

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

FORTY-SEVENTH 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, June 6, 1997

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

Morning Hour

ROLL CALL

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

PRESENT

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

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

ABSENT

Total—0

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

Prayer

Prayer was offered by Rev. Lee.

Pledge of Allegiance

Rep. Riddle 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. Stelly, the reading of the Journal was dispensed with.

On motion of Rep. Bowler, the Journal of June 5, 1997, was corrected to reflect her as voting nay on final passage of House Bill No. 2372.

On motion of Rep. Hudson, the Journal of June 5, 1997, was corrected to reflect him as voting absent on final passage of House Bill No. 2464.

On motion of Rep. Stelly, the Journal of June 5, 1997, was adopted.

Privileged Report of the Legislative Bureau

June 6, 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. 54
 Reported without amendments.

Senate Bill No. 151
 Reported without amendments.

Senate Bill No. 161
 Reported without amendments.

Senate Bill No. 165
 Reported without amendments.

Senate Bill No. 223
 Reported without amendments.

Senate Bill No. 361
 Reported without amendments.

Senate Bill No. 447
 Reported without amendments.

Senate Bill No. 448
 Reported without amendments.

Senate Bill No. 667
 Reported without amendments.

Page 2 HOUSE

47th Day's Proceedings - June 6, 1997

Senate Bill No. 681
Reported without amendments.

Senate Bill No. 914
Reported without amendments.

Senate Bill No. 916
Reported with amendments.

Senate Bill No. 940
Reported without amendments.

Senate Bill No. 956
Reported without amendments.

Senate Bill No. 1022
Reported without amendments.

Senate Bill No. 1190
Reported without amendments.

Senate Bill No. 1198
Reported with amendments.

Senate Bill No. 1243
Reported without amendments.

Senate Bill No. 1244
Reported without amendments.

Senate Bill No. 1273
Reported without amendments.

Senate Bill No. 1295
Reported without amendments.

Senate Bill No. 1368
Reported with amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Petitions, Memorials and Communications

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 6, 1997

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 7, 15, 20, 21, 25, 48, and 80

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 6, 1997

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 51, 172, 190, 382, 389, 439, 471, 475, 536, 550, 782, 891, 960, 997, 1399, 1432, 1458, and 1466

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

Message from the Senate

SENATE BILLS

June 6, 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. 633, 1194, and 1199

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Weston, 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. 633—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 23:1015.2, relative to employee leave; to require employers to grant leave to employees to attend conferences or classroom activities of their children; to prohibit employers from penalizing employees who attend such school activities; and to provide for related matters.

Read by title.

SENATE BILL NO. 1194—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 23:1006(D), relative to discrimination in employment; to provide with respect to the suspension of the prescriptive period for a cause of action pending an administrative review or investigation; and to provide for related matters.

Read by title.

SENATE BILL NO. 1199—
BY SENATORS GUIDRY AND DARDENNE

AN ACT

To amend and reenact R.S. 9:2801(1)(a) and (2) and Civil Code Art. 2375(A) and (C), and to enact R.S. 13:1415, relative to 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.

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 216—
BY REPRESENTATIVE WESTON

A CONCURRENT RESOLUTION

To urge and request the superintendent of state buildings to investigate and locate a possible site for and to cooperate in the implementation and maintenance of a memorial to public service employees killed while serving the public.

Read by title.

Lies over under the rules.

**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. 78—
BY REPRESENTATIVE MONTGOMERY

A RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study and review the requirements of Bulletin 1475: Operational and Vehicle Maintenance Procedures and determine if it is essential that an individual school bus driver be able to lift the hood or open the vehicle's engine compartment so long as the appropriate inspections occur by qualified persons and determine also if the current provisions of Bulletin 1475

unduly restrict who may be considered for a position of school bus driver by making such lifting and opening a driver's responsibility and report to the House Committee on Education.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To recognize the importance of and express legislative intent to provide funds for expanding character education in Louisiana public elementary and secondary schools through the efforts of Louisiana State University Agricultural Center and the Cooperative Extension Service's 4-H Youth Development Program.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 215—
BY REPRESENTATIVES LONG, R. ALEXANDER, AND WRIGHT AND SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing two community colleges in central Louisiana serving specified geographic areas and that meet certain specified criteria relative to the use of existing state and local resources and education facilities and to provide for a written report to the legislature on study findings and recommendations.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 215 by Representative Long

