those placed in trust and the right to reduce excessive donations.

Read by title.

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

**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 RESOLUTION NO. 13—
BY REPRESENTATIVE MCCAIN

A RESOLUTION

To create an interim committee to study the problems associated with the solicitation of clients by some attorneys.

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 Resolution No. 13 by Representative McCain

AMENDMENT NO. 1

On page 1, delete line 2, and insert the following:

"To request the House Committee on Administration of Criminal Justice to study the problems associated with the"

AMENDMENT NO. 2

On page 2, line 4, after "RESOLVED" change "by" to "that"

AMENDMENT NO. 3

On page 2, delete lines 5 and 6 and insert the following:

"the Legislature of Louisiana does hereby request the House Committee on Administration of Criminal Justice to study the problems associated with the solicitation of clients by"

AMENDMENT NO. 4

On page 2, delete lines 8 through 15, and insert the following:

"BE IT FURTHER RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby request the House Committee on Administration of Criminal Justice to invite the chief justice of the Louisiana Supreme Court or his designee, the president of the Louisiana State Bar Association or his designee, the chairman of the Advertising Committee of the Louisiana State Bar Association or his designee, the chairman of the Disciplinary Board of the Louisiana Supreme Court or his designee, the Disciplinary Counsel of the Disciplinary Board of the Louisiana Supreme Court, the president of the Louisiana Trial Lawyers Association or his designee, and the president of the Louisiana Association of Defense Counsel or his designee to give testimony and comment to the committee on the issues contained within this Resolution."

AMENDMENT NO. 5

On page 1, line 16, delete "this interim committee" and insert "the House Committee on Administration of Criminal Justice"

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

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

HOUSE RESOLUTION NO. 33—
BY REPRESENTATIVE LEBLANC

A RESOLUTION

To amend and readopt House Rule 7.16 of the Rules of Order of the House of Representatives to require a fiscal note on all legislative instruments which will affect the receipt, expenditure, or allocation of state funds or of funds of any political subdivision of the state or which will authorize the issuance of general obligation bonds or other general obligations of the state prior to final passage or adoption.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

HOUSE CONCURRENT RESOLUTION NO. 74—
BY REPRESENTATIVES HAMMETT AND HEATON

A CONCURRENT RESOLUTION

To request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study and make recommendations with respect to the problems of funding and work overloads of Louisiana's probation and parole officers and to consider the possible transfer of probation supervision to local judicial districts.

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 Concurrent Resolution No. 74 by Representative Hammett

AMENDMENT NO. 1

On page 1, delete line 2, and insert the following:

"To request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study"

AMENDMENT NO. 2

On page 2, delete lines 18 and 19 and insert the following:

"does hereby request the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study all aspects of probation and parole"

AMENDMENT NO. 3

On page 2, delete lines 25 through 27 and on page 3, delete lines 1 and 2

AMENDMENT NO. 4

On page 3, line 3, delete "committee created herein" and insert "joint committee"

AMENDMENT NO. 5

On page 3, delete lines 8 and 9 and insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby request the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C to invite the head of the probation and parole programs for adults in the Department of Public Safety and Corrections or his designee, an active probation and parole officer, and a former probation and parole officer with more than ten years of experience in probation and parole to give comment and testimony to the joint committee regarding the issues contained within this Concurrent Resolution."

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

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

HOUSE CONCURRENT RESOLUTION NO. 154—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress, Gulf of Mexico Fishery Management Council, and the National Marine Fisheries Service to increase the creel and possession limits of red snapper and amberjack in federal waters off the coast of Louisiana.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 157—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Appropriations, and the Senate Committee on Finance to investigate problems facing rural hospitals and to propose recommendations for solutions to such problems; to provide that such committees receive testimony and recommendations from representatives of the Louisiana Rural Hospital Coalition; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 160—

BY REPRESENTATIVE ROUSSELLE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to require the Health Care Financing Administration to enforce existing regulations prohibiting the improper downstreaming of hospital self-referrals from physicians they compensate and to instruct the Health Care Financing Administration to reinstitute the two "Hoyer letters" stating that hospitals referring to their own home health agencies are in violation of federal regulations on self-referral.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 161—

BY REPRESENTATIVE MCCAIN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, office of family support, support enforcement services, to adopt and implement rules which provide for the possibility of recovering certain costs incurred in providing child support enforcement services pursuant to Title 45 of the Code of Federal Regulations, Section 302.33.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

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.

Reported favorably by the Committee on Natural Resources.

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

**House 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. 70—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact the heading of Chapter 15 and the heading of Part I of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, R.S. 37:1261, 1262, 1270(A)(1), 1271, 1272(5), 1275(A), 1275.1, 1276, 1278, 1283, 1284, 1285(A)(2), (25), (26), and (29), 1286(A) and (B), 1329(A), 3093(A)(3), 3200(3), 3241(13), and 3356(A)(3), R.S. 40:961(33), 1299.141(3), 1299.143, and 2114(A), and R.S. 47:359(J), relative to the practice of medicine; to include the practice of osteopathy in the definition of the practice of medicine; to include osteopaths in the definition of physician; to delete separate references to osteopaths; to provide for acceptance of certain examinations for licensure and permits to practice medicine; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 630—
BY REPRESENTATIVE WARNER
AN ACT

To enact R.S. 14:95(I) and R.S. 17:1805(G), to authorize certain college and university police officers to carry concealed handguns; 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. 646—
BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 42:1116.1 and 1141(B)(3), relative to the ethics code; to provide for random drug testing of elected officials; to provide for the development, administration, and enforcement of the drug testing program for elected officials by the Board of Ethics; to declare the intention and policy of the legislature; to provide for certain assistance by the legislative auditor, commissioner of administration, and the secretary of the Department of Health and Hospitals; to require payment of costs of the program by the Board of Ethics; to provide that testing positive for illegal drugs is prohibited; to provide that failure to submit to a drug test required under the program is prohibited; to provide for penalties; to provide for definitions; to provide for implementation of the program; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Lancaster, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 803—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To enact R.S. 56:303.8 and to repeal R.S. 56:305(B)(14)(c), relative to fishing and fishing licenses; to provide relative to obtaining of a saltwater commercial rod and reel gear license; to repeal the requirement that the applicant shall not have been convicted of a fishery-related class three or greater violation; to provide relative to the effect of such violations on eligibility to hold a commercial fisherman's license and obtain net buy back; to provide certain terms, conditions, and requirements; 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. 803 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "repeal" insert:

"enact R.S. 56:303.8, and to"

AMENDMENT NO. 2

On page 1, line 2, after "56:305(B)(14)(c)," and before "relative" insert:

"relative to fishing and fishing licenses; to provide"

AMENDMENT NO. 3

On page 1, line 5, after "violation" delete the period and insert a semi-colon ";" and the following:

"to provide relative to the effect of such violations on eligibility to hold a commercial fisherman's license and obtain net buy back; to provide certain terms, conditions, and requirements; and to provide for related matters."

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 56:303.8 is hereby enacted to read as follows:

§303.8. License eligibility; class three or greater violations; prohibitions

A. Notwithstanding any other provision of law to the contrary, after August 15, 1997, any person convicted of a fishery-related class three or greater violation shall not be eligible to hold a commercial fisherman's license for a period of two years from the date of conviction. Upon a second conviction of such person for a fishery-related class three or greater violation, his period of ineligibility to hold a commercial fisherman's license shall be five years from the

date of conviction. Upon a third and subsequent conviction of such person for a fishery-related class three or greater violation, his period of ineligibility to hold a commercial fisherman's license shall be ten years from the date of conviction.

B. Any person who has been ineligible to hold a commercial fisherman's license under the provisions of Subsection A, and who thereafter seeks to obtain a commercial fisherman's license after the period of ineligibility has expired, shall not be eligible for net buy back."

AMENDMENT NO. 5

On page 1, line 7, change "Section 1." to "Section 2."

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. 805— BY REPRESENTATIVE ROUSSELLE AN ACT

To enact R.S. 56:432.1, relative to oyster leases; to provide relative to oyster lease relocation; to provide relief for those leases impacted by coastal restoration activities; 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. 805 by Representative Rousselle

AMENDMENT NO. 1

On page 1, line 2, after the word and semi-colon "leases;" delete the remainder of the line and insert:

"to provide relative to oyster lease relocation; to provide relief"

AMENDMENT NO. 2

On page 1, line 7, after "§432.1." delete the remainder of the line and insert "Oyster Lease Relocation Program"

AMENDMENT NO. 3

On page 1, line 10, delete "Department of Natural Resources" and insert in lieu thereof "Louisiana"

AMENDMENT NO. 4

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

"and offset the potential adverse impact of the coastal restoration efforts on oyster leases issued pursuant to this Subpart. The Department of Natural Resources shall be responsible to the Department of Wildlife and Fisheries for all additional agreed upon costs to the oyster leasing program, and shall pay quarterly into the

Louisiana Wildlife and Fisheries Conservation Fund sums sufficient to offset additional agreed upon costs to the oyster leasing program as a result of the Louisiana coastal restoration program.

B. The program shall, at a minimum, include identification of probable impact areas. Leaseholders whose leases may be adversely affected shall have the following options which shall be mutually exclusive for each lease affected:"

AMENDMENT NO. 5

On page 2, delete lines 1 through 27 and insert in lieu thereof:

"(1) Exchange. Lease exchanges for acreage available for lease by the department, and acceptable by the leaseholder, shall be "in kind" and shall serve as a continuance of comparable operations for the leaseholder. This exchanged lease shall begin a new term. Procedures for "in kind" exchanges shall require assessment of the current lease value and productive status, as well as assessment of the comparable site outside of the probable impact area.

(2) Relocation. Relocation shall require the replacement of the current lease site with another site or sites outside of the probable impact area. All costs of relocation, including but not limited to applicable state fees, shall be considered a part of the costs of the coastal restoration project and shall be funded from that source. The state, in consultation with the Oyster Task Force, shall determine the relocation costs for each affected lease. All costs shall be reimbursed to the leaseholder for relocation of the affected lease. All costs must be reasonable and allowable as determined by the state of Louisiana.

(3) Retention. The leaseholder may choose to retain the affected lease without compensation. The leaseholder shall thereafter retain the lease which shall contain a clause stipulating that the lease is subservient to any coastal restoration project. The lease shall also contain a clause stipulating that the leaseholder accepts the risks of operating in the affected area. At a later time, the leaseholder may choose from one of the other options.

(4) Purchase. After the state of Louisiana assesses the value of a lease within the affected area, and the purchase of the leasehold is more cost-effective to the state than relocation, the leaseholder may request that the state purchase the lease and any improvements on the lease. The state may purchase the lease and any improvements. Any area so purchased may not be re-leased for oyster cultivation purposes."

AMENDMENT NO. 6

On page 3, delete lines 1 through 11 in their entirety

AMENDMENT NO. 7

On page 3, line 12, change "D." to "C."