AMENDMENT NO. 1

On page 1, line 3, after "establishing" delete the remainder of the line and delete line 4 and at the beginning of line 5 delete "and Winn and that meets" and insert in lieu thereof the following:

"two community colleges in central Louisiana serving specified geographic areas and that meet"

AMENDMENT NO. 2

On page 2, line 21, after "Winn" and before "the" delete "and that meets" and insert in lieu thereof the following:

"and a community college in central Louisiana that has as its primary service delivery area the parishes of Bienville, Claiborne, and Webster and that meet"

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

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

Senate Concurrent Resolutions Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue and Taxation, Department of Health and Hospitals, Department of Social Services, the Louisiana Lottery Corporation, and the Louisiana Gaming Commission to jointly study the possibility of creating a mechanism which could determine if an individual owes money to the state or has received public assistance benefits and provide for a deduction from moneys received from lottery, river boat, or casino gaming proceeds.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATORS HINES, CRAVINS, FIELDS, SHORT, BAJOIE, BEAN, CAMPBELL, COX, DEAN, GUIDRY, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, ROBICHAUX, ROMERO, SMITH, TARVER, AND ULLO

A CONCURRENT RESOLUTION

To urge and request the governor to provide in the 1997-98 Fiscal Year budget a six hundred dollar per employee salary increase for all school support personnel employed by the sixty-six public school systems and for nonpublic lunchroom employees eligible for state salary supplements.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Concurrent Resolution No. 5 by Senator Hines, et al.

AMENDMENT NO. 1

On page 2, line 19, after "3000);" and before "and" insert "for school bus drivers, school security personnel, and school crossing guards;"

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

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

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATORS ELLINGTON AND DARDENNE AND REPRESENTATIVE FORSTER

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to submit recommendations for the governance structure of postsecondary technical training and adult education, including but not limited to proprietary schools, technical colleges, community colleges, junior colleges, and literacy or adult education programs.

Read by title.

Reported favorably by the Committee on Education.

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

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATORS JORDAN, HAINKEL, GREENE, DARDENNE, CASANOVA, CRAVINS, SHORT, JONES, BRANCH, MALONE, EWING, BARHAM AND ROBICHAUX

A CONCURRENT RESOLUTION

To direct the Board of Regents to conduct a study regarding the establishment of a statewide community college system; to adopt a proposal to establish such a system, and to recommend the proposal to a special joint legislative committee; to establish a special joint legislative committee to receive the report of the Board of Regents, review it, and make recommendations regarding it to the legislature; and to direct dates by which all such activity shall occur.

Read by title.

Reported favorably by the Committee on Education.

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

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 80—
BY SENATOR LANDRY

AN ACT

To enact R.S. 56:410.8, relative to wildlife and fisheries; to create a special catfish management area; to create a permit program within such area; to require promulgation of rules and regulations; to provide for funding; 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 Engrossed Senate Bill No. 80 by Senator Landry

AMENDMENT NO. 1

On page 2, line 2, after "length" delete "headed,"

AMENDMENT NO. 2

On page 2, line 4, after "fishermen" delete the comma "," and "both resident and nonresident," and insert "participating in the special permit program"

AMENDMENT NO. 3

On page 2, line 5, after "catfish" insert "less than eleven inches total length"

AMENDMENT NO. 4

On page 2, line 7, after "dealers" delete the comma "," and "both resident and nonresident," and insert "participating in the special permit program"

AMENDMENT NO. 5

On page 2, line 7, delete "fish by" and on line 8, delete "any means whatsoever" and insert "channel catfish less than eleven inches total length"

AMENDMENT NO. 6

On page 3, line 2, after "fee" insert "shall be established" and after "catfish" insert "less than eleven inches total length"

AMENDMENT NO. 7

On page 3, line 5, after "fee" insert "shall be established" and after "catfish" insert "less than eleven inches total length"

AMENDMENT NO. 8

On page 3, after line 16, add the following:

"E. The commission shall submit to the legislature no later than March 1, 2001, a report concerning the status of the catfish management program required by the provisions of this Section.

"F. The provisions of this Section shall become null and void and of no effect on July 1, 2001, and the catfish management program and area provided for in this Section shall terminate on that date."

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. 80 by Senator Landry

AMENDMENT NO. 1

On page 1, line 14, following "the" and before "Canal" change "Intercoastal" to "Intracoastal"

AMENDMENT NO. 2

On page 3, line 13, following "shall" and before "become" delete "only" and on line 14, following "effective" and before "if" insert "only"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 362—

BY SENATOR GREENE (BY REQUEST)
AN ACT

To amend and reenact R.S. 56:326.6(A), relative to bowfin; to include certain parishes in the commercial bowfin season; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 500—

BY SENATORS HINES AND LANDRY
AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.116, relative to health care; to enact the Rural Hospital Preservation Act; to provide for legislative findings and purpose; to provide definitions; to provide for certain reimbursements in the state Medicaid plan; to provide for promulgation of such reimbursement provisions; to prohibit exclusion of hospitals in a rural area from certain health care organizations; to provide for certain additional protection for hospitals in a rural area; 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 Engrossed Senate Bill No. 500 by Senator Hines

AMENDMENT NO. 1

On page 4, delete line 6, and insert the following:

"(ii) Meets the qualifications of a sole community hospital under 42 CFR 412.92(a)."

AMENDMENT NO. 2

On page 6, delete line 8 and insert "maintenance organizations, other entities authorized by law to bear risk for the payment of health care services, and"

AMENDMENT NO. 3

On page 6, line 12, after "shall" and before "offer" insert a comma "," and the following:

"in parishes in which enrollees or beneficiaries of the organization reside or in parishes which the organization services."

AMENDMENT NO. 4

On page 6, line 15, delete "the same terms and conditions" and insert "terms and conditions that are"

Page 6 HOUSE

47th Day's Proceedings - June 6, 1997

AMENDMENT NO. 5

On page 6, line 16, after "hospitals" delete the period "." and insert "and physicians practicing at such hospitals."

AMENDMENT NO. 6

On page 6, delete lines 21 through 23 in their entirety.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 500 by Senator Hines

AMENDMENT NO. 1

On page 2, line 25, following "care," and before "caused" change "has" to "have"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 537—

BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To amend and reenact R.S. 27:25(A)(1) and (B)(1) and to enact R.S. 27:25(A)(3), 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; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 549—

BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
AN ACT

To enact R.S. 56:303.8, relative to the granting of licenses; to presume the possession of fish for commercial purposes only; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 579—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 9:224(A)(2) and 245(A)(1) and R.S. 40:34(C), and 57, and to enact R.S. 37:22, R.S. 40:34(B)(2)(s), and Code of Civil Procedure Art. 1923, relative to applications for various licenses, vital statistics records and registries, and certain judicial proceedings; to require the inclusion of the social security numbers of individuals therein; to require parties to paternity and child support proceedings to file and update information regarding their location, identity, and employment; 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 Reengrossed Senate Bill No. 579 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, delete "and 245(A)(1)"

AMENDMENT NO. 2

On page 1, line 11, delete "and 245(A)(1) are" and insert "is"

AMENDMENT NO. 3

On page 2, delete lines 3 through 11 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 724—

BY SENATORS CASANOVA AND CAIN
AN ACT

To enact R.S. 22:215.18 and 2018(E) and (F), relative to health care organizations; to provide for health and medical service contracts; to provide for requirements of provider contracts; to prohibit contracts between health insurers and health care providers which contain incentive provisions; 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 Engrossed Senate Bill No. 724 by Senator Casanova

AMENDMENT NO. 1

On page 2, lines 2, 7, 21, and 27, following "of" and before "with" change "insured" to "insureds"

AMENDMENT NO. 2

On page 2, line 17, following "include" and before "incentive" insert "an"

AMENDMENT NO. 3

On page 2, line 26, following "involving" and before "specific" insert "a"