AMENDMENT NO. 8

On page 3, line 16, delete "mitigation relief" and insert in lieu thereof "oyster lease relocation"

AMENDMENT NO. 9

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

"D. The Department of Wildlife and Fisheries, in consultation with the Oyster Task Force, shall promulgate rules and regulations under the provisions of the Administrative Procedure Act. Such rules and regulations shall include procedures for assessments and

administrative processes for resolving disagreements, exchanges, relocations, retentions, and purchases.

E. With respect to coastal restoration projects heretofore or hereafter funded in whole or in part by the federal government, the provisions of this Section shall serve as the basis for the development of a detailed program to address federal projects and shall be subordinate in all respects to rules promulgated under the provisions of the Administrative Procedure Act by the Department of Natural Resources, in consultation with the Oyster Task Force, to implement federal plans, programs, and requirements regarding relocation or mitigation relief for oyster leaseholders adversely impacted by such projects.

F. With respect to coastal restoration projects heretofore or hereafter funded in whole by the state, implementation of this Section shall be subject to the availability of funds specifically appropriated by the legislature for such purpose. However, should items of the relocation program be cost-shared by the federal government for federal/state coastal restoration projects, funds in the Wetlands Conservation and Restoration Fund as established by Article VII, Section 10.2 of the Louisiana Constitution of 1974 and as administered by the Department of Natural Resources expressly for the purposes of this Section may be expended accordingly.

G. No funds from, or dedicated to, the Louisiana Wildlife Conservation Fund established by Article VII, Section 10-A of the Louisiana Constitution of 1974 shall be obligated or expended in furtherance of or for any purpose of this Section, including but not limited to payments for administration of the oyster lease relocation program, assessments, relocations, purchases, damages, judgments, or claims arising under or as a result of this Section. However, funds paid to the Department of Wildlife and Fisheries expressly for the purposes of this Section may be expended accordingly.

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. 806—
BY REPRESENTATIVES ROUSSELLE, DUPRE, AND JACK SMITH
AN ACT

To amend and reenact R.S. 56:325.4(D)(2) and 333(G)(2), relative to fishing and seasons for fishing; to provide relative to closure of seasons for certain fish due to reports concerning spawning potential ratios; to provide terms, conditions, and procedures for such closure of commercial and recreational seasons; 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. 1092—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To amend and reenact R.S. 27:25(A)(1) and (B)(1), to enact R.S. 27:25(A)(3), and to repeal R.S. 27:21(A)(2)(c) and (h), relative to the Louisiana Gaming Control Board; to provide that the hearing officer does not have to be a full-time board employee; to provide that the board may contract with attorneys to provide hearing officer services; to provide that certain records of the board are public records; 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. 1092 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "(B)(1)" insert a comma "," and delete "and"

AMENDMENT NO. 2

On page 1, line 3, after "27:25(A)(3)," insert "and to repeal R.S. 27:21(A)(2)(c) and (h),"

AMENDMENT NO. 3

On page 1, line 6, after "services;" and before "and" insert "to provide that certain records of the board are public records;"

AMENDMENT NO. 4

On page 2, line 8, delete "that" and insert "which is required to be heard under the Administrative Procedure Act shall be heard by the board, or referred to a hearing officer. The hearing shall be"

AMENDMENT NO. 5

On page 2, delete line 9 in its entirety and on line 10 delete "heard by a hearing officer in"

AMENDMENT NO. 6

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

"Section 2. R.S. 27:21(A)(2)(c) and (h) are hereby repealed in their entirety."

AMENDMENT NO. 7

On page 2, at the beginning of line 13, change "Section 2." to "Section 3."

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. 1124—
BY REPRESENTATIVE WIGGINS
AN ACT

To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 403, relative to gaming; to provide with respect to the advertising of gaming and gambling activities; 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. 1125—
BY REPRESENTATIVE WIGGINS
AN ACT

To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 403, relative to gaming; to provide with respect to the advertising of gaming and gambling activities other than the state lottery; 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. 1332—
BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 37:1171(5), 1360.22(8), 1360.31(A)(1) and (C) and to enact R.S. 37:1270.1(I) and 1360.31(D), relative to physician assistants; to provide for definitions; to provide relative to multiple supervising physicians; to authorize a physician assistant-certified to prescribe, dispense, and administer certain drugs and medical devices to the extent delegated by the supervising physician; to provide for dispensing activities; to authorize a physician assistant-certified to request, receive, and distribute professional samples at the direction of the supervising physician; to limit authority to prescribe and dispense to demonstration projects; to provide for the development and implementation of demonstration projects; 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. 1332 by Representative Wiggins

AMENDMENT NO. 1

On page 1, line 3, after "R.S." and before "relative" delete "37:1360.31(D)," and insert "37:1270.1(I) and 1360.31(D),"

AMENDMENT NO. 2

On page 1, line 10, after "physician;" and before "and to" insert the following:

"to limit authority to prescribe and dispense to demonstration projects; to provide for the development and implementation of demonstration projects;"

AMENDMENT NO. 3

On page 1, line 13, after "R.S." and before "hereby" delete "37:1360.31(D) is" and insert "37:1270.1(I) and 1360.31(D) are"

AMENDMENT NO. 4

On page 2, between lines 7 and 8, insert the following:

"§1270.1. Physician Assistants Advisory Committee

* * *

I. In addition to the powers and duties provided in Subsection C of this Section, the committee shall:

(1) Not later than January 1, 1998, recommend to the board for adoption, rules and regulations governing the formulation of demonstration projects using physician assistants-certified (PA-C's) to provide specified prescriptive services under physician direction in certain underserved health care areas and certain areas of demonstrated health care needs in the state as determined by appropriate and scientific criteria, including but not limited to physician to general population ratios. The board shall act upon the committee's recommended rules and regulations within forty-five days from the date of receipt by the chairman of the board. In the event the board does not act upon such recommended rules and regulations within sixty days, such inaction shall constitute approval by the board of the recommended rules and regulations, and the board shall adopt and promulgate such rules and regulations in accordance with the Administrative Procedure Act.

(2) Recommend the location and scope of prescriptive authority under physician direction in the designated areas of need in accordance with rules and regulations recommended by the advisory committee and approved by the board.

(3) Make a written report of its activities to the House and Senate Committees on Health and Welfare prior to the 1999 Regular Session and a written report of its findings, recommendations, and proposed legislation regarding prescriptive authority sixty days prior to the 1999 Regular Session.

* * *

AMENDMENT NO. 5

On page 4, between lines 13 and 14, insert the following:

"(5) A physician assistant-certified (PA-C) may only prescribe, dispense, and administer drugs and medical devices if so authorized by the board and to the extent he is authorized to do so in accordance with a demonstration project as provided in rules and regulations adopted pursuant to R.S. 37:1270.1(I)."

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. 1386—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 644(A) and (B), relative to the appointment of a sanity commission in criminal proceedings; to provide for the composition and qualifications of members of a sanity commission; 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. 1447—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:2029(1), relative to dental referral plans; to delete dental care providers from the definition of "dental referral plan"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1721—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:305.5(B), 325.3(C)(4), 325.4(B)(4), 333(B)(5), and 406(A)(3)(e) and to repeal R.S. 56:305(B)(4)(b) and (14)(a), relative to fishing; to provide relative to issuance by the Department of Wildlife and Fisheries of certain fishing permits, tags, and licenses; to provide relative to fishing nets and the requirements to obtain certain net tags; to prohibit the Department of Wildlife and Fisheries from issuance of any tag for a mullet or pompano strike net to a person who does not have a social security number; to repeal the requirement for a commercial rod and reel gear license that the applicant hold a gill net license in two of three years; to repeal the requirement for payment of a permit fee when obtaining a permit for traversing state waters to and from the federal exclusive economic zone; 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. 1721 by Representative Triche

AMENDMENT NO. 1

On page 2, at the end of line 8, add the following:

"Prior to application for such permits, the applicant shall have completed a two-year apprenticeship program as provided for by law."

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. 1879—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 32:865(A) and (B)(1) and (2), relative to criminal penalties for driving without liability insurance or other security; to increase those penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1879 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 14, change "one year," to "six months,"

AMENDMENT NO. 2

On page 2, line 1, change "one year," to "six months,"

AMENDMENT NO. 3

On page 2, line 18, after "dollars," delete the remainder of the line and on line 19, delete "than one year, or both,"

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. 1920—
BY REPRESENTATIVE DEWITT AND SENATOR HINES
AN ACT

To enact R.S. 40:2006, relative to the regulation of health care providers by the Department of Health and Hospitals; to require any health care provider to be physically separated from other health care providers; to require any health care provider to be clearly identifiable and distinguishable from other health care providers; to require all health care providers on one premises to comply with local or statewide codes; to provide for exceptions from requirements; to provide for rulemaking; 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. 1920 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 15, after "or," and before "within" insert "if"

AMENDMENT NO. 2

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

"(4) "Appropriate signage" means a display, device, or inscription which is located upon, attached to, or painted on the entrance to the health care provider indicating the legal or trade name and address of the health care provider occupying that building, premises, or physical location."

AMENDMENT NO. 3

On page 2, line 16, after "distinguishable" and before "from" insert "by appropriate signage"

AMENDMENT NO. 4

On page 2, line 19, after "care" and before "shall" delete "facility" and insert "provider"

AMENDMENT NO. 5

On page 2, line 19, after "shall be" delete "contiguous" and at the beginning of line 20, delete "with one another and noncontiguous and"

AMENDMENT NO. 6

On page 3, delete lines 1 through 14 and insert the following:

"D. If more than one health care provider occupies the same building, premises, or physical location, each such health care provider shall have its own entrance. This separate entrance shall have appropriate signage and shall be clearly identifiable as belonging to one health care provider. Nothing in this Section shall prohibit a health care provider occupying the same building, premises, or physical location as another health care provider from utilizing the entrance, hallways, stairs, elevators, or escalators of another health care provider to provide access to its separate entrance."

AMENDMENT NO. 7

On page 3, delete line 15 through 22 and at the beginning of line 23, delete "F," and insert "E."

AMENDMENT NO. 8

On page 3, line 23, after "Subsection" and before "of this Section" delete "G" and insert "F"

AMENDMENT NO. 9

On page 3, line 25, after "department" and before "or having" delete "secretary."

AMENDMENT NO. 10

On page 4, delete line 1 in its entirety

AMENDMENT NO. 11

On page 4, at the beginning of line 2, delete "(2)" and insert "(1)"

AMENDMENT NO. 12

On page 4, at the end of line 3, delete the period "." and add the following:

"for reasons other than as set forth in Subsection H of this Section."

AMENDMENT NO. 13

On page 4, at the beginning of line 4, delete "(3)" and insert "(2)"

AMENDMENT NO. 14

On page 4, at the end of line 7, add the following:

"This provision shall not apply to situations in which a Louisiana Medicaid provider agreement is terminated solely because of the sale of a health care provider."

AMENDMENT NO. 15

On page 4, at the beginning of line 8, delete "(4)" and insert "(3)"

AMENDMENT NO. 16

On page 4, line 9, after "building" delete the comma "," and the remainder of the line and delete line 10 in its entirety and insert "or premises."

AMENDMENT NO. 17

On page 4, at the beginning of line 11, delete "G," and insert "F."