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. 790—
BY SENATOR CAMPBELL

AN ACT

To enact Part XVI of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:369, and Chapter 9-C of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1357, relative to public property; to provide for the ownership of certain property purchased with certain funds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 959—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 15:587(A)(2) and R.S. 46:282(A), relative to access to criminal history information; to authorize the Department of Social Services, office of community services to access all criminal history record information maintained by the Louisiana Bureau of Criminal Identification and Information on foster and adoptive parent applicants and adult members of foster and adoptive parent households and to obtain and use Federal Bureau of Investigation criminal history records for screening those individuals; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 969—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:233.1, relative to certain public assistance benefits; to provide for a one year period of ineligibility for the receipt of certain public assistance or food stamp benefits for individuals convicted of certain drug related crimes; 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 Engrossed Senate Bill No. 969 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 6, after "incarcerated" change the comma "," to a period "." and delete the remainder of the line and delete lines 7 and 8 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1009—

BY SENATORS DARDENNE, HINES, CASANOVA, DYESS AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1231, 1231.1, 1231.2, 1232, 1233, and 1234(A), (B), (C), (D), and (F), to enact R.S. 36:259(FF) and 919.4 and R.S. 40:1232.1, 1232.2, 1232.3, 1232.4, 1232.5, 1232.6, 1232.7, 1232.8, 1232.9, 1232.10, and 1232.11, and to repeal R.S. 40:1234(G), relative to emergency medical services;

to provide for definitions; to create the Louisiana Emergency Medical Services Certification Commission in the Department of Health and Hospitals and to provide for appointment and confirmation of membership, qualifications, terms, vacancies, officers, reimbursements, removal, and powers and duties; to establish requirements for certification and renewal of certificates; to provide grounds for disciplinary action; to provide for notice and hearing on disciplinary matters; to provide for injunctive relief; to provide for violations and penalties; to provide for an exception to certification requirements; to authorize the promulgating of rules and regulations in regard to emergency medical services; to provide for scope of practice of emergency medical technicians and first responders; to provide for immunity from civil damages; to provide for duties relative to the bureau of emergency medical services; to designate statutory provisions into Subparts; 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 Reengrossed Senate Bill No. 1009 by Senator Dardenne

AMENDMENT NO. 1

On page 6, between lines 7 and 8, insert the following:

"(12) "Emergency medical services" or "EMS" means a system that represents the combined efforts of several professionals and agencies to provide prehospital emergency care to the sick and injured."

AMENDMENT NO. 2

On page 6, line 8, change "(12)" to "(13)"

AMENDMENT NO. 3

On page 6, line 16, change "(13)" to "(14)"

AMENDMENT NO. 4

On page 6, line 22, change "(14)" to "(15)"

AMENDMENT NO. 5

On page 7, line 3, change "(15)" to "(16)"

AMENDMENT NO. 6

On page 7, line 10, change "(16)" to "(17)"

AMENDMENT NO. 7

On page 7, line 13, change "(17)" to "(18)"

AMENDMENT NO. 8

On page 11, at the beginning of line 6, change "B." to "B.(1)"

AMENDMENT NO. 9

On page 11, line 6, after "nine" and before "members" insert "voting"

AMENDMENT NO. 10

On page 11, at the beginning of line 8, change "(1)" to "(a)"

AMENDMENT NO. 11

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

AMENDMENT NO. 12

On page 11, at the beginning of line 15, change "(3)" to "(c)"

AMENDMENT NO. 13

On page 11, at the beginning of line 17, change "(a)" to "(i)"

AMENDMENT NO. 14

On page 11, at the beginning of line 18, change "(b)" to "(ii)"

AMENDMENT NO. 15

On page 11, at the beginning of line 19, change "(c)" to "(iii)"

AMENDMENT NO. 16

On page 11, at the beginning of line 20, change "(d)" to "(iv)"

AMENDMENT NO. 17

On page 11, between lines 20 and 21 insert the following:

"(2) The commission shall also have one nonvoting member appointed by the governor who is a registered nurse and who is a state-certified paramedic to be nominated by the Louisiana State Nurses Association from a list of two names submitted by the Louisiana Emergency Nurses Association."