AMENDMENT NO. 18

On page 4, line 13, after "Subsection" and before "of this Section" delete "F" and insert "E"

AMENDMENT NO. 19

On page 4, at the end of line 14, change the period "." to a comma "," and insert the following:

"except under any one or more of the following circumstances:

(1) A construction contract for the construction of a branch or off-site campus of a health care provider is signed on or before the effective date of this Section.

(2) A contract for renovations to a branch or off-site campus of a health care provider is signed on or before the effective date of this Section.

(3) A contract to lease a branch or off-site campus of a health care provider is signed on or before the effective date of this Section."

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AMENDMENT NO. 20

On page 4, at the beginning of line 15, delete "H." and insert "G.(1)"

AMENDMENT NO. 21

On page 4, line 15, after "provisions of" and before "Section" delete "the" and insert "this"

AMENDMENT NO. 22

On page 4, at the beginning of line 16, delete "of physicians" and insert "of any physician"

AMENDMENT NO. 23

On page 4, line 16, after "operation of the" and before "office" insert "physician's"

AMENDMENT NO. 24

On page 4, between lines 19 and 20, insert the following:

"(2) Nothing in this Section shall be construed to:

(a) Prohibit the location of an adult day health care center in the same building, premises, or physical location as a nursing home.

(b) Prohibit a hospital, as defined in the applicable hospital licensing standards or statutes, of sixty beds or less from leasing beds to Louisiana State University or the Louisiana Health Care Authority.

(c) Prohibit a health care provider from occupying or sharing premises, facilities, treatment areas, or administrative areas, whether contiguous or not, with another entity, provided the health care provider and the entity are recognized as related parties by the United States Department of Health and Human Services, Health Care Financing Administration, or its successors, under Medicare regulations at 42 CFR 413.17. Any adverse action taken by the department against any entity or health care provider occupying or sharing premises, facilities, treatment areas, or administrative areas, whether contiguous or not, with another entity or health care provider may apply to each entity or health care provider if the health care providers or entities are recognized as related parties by the United States Department of Health and Human Services, Health Care Financing Administration, or its successors, under Medicare regulations at 42 CFR 413.17."

AMENDMENT NO. 25

On page 4, at the beginning of line 20, delete "I." and insert "H."

AMENDMENT NO. 26

On page 5, at the beginning of line 1, delete "J." and insert "I."

AMENDMENT NO. 27

On page 5, at the beginning of line 8, delete "K." and insert "J."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1985—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 56:332(I) and 801(15) and to codify as R.S. 56:409 and amend and reenact Act No. 476 of 1954, as amended by Act No. 352 of 1956 and Act No. 515 of 1960, all relative to fishing; to provide relative to the Lake Catherine and Lake Pontchartrain Sanctuary; to establish boundaries; to provide relative to authorized activities, prohibitions, violations, and penalties; 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. 1985 by Representative DeWitt

AMENDMENT NO. 1

On page 4, delete lines 20 and 21 in their entirety and insert in lieu thereof the following:

"Any person or persons apprehended in either Lake Catherine or Lake Pontchartrain in the area described above as a Sanctuary, including its Passes, taking shrimp, fish, or crabs by the use of shrimp trawls, seines, or other netting prohibited by this Section, shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment for not less than thirty days nor more than six months, and in addition the court shall decree the forfeiture of such a violator's catch, as well as the trawl, seines, or other equipment, not including boats and motors, used in the illegal taking which shall be sold and the proceeds disposed of in accordance with R.S. 56:386."

AMENDMENT NO. 2

On page 6, after line 4, add the following:

"Section 3. Prior to the issuance of any citations for violations under the provisions of this Act, the Department of Wildlife and Fisheries shall mark the boundaries of the Lake Catherine and Lake Pontchartrain Sanctuary."

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. 1999—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 56:307(A) and 307.6, relative to the transport license; to provide relative to those persons required to have such license; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Natural Resources.

The substitute was read by title as follows:

HOUSE BILL NO. 2518 (Substitute for House Bill No. 1999 by Representative DeWitt)—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 56:307.6 and 307.7(A), relative to the interstate transportation of seafood; to provide for those required to have a transport license; to provide relative to information which must be retained by a person transporting seafood; and to provide for related matters.

Read by title.

On motion of Rep. John Smith, the substitute was adopted and became House Bill No. 2518 by Rep. DeWitt, on behalf of the Committee on Natural Resources, as a substitute for House Bill No. 1999 by Rep. DeWitt.

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

HOUSE BILL NO. 2114—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 32:865(A) and to enact R.S. 32:865(C), relative to penalties and prosecution for the failure to comply with the motor vehicle security law; to impose criminal penalties of fines, probation, or imprisonment under certain conditions; to prohibit the prosecution of persons providing proof of insurance to the office of motor vehicles; 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. 2114 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:865(A)" and before the comma ",", and "relative" insert "and to enact R.S. 32:865(C)" and after "penalties" and before "for the failure" insert "and prosecution"

AMENDMENT NO. 2

On page 1, at the end of line 4, insert "to prohibit the prosecution of persons providing proof of insurance to the office of motor vehicles;"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" and before "to read" insert "and R.S. 32:865(C) is hereby enacted"

AMENDMENT NO. 4

On page 4, after line 6, insert the following:

"C. No person who has been charged with a violation of Subsection A of this Section, but who provides proof of insurance coverage or security to the office of motor vehicles in accordance with the provisions of R.S. 32:863.1(C)(1)(b) shall be subject to prosecution for that offense."

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. 2171—

BY REPRESENTATIVE THORNHILL

AN ACT

To enact R.S. 40:2116.1, relative to Medicaid certified beds for community and group homes for the mentally retarded; to require persons or facilities which participate in the Medicaid program to obtain the approval of the Department of Health and Hospitals prior to the sale or purchase of a Medicaid certified bed of a community or group home for the mentally retarded; to require the department to promulgate rules and regulations; 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. 2171 by Representative Thornhill

AMENDMENT NO. 1

On page 1, line 3, after "for the" and before "to require" delete "mentally retarded;" and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 2

On page 1, line 5, after "Hospitals" and before "prior" insert "through the office for citizens with developmental disabilities"

AMENDMENT NO. 3

On page 1, line 5, after "to the" delete the remainder of the line and at the beginning of line 6, delete "purchase" and insert in lieu thereof "sale, purchase, transfer, or relocation"

AMENDMENT NO. 4

On page 1, at the beginning of line 7, after "the" delete "mentally retarded;" and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 5

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

"to require the provider to notify the residents or the guardians or curators of residents of the request to sell, purchase, transfer, or relocate certificates of need at the time the provider requests approval of the office for citizens with developmental disabilities; to require that the department afford an opportunity to residents who desire to continue to reside in the community or neighborhood of the current location of the community or group home to continue to reside in such community or neighborhood in circumstances where the sale, purchase, or transfer will result in the relocation of such residents;"

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AMENDMENT NO. 6

On page 1, line 11, after "for the" and before "sale" delete "mentally retarded;" and insert in lieu thereof "mentally retarded/developmentally disabled;"

AMENDMENT NO. 7

On page 1, line 12, after "purchase" insert a semicolon ";" and "transfer; relocation"

AMENDMENT NO. 8

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

AMENDMENT NO. 9

On page 1, at the beginning of line 16, after "the" delete "mentally retarded," and insert in lieu thereof "mentally retarded/developmentally disabled,"

AMENDMENT NO. 10

On page 2, at the beginning of line 2, after "shall" and before "any" delete "sell or buy" and insert in lieu thereof "sell, purchase, transfer, or relocate"

AMENDMENT NO. 11

On page 2, line 3, after "group home" delete the remainder of the line, delete lines 4 and 5 in their entirety, and insert in lieu thereof the following:

"unless the Department of Health and Hospitals through the office for citizens with developmental disabilities approves such sale, purchase, transfer, or relocation.

(2) At the time the provider requests the approval of the office for citizens with developmental disabilities to approve a sale, purchase, transfer, or relocation of certificates of need, the provider shall notify the residents or the guardians or curators of the residents of the request to sell, purchase, transfer, or relocate. Prior to the sale, purchase, or transfer of community or group home certificates of need that would result in the relocation of the residents of the community or group home from the current location, the Department of Health and Hospitals through the office of citizens with developmental disabilities shall afford an opportunity to those residents desiring to continue to reside in the community or neighborhood of the current location of the community or group home to do so with the same or a different provider."

AMENDMENT NO. 12

On page 2, line 6, after "and" and before "shall" change "Hospital" to "Hospitals"

AMENDMENT NO. 13

On page 2, at the beginning of line 9, after "disapprove a" and before "of" delete "sale or purchase" and insert in lieu thereof "sale, purchase, transfer, or relocation"

AMENDMENT NO. 14

On page 2, line 10, after "for the" and before "shall" delete "mentally retarded" and insert in lieu thereof "mentally retarded/developmentally disabled"

AMENDMENT NO. 15

On page 2, delete line 14 and insert in lieu thereof "sell, purchase, transfer, or relocate such beds."

AMENDMENT NO. 16

On page 2, after line 14, insert the following:

"C. For purposes of this Section, "transfer" shall mean the exchange of the certificate of need from one entity to another with or without financial or other form of consideration. Further, "relocate" shall mean the change by a provider of a community or group home of the physical site at which the residential services are being provided."

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. 2229—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 28:22.7(B), R.S. 36:259(C)(23), and R.S. 40:2002.4 and 2142, relative to state institutions; to change the name of Villa Feliciana Chronic Disease Hospital and Rehabilitation Center to Villa Feliciana Medical Complex; to provide that all laws and documents which refer to Villa Feliciana Chronic Disease Hospital and Rehabilitation Center shall be deemed to refer to Villa Feliciana Medical Complex; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2325—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact Code of Criminal Procedure Art. 881.1(B), (C), and (D) and R.S. 46:1844(A)(2), (C)(2), (H), (K)(2)(a) and (3)(b), (M)(1), and (Y) and to enact Code of Criminal Procedure Art. 881.1(E), relative to a motion to reconsider sentence and crime victims; to provide for new grounds for a motion to reconsider sentence; to provide for rights of victims; to provide for the establishment of a crime victim's assistance information phone line; 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. 2325 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 7, after "victims;" and before "and to" insert "to provide for the establishment of a crime victim's assistance information phone line;"

AMENDMENT NO. 2

On page 1, line 14, after "Within" and before "days" change "forty-five" to "thirty"

AMENDMENT NO. 3

On page 4, line 2, after "comment" and before "upon" insert "to the district attorney and to the court"

AMENDMENT NO. 4

On page 4, line 4, after "victim" and before the period "." insert "and review and comment to the Department of Public Safety and Corrections upon such information in the case of post sentence reports."

AMENDMENT NO. 5

On page 4, at the beginning of line 25, change "forty-five" to "thirty"

AMENDMENT NO. 6

On page 5, line 21, after "assistance" change "hotline." to "information phone line." and delete the remainder of the line and delete lines 22 through 27 and insert the following:

"A statewide crime victim's assistance information phone line shall be established by the Department of Public Safety and Corrections."

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. 2340—

BY REPRESENTATIVE MARTINY
AN ACT

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

Read by title.

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. 2346—

BY REPRESENTATIVE BRUCE
AN ACT

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

Read by title.

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. 2414—

BY REPRESENTATIVE DEVILLE
AN ACT

To enact R.S. 3:503, relative to crawfish; to provide for the sale of crawfish by restaurants; to provide for identification as to foreign products; to provide for notice to the customer; to provide for display of information; 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. 2438—

BY REPRESENTATIVE VITTER
AN ACT

To enact R.S. 36:4(R) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:220.1 through 220.5, relative to the creation of the office of the state inspector general; to provide for the appointment, term of office, powers, duties, and functions of the inspector general; to provide for staffing and funding of the office; to authorize the inspector general to examine, investigate, and make recommendations with respect to the prevention and detection of waste, inefficiencies, mismanagement, misconduct, abuse, fraud, and corruption in all entities in the executive branch of state government; to provide for the assistance and cooperation of entities in the executive branch of state government and under the authority of the governor; to provide for confidentiality of certain records; to provide for referral of the results of investigations of criminal matters to the appropriate authorities for prosecution; to provide for reports by the inspector general; 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. 2466—

BY REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 46:56(F)(4)(c) and to enact R.S. 46:1425, relative to child care facilities; to require the Department of Social Services to provide certain information related to child care facilities; to provide for the release of confidential information pertaining to child abuse investigations; and to provide for related matters.

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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. 2466 by Representative Clarkson

AMENDMENT NO. 1

On page 2, line 4, after "who" delete "may be placed" and insert "has applied for placement"

AMENDMENT NO. 2

On page 2, line 15, after "request" delete the comma "," and the remainder of the line and delete lines 16 and 17 in their entirety and insert the following:

"of a parent or guardian of any child who has applied for placement in a day care center licensed by the department, the following information relative to such day care center:"

AMENDMENT NO. 3

On page 3, after line 6, add the following:

"D. The department shall adopt procedures and guidelines for the implementation of this Section by rule in accordance with the Administrative Procedure Act. Such procedures and guidelines may include a procedure for verification that an application for placement in a licensed day care center has actually been made."

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. 2471— BY REPRESENTATIVE POWELL AN ACT

To amend and reenact R.S. 37:2809(A)(2) and (8), to enact R.S. 37:21(B)(7) and 2809(A)(11), and to repeal Part II of Chapter 36 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2830.1 through 2830.7, relative to the Louisiana Board of Chiropractic Examiners; to exempt the Louisiana Board of Chiropractic Examiners from certain provisions which limit disciplinary proceedings by professional or occupational boards and commissions; to increase maximum fees for a certificate of internship and a certificate of chiropractic assistant to perform chiropractic X-rays; to add a fee for annual X-ray certificate registration; to repeal provisions relative to chiropractic management consultants; 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. 2471 by Representative Powell

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "R.S. 37:21(B)(7)" and at the beginning of line 2, delete "and 2809(A)(11)," and insert in lieu thereof "R.S. 37:2809(A)(11),"

AMENDMENT NO. 2

On page 1, line 6, after the semicolon ";" delete the remainder of the line, delete lines 7 and 8 in their entirety and insert in lieu thereof "to increase"

AMENDMENT NO. 3

On page 1, line 16, after "reenacted" delete the remainder of the line and insert in lieu thereof "and R.S. 37:2809(A)(11) is hereby enacted to read"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, at the end of line 19, change "\$75.00" to "\$25.00"

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. 2480— BY REPRESENTATIVE PERKINS AN ACT

To enact R.S. 14:90.3, relative to offenses affecting general morality; to create the crime of gambling by computer; to provide definitions; to provide penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2480 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 4, after "penalties;" and before "and" insert "to provide exceptions;"

AMENDMENT NO. 2

On page 5, after line 3, insert the following:

"F. The conducting or assisting in the conducting of gaming activities or operations upon a riverboat, at the official gaming establishment, or by operating an electronic video draw poker device, which is licensed for operation and regulated under the provisions of Chapters 4, 5, and 6 of Title 27 of the Louisiana Revised Statutes of 1950, shall not be considered gambling by computer for the purposes of this Section."

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. 2490—
BY REPRESENTATIVE WILLARD-LEWIS
AN ACT

To enact R.S. 46:460.4, relative to Temporary Assistance for Needy Families Block Grant benefits; to require the Department of Social Services to provide for a six-month income disregard for recipients of Temporary Assistance for Needy Families Block Grant benefits; to provide for the inapplicability, to the extent possible, of such six-month period for purposes of the time limitation on the receipt of benefits; to provide relative to exceptions to the state time limitations imposed upon the receipt of TANF benefits; 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. 2490 by Representative Willard-Lewis

AMENDMENT NO. 1

On page 1, line 5, after the semicolon ";" delete the remainder of the line, delete lines 6 and 7 in their entirety and insert in lieu thereof "to require the department to promulgate rules and regulations relative to the earned income disregard program; to provide"

AMENDMENT NO. 2

On page 1, line 15, after "up to" and before "dollars" change "one thousand five hundred" to "nine hundred"

AMENDMENT NO. 3

On page 2, delete lines 3 through 9 in their entirety and insert in lieu thereof the following:

"B. The department shall promulgate rules and regulations to implement the provisions of the earned income disregard program provided for in Subsection A of this Section in accordance with the Administrative Procedure Act."

AMENDMENT NO. 4

On page 2, line 11, after "federal" and before the comma "," change "appropriations" to "law"

AMENDMENT NO. 5

On page 2, delete lines 16 and 17 in their entirety

AMENDMENT NO. 6

On page 2, at the beginning of line 18, change "(b)" to "(a)"

AMENDMENT NO. 7

On page 2, at the beginning of line 20, change "(c)" to "(b)"

AMENDMENT NO. 8

On page 2, at the beginning of line 22, change "(d)" to "(c)"

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. 2492—
BY REPRESENTATIVE WINSTON
AN ACT

To enact R.S. 37:1285.2, relative to the practice of medicine; to provide for the prescribing and administering of controlled dangerous substances by physicians for intractable pain; to provide definitions; to provide exceptions; 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. 2492 by Representative Winston

AMENDMENT NO. 1

On page 3, after line 23, insert the following:

"G. The provisions of this Section shall not become operative if the Louisiana State Board of Medical Examiners publishes a notice of intent by September 20, 1997, to adopt rules and regulations to provide for the prescription and administration of controlled dangerous substances by a physician for intractable pain."

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. 2514 (Substitute for House Bill No. 709 by Representative Barton)—
BY REPRESENTATIVE BARTON
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(B) of the Constitution of Louisiana, to provide with respect to the minimum

foundation program of education in all public elementary and secondary schools, including the program formula and the allocation of funds; to establish and provide for the membership of the Minimum Foundation Program Authority; to provide that the State Board of Elementary and Secondary Education annually shall develop and recommend to the authority a minimum foundation program formula and that the authority shall annually adopt and submit such a formula to the legislature; to permit the legislature, prior to formula approval, to return the adopted formula to the authority and recommend an amended formula; and to provide that the last legislatively approved formula shall be used for cost determinations and for the allocation of funds; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2515 (Substitute for House Bill No. 2079 by Representatives Jetson and Dewitt)—
BY REPRESENTATIVES JETSON AND DEWITT
AN ACT

To amend and reenact R.S. 37:3372, 3373(B), 3374(14), 3375, 3376(A), (C)(1) through (5) and (8)(a), (b), and (c), and (D), 3376.1, 3378(A), 3379(A)(introductory paragraph), (5), (7), and (11), 3381(C), 3382, and 3384 (introductory paragraph), (2), and (4), to enact R.S. 37:3374(15) and (16) and 3376(C)(9), (F), (G), and (H), and to repeal R.S. 37:3376(C)(6), (7), and (8)(d) and (e), relative to the Louisiana State Board of Certification for Substance Abuse Counselors; to provide for the regulation and certification of counselors who offer services and counseling to persons affected by compulsive, addictive, and obsessive behavior and to those at risk; to provide for compulsive gambling and prevention counselor certification; to define terms; to provide for the registration of counselors in training; to provide for standards for certification; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2516 (Substitute for House Bill No. 2469 by Representative Theriot)—
BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 22:1406.5 and 1435, relative to the COASTAL and FAIR plans; to increase their membership; to include certain public officials or designees and other representatives; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2517 (Substitute for House Bill No. 2501 by Representatives Hudson, Durand, Guillory, and Pierre and Senators Cravins and Romero)—

BY REPRESENTATIVES HUDSON, DURAND, GUILLORY, AND PIERRE AND SENATORS CRAVINS AND ROMERO
AN ACT

To enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, relative to public community colleges; to create and establish the Gulf Coast Community and Technical College; to provide for administration, management, and supervision of the institution; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education; to provide for the duties and responsibilities of the Board of Trustees for State Colleges and Universities; to provide for the operation of the institution in accordance with certain guidelines and procedures; to provide for implementation; to provide for effectiveness; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 646—
BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 42:1116.1 and 1141(B)(3), relative to the ethics code; to provide for random drug testing of elected officials; to provide for the development, administration, and enforcement of the drug testing program for elected officials by the Board of Ethics; to declare the intention and policy of the legislature; to provide for certain assistance by the legislative auditor, commissioner of administration, and the secretary of the Department of Health and Hospitals; to require payment of costs of the program by the Board of Ethics; to provide that testing positive for illegal drugs is prohibited; to provide that failure to submit to a drug test required under the program is prohibited; to provide for penalties; to provide for definitions; to provide for implementation of the program; 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. 646 by Representative Fontenot

AMENDMENT NO. 1

On page 1, line 6, after "legislature;" and before "to provide" insert "to provide for certain assistance by the legislative auditor, commissioner of administration, and the secretary of the Department of Health and Hospitals; to require payment of costs of the program by the Board of Ethics;"

AMENDMENT NO. 2

On page 2, line 5, after "B." and before "The" insert "(1)"

AMENDMENT NO. 3

On page 2, between lines 10 and 11 insert the following:

"(2) The program designed by the board shall require that the legislative auditor select those elected officials required to be tested for the use of illegal drugs.

(3) The board shall develop the random drug testing program in a manner that will be effective in detecting and deterring illegal drug use by elected officials. The commissioner of administration and the secretary of the Department of Health and Hospitals shall, at the request of the board, provide assistance in the development, design, and implementation of the random drug testing program.

(4) The board shall adopt such rules and regulations as are necessary for the implementation of the random drug testing program in accordance with the Administrative Procedure Act."

AMENDMENT NO. 4

On page 2, at the end of line 16, after "board." insert "The board shall pay the cost of any confirmatory test requested by an elected official."

AMENDMENT NO. 5

On page 2 at the end of line 26, after "Chapter." insert "However, the board shall not impose any penalty on an elected official for testing positive for illegal drugs unless he has tested positive for illegal drugs on two separate occasions."