AMENDMENT NO. 18

On page 11, at the beginning of line 25, change "D." to "D.(1)"

AMENDMENT NO. 19

On page 11, line 25, after "initial" and before "members" insert "voting"

AMENDMENT NO. 20

On page 12, between lines 3 and 4, insert the following:

"(2) The nonvoting member shall be appointed to serve terms of three years. The initial member shall be appointed by the governor to an initial term of three years by October 1, 1997 or within thirty days of receipt of the list from the Louisiana State Nurses Association, whichever is later."

AMENDMENT NO. 21

On page 12, line 6, after "The" and before "members" insert "voting"

AMENDMENT NO. 22

On page 12, delete lines 13 through 16 and insert the following:

"G.(1) Subsequent to the appointment of the initial members, the voting members shall be appointed from a list of two nominees for each appointment submitted by the task force. No later than thirty days prior to the termination date of a member's term, the task force

or, for the nonvoting member, the Louisiana State Nurses Association, shall submit a list of nominees to the governor. If the Louisiana State Nurses Association or the task force fails to submit the required list of nominees to the governor within thirty days, the governor shall appoint the respective member to fill the vacancy without the nomination list required.

(2) A vacancy on the commission prior to the expiration of a term shall be filled for the remainder of the term. No later than thirty days after the occurrence of a vacancy prior to the expiration of a term, the task force or, for the nonvoting member, the Louisiana State Nurses Association, shall submit a list of nominees to the governor. If the Louisiana State Nurses Association or the task force fails to submit the required list of nominees to the governor within thirty days, the governor shall appoint the respective member to fill the vacancy without the nomination list required."

AMENDMENT NO. 23

On page 12, line 20, after "four" and before "members" insert "voting"

AMENDMENT NO. 24

On page 12, line 23, after "among its" and before "membership" insert "voting"

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. 1009 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, following "1233," delete "and"

AMENDMENT NO. 2

On page 1, line 3, following "(F)," and before "to" insert "1235, and 1236,"

AMENDMENT NO. 3

On page 3, line 8, following "1233," and before "1234(A)" delete "and"

AMENDMENT NO. 4

On page 3, line 9, following "(F)" and before "are" insert ", 1235, and 1236"

AMENDMENT NO. 5

On page 28, line 11, following "1231" and before "or" change "16" to "(15)"

AMENDMENT NO. 6

On page 28, line 12, before the comma change "40:1235(B)(1)" to "Paragraph (1) of this Subsection"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1025—

BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 22:215.8, relative to health insurance coverage; to provide for coverage for the treatment and correction of cleft lip and cleft palate; 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 Engrossed Senate Bill No. 1025 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 27, after "policies" insert a comma "," and insert "limited benefit policies, or specified disease policies"

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. 1123 —

BY SENATOR LANDRY AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:1749.12(3), (4), (6), (9), and (10), 1749.13(A) and (B)(1) and (2), 1749.14(C)(1)(a) and (b)(i), and (D), 1749.15, 1749.16(4), 1749.17, 1749.19, 1749.20 and 1749.21 and to enact R.S. 40:1749.12(11), (12), and (13), 1749.13(B)(5) and (D), 1749.14(C)(1)(b)(iii) and (iv), (C)(3), and (E), 1749.23, 1749.24 and 1749.25, all relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide definitions; to provide relative to excavation and demolition notification procedures and requirements; to provide for immunity from civil liability under certain circumstances; to provide relative to marking of facilities; to require certain actions by excavators and demolishers when there has been damage to an underground facility or utility; to provide relative to participation by municipalities or parish governments under certain circumstances; to provide for violations and penalties, including civil penalties and costs; to provide for enforcement by the Department of Public Safety and Corrections; to provide for proceedings and adjudications for the levying of civil penalties; to provide for the distribution of civil penalties; to create the Underground Damages Prevention Fund within the state treasury and provide for disbursements from such fund; to authorize local violation bureaus; to authorize the promulgation of rules by the Department of Public Safety and Corrections relative to enforcement; to provide for the uses of monies in such fund; to provide for compliance by the Department of Transportation and Development; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1178—
BY SENATORS BAGNERIS AND SCHEDLER
AN ACT