AMENDMENT NO. 6

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

"Section 3. Sections 1 and 2 of this Act shall become effective if and when funds are allocated for the design and implementation of the random drug testing program for elected officials."

AMENDMENT NO. 7

On page 3, at the beginning of line 14 delete "Section 3. This" and insert "Section 4. Sections 3 and 4 of this"

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

Rep. Fontenot moved the bill, as amended, be engrossed and passed to its third reading.

As a substitute motion, Rep. Green moved that the bill be recommitted to the Committee on House and Governmental Affairs.

Rep. Fontenot objected.

Motion

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

Rep. Deville objected.

By a vote of 59 yeas and 28 nays, the House agreed to order the previous question on the entire subject matter.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Odinet
Alexander, A.—93rd	Green	Pratt
Ansardi	Guillory	Quezaire
Baudoin	Heaton	Riddle
Bowler	Hebert	Romero
Bruce	Holden	Rousselle
Carter	Hopkins	Shaw
Chaisson	Hudson	Smith, J.D.—50th
Clarkson	Hunter	Thornhill
Copelin	Iles	Warner
Curtis	Landrieu	Welch
Deville	Marionneaux	Weston
Farve	McCain	Wilkerson
Faucheux	Murray	Willard-Lewis
Total—42		

NAYS

Barton	Hammett	Salter
Brun	Hill	Scalise
Bruneau	Jenkins	Smith, J.R.—30th
Crane	Johns	Stelly
Damico	Kennard	Thomas
Daniel	Kenney	Thompson
DeWitt	LeBlanc	Toomy
Diez	McCallum	Travis
Doerge	McDonald	Triche
Dupre	McMains	Vitter
Durand	Michot	Walsworth
Flavin	Montgomery	Wiggins
Fontenot	Morrish	Windhorst
Forster	Perkins	Winston
Frige	Pinac	Wright
Gautreaux	Powell	
Total—47		

ABSENT

Mr. Speaker	Jetson	Pierre
Alexander, R.—13th	Lancaster	Schneider
Baylor	Long	Strain
Dimos	Martiny	Theriot
Donelon	Mitchell	
Frith	Morrell	
Total—16		

The House refused to recommit the bill to the Committee on House and Governmental Affairs.

Rep. Fontenot insisted on his motion that the bill be ordered engrossed and passed to its third reading.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barton	Hammett	Salter
Bruce	Hebert	Scalise
Brun	Hill	Smith, J.D.—50th
Bruneau	Jenkins	Smith, J.R.—30th
Crane	Johns	Stelly
Damico	Kennard	Strain
Daniel	Kenney	Thomas
DeWitt	LeBlanc	Thompson

Diez	Long	Thornhill
Doerge	McCallum	Toomy
Dupre	McDonald	Travis
Flavin	McMains	Triche
Fontenot	Michot	Vitter
Forster	Montgomery	Walsworth
Frith	Morrish	Wiggins
Fruge	Perkins	Windhorst
Gautreaux	Pinac	Winston
Guillory	Powell	Wright
Total—54		

NAYS

Alario	Faucheux	Pratt
Alexander, A.—93rd	Green	Quezaire
Ansardi	Heaton	Riddle
Baudoin	Holden	Romero
Bowler	Hopkins	Rousselle
Carter	Hudson	Shaw
Chaisson	Hunter	Warner
Clarkson	Iles	Welch
Copelin	Landrieu	Weston
Curtis	McCain	Willard-Lewis
Deville	Murray	
Farve	Odinot	
Total—34		

ABSENT

Mr. Speaker	Glover	Morrell
Alexander, R.—13th	Jetson	Pierre
Baylor	Lancaster	Schneider
Dimos	Marionneaux	Theriot
Donelon	Martiny	Wilkerson
Durand	Mitchell	
Total—17		

The House agreed to engross the bill and pass it 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. 8—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 22:1118(F)(1) and(2), relative to insurance agents of record; to provide that an insured shall have the right to remove an agent of record; to require written notice to the agent of record thirty days prior to removal; to provide relative to the payment of commissions and servicing of policies; to require certain contract clauses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 405—

BY SENATORS DARDENNE, BARHAM, BEAN, GUIDRY, LENTINI, SHORT, BAJOIE, CASANOVA, HINES, ROBICHAUX AND SCHEDLER
AN ACT

To enact R.S. 22:215.18, relative to health insurance coverage; to provide for coverage for diabetes outpatient self-management training and education, including medical nutrition therapy, and diabetes equipment and supplies; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 405 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 3, delete "or medical assistance provided"

AMENDMENT NO. 2

On page 2, line 4, delete "under 42 U.S.C. 1376, et seq"

AMENDMENT NO. 3

On page 3, at the end of line 15, add the following:

"E. The provisions of this Section shall not apply to medical benefit plans that are established under and regulated by the Employee Retirement Income Security Act (ERISA) of 1974."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 722—

BY SENATORS CASANOVA, CRAVINS AND LAMBERT
AN ACT

To enact R.S. 22:215.18, relative to insurance coverage; to provide for coverage for off-label drugs in treatment of cancer; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 722 by Senator Casanova

AMENDMENT NO. 1

On page 1, line 16, delete "(a)" and on page 2, line 1, change "; or (b)" to "; or"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1064—

BY SENATORS DARDENNE, BARHAM, BEAN, SHORT, HOLLIS, MALONE, SCHEDLER, ULLO, BRANCH, CAIN, CASANOVA, DYESS, ELLINGTON, EWING, HINES, JOHNSON, LENTINI, ROBICHAUX, ROMERO, SIRACUSA, TARVER AND THEUNISSEN

AN ACT

To amend and reenact R.S. 32:863.1(C) and (D), relative to motor vehicles; to provide relative to compulsory motor vehicle security; to provide relative to revocation of registration for lack of proof of insurance; to require impoundment of motor vehicles under such circumstances; to provide for the issuance and usage of stickers as an additional form of proof of insurance; to provide for administrative hearings in determining compliance with motor vehicle security requirements under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 1064 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 2, after "(D)" insert "and to enact R.S. 32:863.1(F)"

AMENDMENT NO. 2

On page 1, line 12, after "reenacted" insert "and R.S. 32:863.1(F) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete line 16 in its entirety and on page 2, delete lines 1 through 10 in their entirety and insert the following:

"C.(1)(a) If the operator of a motor vehicle is unable to show compliance with the provisions of this Part by displaying the required document when requested to do so, the operator shall be issued a notice of noncompliance with the provisions of this Part on a form to be provided by the department. The notice of noncompliance shall serve as notice of administrative hearings rights. In addition, the law enforcement officer shall remove the license plate from the vehicle. The law enforcement officer shall deliver the vehicle license plate to the chief of the agency which employs the officer, or to a person in that agency designated to receive such license plates. A copy of the notice of noncompliance shall be attached to the vehicle license plate and both shall be delivered to the nearest office of motor vehicles within three calendar days after the notice of noncompliance was served.

(b) The owner of the vehicle shall have ten working days from the date that the notice of noncompliance was issued to present to the office of motor vehicles proof of insurance coverage or security in effect at the time of the issuance of the notice of noncompliance. If the vehicle was properly insured at the time the notice was issued, any valid license plate shall be returned within forty-eight hours, exclusive of legal holidays, to the owner of the vehicle at no cost to the owner. However, if the owner fails to provide proof of the fact

~~that the vehicle was properly insured at the time the notice of noncompliance was issued, the chief administrative officer of the office of motor vehicles shall destroy, or shall cause to be destroyed, the license plate removed from that owner's vehicle and shall notify the secretary that the owner of the vehicle is not in compliance with the compulsory liability law. Upon receipt of such notification, the secretary shall revoke the registration of such vehicle for thirty days.~~

(e) For a first offense there shall be a reinstatement fee of fifty dollars, for a second offense there shall be a reinstatement fee of one hundred fifty dollars, and for any subsequent offense there shall be a reinstatement fee of five hundred dollars. The reinstatement fee contained herein shall be in addition to other appropriate registration fees allowed by law and reinstatement shall depend upon proof of compliance with the compulsory liability law.

~~(2) Any law enforcement officer who removes and takes a license plate pursuant to the provisions of this Section shall issue for attachment to the rear end of the vehicle, a temporary sticker denoting its use in lieu of an official license plate. The sticker shall bear the date upon which it was issued in written or stamped numerals or letters not less than three inches in height. This temporary sticker shall not be effective for a period of ten working days beginning from the day on which the license plate is taken.~~

~~(3) The temporary stickers required by Paragraph (2) of this Subsection shall be designed and produced by the Department of Public Safety and Corrections, and the department shall supply such stickers, at no cost, to all law enforcement agencies authorized by law to enforce traffic laws.~~

~~(4) The Department of Public Safety and Corrections shall formulate and promulgate rules and regulations for the implementation of the provisions of this Section. To this end, no license shall be taken or destroyed pursuant to the authority granted in Paragraph (1) of this Subsection until such rules are properly promulgated in accordance with law. However, this limitation shall not be construed so as to otherwise limit the enforcement of laws relative to operating a vehicle without proper insurance or security."~~

AMENDMENT NO. 4

On page 3, at the beginning of line 2, change "shall" to "may" and after "impounded" delete "immediately" and insert in lieu thereof "pursuant to the rules and regulations promulgated by the Department of Public Safety and Corrections and the Department of Insurance."

AMENDMENT NO. 5

On page 3, line 4, after "insurance" delete "in place" and insert "or is self-insured"

AMENDMENT NO. 6

On page 3, line 9, after "insurance" insert "or proof that he is self-insured pursuant to this Chapter"

AMENDMENT NO. 7

On page 3, line 21, after "insurance" insert "or was self-insured pursuant to this Chapter" and after "violation," insert the following:

"The owner or operator may subpoena any witness to appear at the hearing, including the officer issuing the violation, to establish that the owner or operator was in compliance with the law at the time of the alleged violation."

AMENDMENT NO. 8

On page 3, line 24, after "insurance" insert "or was self-insured pursuant to this Chapter"

AMENDMENT NO. 9

On page 4, at the end of line 24, insert the following:

"No impoundment fee shall exceed five dollars per calendar day under this Subsection. No towing fee shall exceed fifty dollars under this Subsection."

AMENDMENT NO. 10

On page 5, line 5, after "handicapped" insert "or if the law enforcement officer determines that the records of the Office of Motor Vehicles show that the driver of the stopped vehicle does comply with R.S. 32:861."

AMENDMENT NO. 11

On page 5, after line 14, insert the following:

"F. In the case where the driver is a minor child, the owner of the vehicle shall be responsible under this Section. If the owner of the vehicle is the minor child, the parents of the minor child shall be jointly subject to the provisions of this Section along with the minor child, unless the minor has been adjudicated emancipated or is in the sole custody of another or only one parent under the law. If the minor is in the sole custody of another or only one parent under the law the person or parent in whose sole custody the child has been placed will be jointly responsible with the minor child under this Section.

* * *

Section 2. The provisions of this Act shall become effective on January 1, 1998."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1064 by Senator Dardenne

AMENDMENT NO. 1

In House Committee Amendment No. 10 proposed by the House Committee on Insurance to Reengrossed Senate Bill No. 1064 by Senator Dardenne, on line 16, following "32:861" change the period "." to a comma ","

AMENDMENT NO. 2

On page 5, line 8, following "drive" insert "the"

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

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

Under the rules, placed on the regular calendar.

Reconsideration

HOUSE BILL NO. 1255—

BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 13:2582(A), relative to justice of the peace courts; to provide for a certain educational requirement as a qualification for office; to provide that this does not apply to certain incumbents; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

Suspension of the Rules

On motion of Rep. Murray, 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:

Consent Calendar

HOUSE BILL NO. 1391—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:1735(A), relative to constables; to increase the compensation of the constable of the first city court in New Orleans; and to provide for related matters.

Read by title.

Rep. Murray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Glover	Powell
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Brun	Hunter	Shaw
Bruneau	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Clarkson	Jetson	Strain
Copelin	Johns	Theriot
Crane	Kennard	Thomas
Curtis	Kennedy	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis

DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrish	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinot	Winston
Fruge	Pierre	Wright

Total—96

NAYS

Total—0

ABSENT

Carter	Hebert	Morrell
Dimos	Lancaster	Perkins
Faucheux	Mitchell	Smith, J.D.—50th

Total—9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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. 1908—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(f) and R.S. 47:332.2(B) and to enact R.S. 33:4754.1-A(G), relative to funding for the East Baton Rouge Parish Riverside Centroplex Arena and Exhibition Center and other riverfront projects; to authorize the Baton Rouge Area Convention and Visitors Commission to levy an additional hotel occupancy tax and to provide that the proceeds of such additional tax shall be used for capital improvements and expansion of the center; to provide limitations; to provide for uses of monies in the East Baton Rouge Parish Riverside Centroplex Fund; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Clarkson	Kenney	Thomas
Copelin	Landrieu	Thompson
Crane	LeBlanc	Thornhill
Curtis	Long	Toomy
Damico	Marionneaux	Travis
Daniel	Martiny	Triche
Deville	McCain	Vitter
DeWitt	McCallum	Walsworth
Diez	McDonald	Warner
Doerge	McMains	Welch
Donelon	Michot	Weston
Dupre	Montgomery	Wiggins
Durand	Morrish	Wilkerson
Farve	Murray	Willard-Lewis
Flavin	Odinot	Windhorst
Fontenot	Pierre	Winston
Forster	Pinac	Wright
Frith	Powell	
Fruge	Pratt	

Total—94

NAYS

Jenkins
Total—1

ABSENT

Alario	Iles	Morrell
Dimos	Jetson	Perkins
Faucheux	Lancaster	
Hudson	Mitchell	

Total—10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1912—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(i)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Powell
Alario	Glover	Pratt
Alexander, A.—93rd	Green	Quezaire
Alexander, R.—13th	Guillory	Riddle
Ansardi	Hammett	Romero
Barton	Heaton	Rousselle
Baudoin	Hebert	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Shaw
Brun	Hunter	Smith, J.D.—50th

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

Total—96

NAYS

Farve
Total—1

ABSENT

Diez	Jetson	Morrell
Dimos	Lancaster	Perkins
Hill	Mitchell	

Total—8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hunter 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. 2432—
BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 13:1000, relative to district courts; to authorize district courts by rule to establish programs to provide fiscal support for local bar association qualified pro bono projects; to provide for additional costs for certain civil filings and for distribution of the proceeds to qualified projects; and to provide for related matters.

Read by title.

Rep. Weston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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

Total—102

NAYS

Total—0

ABSENT

Dimos	Lancaster	Mitchell
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Total—3

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. Weston 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. 161—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(1) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in dispute for civil jurisdiction of the city court in Plaquemine; and to provide for related matters.

Read by title.

Rep. McCain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pinac
Alario	Glover	Powell
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero

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

NAYS

Total—0

ABSENT

Dimos	Hill	Marionneaux
Faucheux	Lancaster	Mitchell
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1653—
BY REPRESENTATIVES MURRAY AND FORSTER
AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

Read by title.

Rep. Murray 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	Hammitt	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero

Baudoin	Hill	Rousselle
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, J.D.—50th
Carter	Iles	Smith, J.R.—30th
Chaisson	Jenkins	Stelly
Copelin	Jetson	Theriot
Crane	Johns	Thompson
Curtis	Kennard	Thornhill
Damico	Kenney	Toomy
Daniel	Landrieu	Travis
Deville	LeBlanc	Triche
DeWitt	Long	Vitter
Diez	Martiny	Walsworth
Donelon	McCain	Warner
Dupre	McCallum	Welch
Durand	McDonald	Weston
Farve	McMains	Wiggins
Flavin	Michot	Wilkerson
Fontenot	Montgomery	Willard-Lewis
Forster	Murray	Windhorst
Frith	Odinot	Winston
Fruge	Perkins	Wright
Total—90		

NAYS

Total—0

ABSENT

Brun	Gautreaux	Morrish
Clarkson	Lancaster	Pratt
Dimos	Marionneaux	Salter
Doerge	Mitchell	Strain
Faucheux	Morrell	Thomas
Total—15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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. 2379—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 51:1265, relative to the office of tourism; to provide for the creation and establishment of a logo to indicate authentic Cajun-Creole cooking; and to provide for related matters.

Read by title.

Motion

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

Regular Calendar

HOUSE BILL NO. 1152—
BY REPRESENTATIVE JACK SMITH
AN ACT

To require the Department of Transportation and Development to erect directional signs on U.S. Highway 90 at the intersection of U.S. Highway 90 and Veterans Boulevard in Patterson, Louisiana; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, after "To" and before "require" insert "enact R.S. 48:261.1 and to"

AMENDMENT NO. 2

On page 1, line 4, after "Louisiana;" and before "and to" insert the following:

"to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program;"

AMENDMENT NO. 3

On page 1, after line 12, insert the following:

"Section 2. R.S. 48:261.1 is hereby enacted to read as follows:

§261.1. Highway Maintenance Program

A. The Highway Maintenance Program is hereby established for the purpose of transferring the function of maintaining state highways and the funding for such from the Department of Transportation and Development to the parishes of the nine districts of the Department of Transportation and Development.

B. A pilot program shall be established in the department's District 3 to determine the feasibility and efficiency of the parishes in maintaining the state highways in their parishes. For the period beginning on July 1, 1998, and ending on June 30, 1999, the parishes in the department's District 3 shall maintain all state highways within District 3.

C. The department shall immediately upon receipt transfer all monies that would otherwise be spent on maintenance of state highways in the department's districts to the governing authorities of the parishes in those districts in which the program is in effect for that fiscal year for the purpose of maintaining the state highways. The amount of funds to be transferred each year to the governing authorities shall be equal to the amount that the department would have spent on such maintenance in that parish had the department provided the maintenance and shall be based on that parish's total miles of state highways in proportion to the total miles of state highway in that district. In no case shall the amount transferred to each parish be less than the amount spent on maintenance in that parish for the preceding fiscal year.

D. Notwithstanding any other provision of law to the contrary, this Section shall be in effect for the period beginning with July 1, 1998, and ending on June 30, 1999, and thereafter, shall be inapplicable, inoperable, and of no effect unless reenacted by the legislature following hearings held by the House and Senate Committees on Transportation, Highways and Public Works on the efficiency, effectiveness, and fiscal impact of the program. If reenacted by the legislature, the Highway Maintenance Program shall

be implemented in all other department districts, adding one district to the program per fiscal year in the following order: District 4, 5, 8, 58, 7, 61, 62, and 2.

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

Section 3. The provisions of Section 2 of this Act shall become effective on January 1, 1998, but only in the event that the department fails to begin the implementation of the projects contained in this Act by January 1, 1998."

Rep. Jack Smith moved the adoption of the amendments.

Rep. Riddle objected.

By a vote of 58 yeas and 33 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Weston to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

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

"The Department of Transportation and Development shall also improve the road striping at the intersection of Greenwell Springs Road and Lanier Drive in East Baton Rouge Parish."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

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

"The Department of Transportation and Development shall also erect a sign identifying the location of the "Opportunities Industrialization Center" two-tenths of a mile north of the intersection of U.S. Highway 165 Bypass and Richwood Road No. 1 and a sign two-tenths of a mile south of the intersection of U.S. 165 Bypass and Richwood Road No. 2."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Heaton to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

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

"The Department of Transportation and Development shall also construct a left turn lane and install a traffic signal at the intersection of South Carrollton Avenue and Tulane Avenue in Orleans Parish."

Rep. Heaton moved the adoption of the amendments.

Rep. Diez objected.

By a vote of 64 yeas and 19 nays, the amendments were adopted.

Rep. Willard-Lewis sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Willard-Lewis to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, delete lines 3 and 4 in their entirety and insert in lieu thereof "various signs and lights, to generally improve the conditions of various highways and intersections in the state and to notify the motoring public of certain areas; and to"

AMENDMENT NO. 2

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

"The department shall also: install a sign north and southbound on Interstate 510 before exit 247 directing traffic to the "New Orleans Truck Plaza - Exit 247"; replace the signs on LA Highways 428 and 407 which indicate the location of "Holy Cross College" at the intersection of Woodland Drive and DeGaulle Drive in the Parish of Orleans; install signs on Interstate 10 westbound between Power Boulevard and Williams Boulevard stating "Kenner - next two exits".

Section 2. The Department of Transportation and Development shall install the appropriate size and number of traffic signal lights at the following intersections:

- A. Haynes and Bullard Road in the parish of Orleans.
- B. Perkins Road at an appropriate location between Siegen Lane and Bluebonnet Drive in East Baton Rouge Parish.
- C. LA Highway 353 at Parish Road 7 in St. Martin Parish.
- D. Plank Road and Comite Drive in East Baton Rouge Parish.
- E. Jefferson Highway and Wrenwood Boulevard in the parish of East Baton Rouge.
- F. LA Highway 16 and Louisiana Highway 1025 in the parish of Livingston.
- G. U.S. Highway 65 East and Edwin Street in Morehouse Parish.
- H. LA Highway 660 and Bayou Gardens Boulevard in the parish of Terrebonne.
- I. Windsor and Wyngate in the parish of Caddo.

J. Foster Drive and Greenwell Springs Road in the parish of East Baton Rouge.

Section 3. The Department of Transportation and Development shall install turning signal lights at the following existing traffic signal lights at the following intersections:

- A. LA Highway 3089 and LA Highway 308, by adding a left turn signal on the existing traffic light in the parish of Ascension.
- B. LA Highway 616 at Kiroli Road southbound direction only in the parish of Ouachita.

Section 4. The Department of Transportation and Development shall install flashing caution lights at the following locations:

- A. In front of Stanley High School on Highway 84 West in the parish of DeSoto.
- B. Intersection of Old Hammond Highway and Chevelle in the parish of East Baton Rouge.
- C. I-10 East exit from the Crescent City Connection in the parish of Orleans.
- D. Tupelo Street at St. Claude Avenue in the parish of Orleans.
- E. LA Highway 115-107 in Ward One, across from the Post Office in Avoyelles Parish.
- F. At 8508 Greenwell Springs Road in the parish of East Baton Rouge.

G. On Highway 1207, at a distance between 150 and 700 feet on both the northbound and southbound sides thereof, near Buckeye Elementary, Hayden R. Lawrence Middle School, and Buckeye High School in the parish of Rapides.

Section 5. The Department of Transportation and Development shall restripe Highway 90 from Alelia to Houma.

Section 6. The Department of Transportation and Development shall construct the following turn lanes:

- A. A right turn lane at the intersections on Jefferson Highway at Corporate Blvd. and on Jefferson Highway at Old Hammond Highway in the parish of East Baton Rouge.
- B. A left turn lane for the southbound traffic on LA Highway 1 at its intersection with Matthews Bridge in Matthews, Louisiana.
- C. Left turn lanes at the intersection of LA Highway 757 and U.S. Highway 190 in the city of Eunice in the parish of St. Landry.

Section 7. The Department of Transportation and Development shall reduce the speed limit as follows:

- A. To 35 mph in the area of Gibson Community Center on Highway 90 in the parish of Terrebonne.
- B. To 30 mph on LA Highway 13 in the village of Pine Prairie.
- C. To 20 mph on LA Highway 755 at Louisiana State University at Eunice during the time period of 8:00 a.m. to 10:00 a.m. and 11:00 a.m. to 2:00 p.m. and install appropriate flashing warning lights to notify motorists of such reduction in the speed limit.

Section 8. The Department of Transportation and Development shall four-lane Highway 8 West, beginning at the junction of

Highway 171 and Highway 8 West and proceeding to the Louisiana/Texas state line.

Section 9. The Department of Transportation and Development shall install appropriate lighting and markings at the intersection of LA Highways 406 and 407.

Section 10. The Department of Transportation and Development shall construct the following crossovers and turn lanes:

A. In the median at the intersection of LA Highway 3125 and Wilfred Duet Street in Golden Meadow, Louisiana.

B. On U.S. Highway 190 at the entrance to Three Mile Lake in St. Landry Parish.

Section 11. The Department of Transportation and Development shall designate the following areas as "no-passing" zones:

A. On LA Highway 13 through the village of Pine Prairie in the parish of Evangeline.

B. For a distance of seven-tenths of a mile of LA Highway 10 beginning two-tenths of a mile east of its intersection with LA Highway 13 in the parish of Evangeline."

On motion of Rep. Willard-Lewis, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kenney to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

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

"The Department of Transportation and Development shall install flashing caution lights in front of Winnsboro Junior High School on Highway 4 in Franklin Parish."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Weston to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, after line 12, insert the following:

"Section 2. The Department of Transportation and Development shall install "Advance Warning" signs on both the northbound and southbound sides of Greenwell Springs Road and Lanier Drive in the parish of East Baton Rouge."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wright to Engrossed House Bill No. 1152 by Representative Jack Smith

AMENDMENT NO. 1

On page 1, after line 12, insert the following:

"Section 2. The Department of Transportation and Development shall install a "Traffic signal" at the intersection of LA 127 and Southern Avenue."

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

Rep. Jack Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Pratt
Alexander, A.—93rd	Guillory	Quezaira
Ansardi	Heaton	Romero
Barton	Hebert	Rousselle
Bowler	Holden	Salter
Bruneau	Hopkins	Scalise
Carter	Hunter	Schneider
Clarkson	Jenkins	Shaw
Copelin	Jetson	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Curtis	LeBlanc	Strain
Damico	Long	Theriot
Daniel	Martiny	Thomas
Deville	McCain	Thompson
DeWitt	McCallum	Thornhill
Doerge	McDonald	Triche
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Forster	Murray	Willard-Lewis
Frith	Odinet	Windhorst
Fruge	Perkins	Wright
Gautreaux	Pierre	
Glover	Pinac	
Total—79		

NAYS

Baudoin	Hudson	Stelly
Chaisson	Kennard	Toomy
Diez	Landrieu	Travis
Fontenot	Powell	Vitter
Hammett	Riddle	Winston
Total—15		

ABSENT

Mr. Speaker	Brun	Johns
Alexander, R.—13th	Dimos	Lancaster
Baylor	Hill	Marionneaux
Bruce	Iles	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Jack Smith 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.

Consent Calendar

HOUSE BILL NO. 2379—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 51:1265, relative to the office of tourism; to provide for the creation and establishment of a logo to indicate authentic Cajun-Creole cooking; and to provide for related matters.

Called from the calendar.

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	Green	Pratt
Alario	Guillory	Quezairé
Alexander, A.—93rd	Hammett	Riddle
Alexander, R.—13th	Heaton	Romero
Ansardi	Hebert	Rousselle
Barton	Holden	Salter
Baudoin	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Clarkson	Jetson	Stelly
Copelin	Johns	Strain
Crane	Kennard	Theriot
Curtis	Kenney	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Déville	Long	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Montgomery	Weston
Flavin	Morréll	Wiggins
Fontenot	Morrish	Wilkerson
Forster	Odinet	Willard-Lewis
Frith	Perkins	Windhorst
Früge	Pierre	Wright
Gautreaux	Pinac	
Glover	Powell	
Total—94		

NAYS

Bowler	Murray	Winston
Total—3		

ABSENT

Baylor	Faucheux	Marionneaux
Brun	Hill	Mitchell
Dimos	Lancaster	

Total—8

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.

Regular Calendar

HOUSE BILL NO. 8—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 32:667.1, relative to motor vehicles and traffic regulation; to provide for an identification sticker to be placed upon all vehicles registered to a person convicted of the offense of operating a motor vehicle while intoxicated; to provide for exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 8 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 4, after "convicted of the" and before "offense", insert "third"

AMENDMENT NO. 2

On page 1, line 10, after "Following a" and before "conviction", insert "third"

Rep. Jack Smith moved the adoption of the amendments.

Rep. Bruneau objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bruce	Hunter	Rousselle
Carter	Iles	Smith, J.D.—50th
Chaisson	Jenkins	Smith, J.R.—30th
Curtis	Kenney	Thomas
Doerge	Marionneaux	Thornhill
Früge	Michot	Welch
Glover	Morrish	Weston
Guillory	Murray	Wilkerson
Hammett	Pinac	Willard-Lewis
Holden	Quezairé	Winston
Hudson	Riddle	Wright
Total—33		

NAYS

Alario	Faucheux	Montgomery
Alexander, A.—93rd	Flavin	Odinet

Alexander, R.—13th	Fontenot	Perkins
Ansardi	Forster	Powell
Baudoin	Gautreaux	Pratt
Bowler	Green	Salter
Bruneau	Heaton	Scalise
Clarkson	Hebert	Stelly
Copelin	Hill	Thompson
Crane	Johns	Toomy
Damico	Kennard	Travis
Daniel	Landrieu	Triche
DeWitt	LeBlanc	Vitter
Diez	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Wiggins
Farve	McMains	Windhorst
Total—51		

ABSENT

Mr. Speaker	Frith	Morrell
Barton	Hopkins	Pierre
Baylor	Jetson	Romero
Brun	Lancaster	Schneider
Deville	Long	Shaw
Dimos	Martiny	Strain
Donelon	Mitchell	Theriot
Total—21		

The amendments were rejected.

Motion

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

Rep. Doerge objected.

By a vote of 57 yeas and 23 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Gautreaux	Salter
Alexander, A.—93rd	Heaton	Scalise
Alexander, R.—13th	Hebert	Shaw
Ansardi	Hill	Smith, J.R.—30th
Bruneau	Iles	Stelly
Clarkson	Johns	Thomas
Crane	LeBlanc	Travis
Diez	McCain	Triche
Dupre	McCallum	Vitter
Durand	McDonald	Walsworth
Farve	McMains	Wiggins
Flavin	Montgomery	Willard-Lewis
Forster	Perkins	Windhorst
Frith	Powell	
Total—41		

NAYS

Alario	Glover	Pinac
Barton	Green	Pratt
Baudoin	Guillory	Quezairé
Bowler	Hammitt	Riddle
Bruce	Holden	Rousselle
Chaisson	Hudson	Smith, J.D.—50th
Copelin	Hunter	Thompson

Curtis	Jenkins	Thornhill
Damico	Kennard	Toomy
Daniel	Kenney	Warner
Deville	Landrieu	Welch
DeWitt	Marionneau	Weston
Doerge	Michot	Wilkerson
Faucheux	Morrish	Winston
Fontenot	Murray	Wright
Frige	Odinot	
Total—47		

ABSENT

Baylor	Jetson	Pierre
Brun	Lancaster	Romero
Carter	Long	Schneider
Dimos	Martiny	Strain
Donelon	Mitchell	Theriot
Hopkins	Morrell	
Total—17		

The chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

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

HOUSE BILL NO. 42—
BY REPRESENTATIVES STELLY AND FAUCHEUX
AN ACT

To enact R.S. 9:307, relative to child support; to require under certain circumstances an accounting of the expenses of the child; to provide terms, procedures, and requirements; and to provide for related matters.

Read by title.

Motion

Rep. Stelly moved that House Bill No. 42 be designated as a duplicate of Senate Bill No. 144.

Which motion was agreed to.

Motion

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

Suspension of the Rules

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

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

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

HOUSE BILL NO. 198—
BY REPRESENTATIVES TRAVIS, R. ALEXANDER, CLARKSON,
DEVILLE, DEWITT, FLAVIN, MICHOT, PERKINS, PINAC, JACK SMITH,
THOMPSON, AND WIGGINS AND SENATORS BEAN AND SHORT
AN ACT

To enact Chapter IV of Code Title XV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3889 through 3897, relative to real estate transactions; to provide relative to dual agents; to provide definitions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Short to Engrossed House Bill No. 198 by Representative Travis. (Duplicate of Senate Bill No. 224)

AMENDMENT NO. 1

On page 1, line 2, change "IV" to "4"

AMENDMENT NO. 2

On page 1, line 3, change "9:3889 through 3897" to "9:3891 through 3899"

AMENDMENT NO. 3

On page 1, line 4, after "relative" delete the remainder of the line in its entirety, on line 5, delete "definitions;" and insert in lieu thereof the following:

"various agency relationships in real estate transactions; to provide for duties and liabilities between agents, clients, and other people;"

AMENDMENT NO. 4

On page 1, line 7, change "IV" to "4"

AMENDMENT NO. 5

On page 1, line 8, change "9:3889 through 3897," to "9:3891 through 3899,"

AMENDMENT NO. 6

On page 1, delete line 10 in its entirety and insert in lieu thereof the following:

"CHAPTER 4. AGENCY RELATIONS
IN REAL ESTATE TRANSACTIONS"

AMENDMENT NO. 7

On page 1, line 11, change "§3889." to "§3891."

AMENDMENT NO. 8

On page 2, line 9, after "client" change the semicolon ";" to a comma "," and between "time" and the colon ":" insert "any of the following occurs"

AMENDMENT NO. 9

On page 2, line 10, after "conduct" change the semicolon ";" to a period "."

AMENDMENT NO. 10

On page 2, line 11, after "law" change the semicolon ";" to a period "." and delete the remainder of the line.

AMENDMENT NO. 11

On page 3, line 3, after "transaction." delete the remainder of the line and delete lines 4 and 5 in their entirety.

AMENDMENT NO. 12

On page 4, line 1, change "client" to "person"

AMENDMENT NO. 13

On page 4, line 7, change "§3890." to "§3892."

AMENDMENT NO. 14

On page 4, line 15, change "§3891." to "§3893."

AMENDMENT NO. 15

On page 5, line 18, change "§3892." to "§3894."

AMENDMENT NO. 16

On page 6, line 5, change "§3893." to "§3895."

AMENDMENT NO. 17

On page 6, line 13, change "§3894." to "§3896."

AMENDMENT NO. 18

On page 6, line 17, change "§3895." to "§3897."

AMENDMENT NO. 19

On page 7, line 21, change "must" to "shall"

AMENDMENT NO. 20

On page 8, line 16, change "§3896." to "§3898."

AMENDMENT NO. 21

On page 8, line 21, change "§3897." to "§3899."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 198 by Representative Travis

AMENDMENT NO. 1

In Senate Floor Amendment No. 3 proposed by Senator Short and adopted by the Senate on May 6, 1997, on page 1, line 8, before "various" insert "to"

AMENDMENT NO. 2

On page 2, line 17, following "to" and before "broker" change "their" to "his"

AMENDMENT NO. 3

On page 3, line 19, following "questions" and before "persons" change "of" to "from"

AMENDMENT NO. 4

On page 4, line 11, following "whom" and before "working" change "they are" to "he is"

AMENDMENT NO. 5

On page 8, line 19, following "the" and before "in" change "brokers" to "broker"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed House Bill No. 198 by Representative Travis

AMENDMENT NO. 1

On page 2, line 11, after "law" insert "or would reveal serious defect"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 198 by Representative Travis

AMENDMENT NO. 1

On page 5, line 13, after "knew" insert "or should have known"

Rep. Travis moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in two columns.

NAYS

Total—0

ABSENT

Table listing names of members who were 'ABSENT'.

Total—6

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 200— BY REPRESENTATIVE TRAVIS AN ACT

To amend and reenact R.S. 37:1455(A)(21) and 1467, relative to real estate agency disclosure; to provide that licensees shall provide parties to a real estate transaction with an agency disclosure form or pamphlet; to provide that the Louisiana Real Estate Commission may prescribe such forms or pamphlets; to provide for causes for censure, suspension, or revocation of license, registration, or certification; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Short to Engrossed House Bill No. 200 by Representative Travis (Duplicate of Senate Bill No. 849)

AMENDMENT NO. 1

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

"delete the requirement that a licensed real estate agent is the agent or subagent of the seller unless there is a disclosure agreement to the contrary; to provide for agency disclosure informational pamphlets and other disclosure forms; and to provide for"

AMENDMENT NO. 2

On page 2, line 9, delete "disclosure"

AMENDMENT NO. 3

On page 2, line 19, before "Licensees" insert "A."

AMENDMENT NO. 4

On page 2, delete line 21 in its entirety and insert in lieu thereof the following:

"applicable, a dual agency disclosure form as mandated under R.S. 9:3895.

B. The"

Rep. Travis moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns.

Barton	Hebert	Salter
Baudoin	Hill	Scalise
Baylor	Holden	Schneider
Bowler	Hopkins	Shaw
Bruce	Hudson	Smith, J.D.—50th
Brun	Hunter	Smith, J.R.—30th
Bruneau	Iles	Stelly
Carter	Jenkins	Strain
Chaisson	Jetson	Theriot
Clarkson	Johns	Thomas
Copelin	Kennard	Thompson
Crane	Kenney	Thornhill
Curtis	Landrieu	Toomy
Damico	LeBlanc	Travis
Daniel	Marionneaux	Triche
Deville	Martiny	Vitter
DeWitt	McCain	Walsworth
Diez	McCallum	Warner
Doerge	McMains	Welch
Donelon	Michot	Weston
Dupre	Montgomery	Wiggins
Durand	Morrell	Wilkerson
Faucheux	Morrish	Willard-Lewis
Flavin	Odinot	Windhorst
Fontenot	Perkins	Winston
Forster	Pierre	Wright
Frith	Pinac	
Fruge	Powell	
Total—97		

NAYS

Farve	Murray
Total—2	

ABSENT

Dimos	Lancaster	McDonald
Gautreaux	Long	Mitchell
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1437—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1437 by Representative Alario

AMENDMENT NO. 1

On page 2, line 2, following "their" and before "withholding" change "employer" to "employer's"

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Alexander, R.—13th	Heaton	McDonald
Dimos	Kennard	Mitchell
Gautreaux	Lancaster	Romero
Total—9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1821 (Duplicate of Senate Bill No. 1199)—
BY REPRESENTATIVE MCCAIN AND SENATOR GUIDRY AND
COAUTHORED BY SENATOR DARDENNE
AN ACT

To amend and reenact Civil Code Art. 2375(A) and (C) and R.S. 9:2801(1)(a) and (2) and to enact R.S. 13:1415, relative to community property; to provide retroactive effect of termination of the community property regime to the date of filing of the original petition in certain cases; to clarify the time within which a party must file or traverse a sworn detailed descriptive list; to provide family courts with exclusive jurisdiction over actions for partition of property acquired pursuant to a matrimonial regime, actions seeking a termination or modification of a matrimonial regime, and actions for the settlement and enforcement of claims and for enforcement of judicial or

contractual settlements related to matrimonial regimes; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Guidry to Reengrossed House Bill No. 1821 by Representative McCain (Duplicate of Senate Bill No. 1199)

AMENDMENT NO. 1

On page 1, line 3, after "relative to" delete the remainder of the line, delete lines 4 through 12, and insert the following:

"civil jurisdiction and procedure; to provide for jurisdiction over certain property of a community; to provide for the time in which to file motions relative to settlement of co-ownership of community property; and to provide for related matters."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guidry to Engrossed House Bill No. 1821 by Representative McCain

AMENDMENT NO. 1

In Amendment No. 1 proposed by Senator Guidry and adopted by the Senate on May 7, 1997, on line 6 thereof, between "property;" and "and" insert "to provide exclusive jurisdiction in family courts in certain matters relating to matrimonial regimes;"

Rep. McCain moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Alario, Alexander, A.—93rd, Alexander, R.—13th, Ansardi, Barton, Baudoïn, Baylor, Bowler, Bruce, Brun, Bruneau, Carter, Chaisson, Clarkson, Copelin, Crane, Curtis, Damico, Daniel, Deville, DeWitt, Diez, Doerge, Gautreaux, Glover, Green, Guillory, Hammett, Heaton, Hebert, Hill, Holden, Hopkins, Hudson, Hunter, Iles, Jenkins, Jetson, Johns, Kennard, Kenney, Landrieu, LeBlanc, Marionneaux, Martiny, McCain, McCallum, Pinac, Powell, Pratt, Quezairé, Riddle, Rousselle, Salter, Scalise, Schneider, Shaw, Smith, J.D.—50th, Smith, J.R.—30th, Stelly, Strain, Theriot, Thomas, Thompson, Thornhill, Toomy, Travis, Triche, Vitter, Walsworth, Warner

Table with 3 columns of names: Donelon, Dupre, Durand, Farve, Flavin, Fontenot, Forster, Frith, Fruge, Total—97, McMains, Michot, Montgomery, Morrell, Morrish, Murray, Odinet, Perkins, Pierre, Weston, Wiggins, Wilkerson, Willard-Lewis, Windhorst, Winston, Wright

NAYS

Total—0

ABSENT

Table with 3 columns of names: Dimos, Fauchoux, Lancaster, Total—8, Long, McDonald, Mitchell, Romero, Welch

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. DeWitt, 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. 55—

BY REPRESENTATIVE COPELIN A RESOLUTION

To amend and readopt House Rule 14.13 of the Rules of Order of the House of Representatives to require a favorable vote of two-thirds of the total membership of a committee in order to reschedule a legislative instrument which has been deferred by the committee over objection; to provide relative to the scheduling of such an instrument; to provide that a motion to suspend such provision is debatable; and to provide for related matters.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 179—

BY REPRESENTATIVE DEWITT A CONCURRENT RESOLUTION

To recognize and commend the Rapides High School Lady Mustangs for their outstanding basketball season and their performance in the Sweet Sixteen State Championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 180—
 BY REPRESENTATIVES R. ALEXANDER, HUNTER, MORRELL,
 MURRAY, QUEZAIRE, JETSON, LANDRIEU, MONTGOMERY, RIDDLE,
 CLARKSON, GLOVER, WESTON, PRATT, AND GULLORY

A CONCURRENT RESOLUTION

To authorize the Department of Social Services to proceed with the implementation of the Electronic Benefit Transfer Program for the issuance of benefits in the Food Stamp Program and the Family Independence Temporary Assistance Program statewide.

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 Agriculture

May 16, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 2459, by Montgomery
 Reported with amendments. (12-0) (Regular)

Senate Bill No. 550, by Hainkel
 Reported favorably. (15-0) (Regular)

Senate Bill No. 1458, by Theunissen
 Reported favorably. (16-0) (Regular)

R.H. "BILL" STRAIN
 Chairman

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

Report of the Committee on Labor and Industrial Relations

May 16, 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:

Senate Bill No. 922, by Dardenne
 Reported favorably. (8-5-1) (Regular)

GAREY FORSTER
 Chairman

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

Report of the Committee on Judiciary

May 16, 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. 71, by Faucheux
 Reported with amendments. (10-0-1) (Regular)

House Bill No. 75, by Faucheux
 Reported with amendments. (10-0-1) (Regular)

House Bill No. 189, by Faucheux
 Reported favorably. (10-0-1) (Regular)

House Bill No. 341, by Toomy
 Reported with amendments. (9-0-1) (Regular)

House Bill No. 466, by Faucheux
 Reported favorably. (10-0-1) (Regular)

House Bill No. 2251, by Hebert
 Reported with amendments. (7-3-1) (Regular)

House Bill No. 2369, by Deville
 Reported favorably. (8-0-1) (Regular)

House Bill No. 2410, by Marionneaux
 Reported favorably. (9-0-1) (Regular)

Senate Bill No. 471, by Cox
 Reported favorably. (10-0-1) (Regular)

Senate Bill No. 475, by Jordan
 Reported favorably. (10-0-1) (Regular)

Senate Bill No. 891, by Jordan
 Reported favorably. (10-0-1) (Regular)

Senate Bill No. 1547, by Ullo
 Reported with amendments. (9-0-1) (Regular)

JOSEPH F. TOOMY
 Chairman

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

Leave of Absence

Rep. Dimos - 1 day

Adjournment

On motion of Rep. LeBlanc, at 12:45 P.M., the House agreed to adjourn until Monday, May 19, 1996, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Monday, May 19, 1996.

ALFRED W. SPEER
 Clerk of the House

C. Wayne Hays
 Journal Clerk, *Emeritus*