To amend and reenact Children's Code Articles 1186(A), 1187, 1273, 1276, 1277, and 1278 and to enact Articles 1279 and 1280, all relative to adoption; to authorize inspection of adoption records of adoption agencies, the Department of Social Services, and the courts by certain entities in conjunction with post-adoption work; to expand use of the voluntary registry to biological siblings who have attained the age of eighteen; to authorize the department or a licensed adoption agency to search for biological parent or sibling after the adopted person who has registered with the voluntary registry requests such a search; to provide for establishment of fees; 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 Reengrossed Senate Bill No. 1178 by Senator Bagneris

AMENDMENT NO. 1

On page 1, at the end of line 10, delete "to provide" and at the beginning of line 11 delete "for establishment of fees;"

AMENDMENT NO. 2

On page 3, line 5, after "department," delete the remainder of the line and at the beginning of line 6 delete "adoptee of a fee established by the department."

AMENDMENT NO. 3

On page 3, line 13, after "search," delete the remainder of the line and at the beginning of line 14 delete "fee established by the department."

AMENDMENT NO. 4

On page 3, line 21, after "rule" delete the colon ":" and at the beginning of line 22 delete "(I) Eligibility" and insert in lieu thereof "eligibility"

AMENDMENT NO. 5

On page 3, at the end of line 24, delete the semi-colon ";" and "and" and insert a period "."

AMENDMENT NO. 6

On page 3, delete lines 25 through 27 in their entirety

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. 1178 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 13, following "1276," insert "and"

AMENDMENT NO. 2

On page 2, between lines 25 and 26, insert three asterisks "****"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1185—
BY SENATOR GUIDRY
AN ACT

To amend and reenact R.S. 46:239(B) relative to school attendance requirements for children receiving public assistance; to specify grounds for school absences; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1202—
BY SENATOR CRAVINS
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 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. 1279—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact 46:56(F)(1) and 46:56(F)(4)(a) and to enact R.S. 46:56(F)(8) and (9), relative to the confidentiality of client case records; to provide for access to certain records by court-appointed children's attorneys and Court-Appointed Special Advocates; to authorize a local child protection unit to advise a judge under certain circumstances on the existence of certain records; to provide for public disclosure of information in certain circumstances; to define "near fatality"; to provide for confidentiality of an individual initiating a report or complaint; to provide for disclosure of certain information to a child abuse

citizen review panel and child fatality review panel; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1279 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 15, following "46:56" and before "(8)" insert "(F)"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1325—

BY SENATORS HINES, DYESS, ROBICHAUX AND SCHEDLER AND REPRESENTATIVES GAUTREAUX, JOHNS, RIDDLE, THOMPSON AND VITTER

AN ACT

To enact Subpart A-2 of Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:160.21 through 160.25, relative to the Medical Assistance Program; to provide for definitions; to require a health care provider agreement as a term and condition for payment of services rendered for the state Medical Assistance Program; to provide for terms, requirements, and conditions of such provider agreements; to provide for powers and duties of the Department of Health and Hospitals; to provide for application, enrollment, or denial of application of medical assistance provider; to provide for grounds for the denial of application, revocation, or suspension of any Medicaid provider agreement; to authorize payment of services and goods furnished by an entity prior to signing a provider agreement; 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 Engrossed Senate Bill No. 1325 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 3, and insert "R.S. 46:437.1 through"

AMENDMENT NO. 3

On page 1, line 4, delete "160.25," and insert "437.5,"

AMENDMENT NO. 4

On page 1, line 4, delete "Medical Assistance Program" and insert "medical assistance programs"

AMENDMENT NO. 5

On page 1, line 6, delete "state Medical" and insert "medical assistance programs"

AMENDMENT NO. 6

On page 1, line 7, delete "Assistance Program"

AMENDMENT NO. 7

On page 1, line 10, delete "of medical assistance" and insert "for enrollment as a health care"

AMENDMENT NO. 8

On page 1, line 12, delete "Medicaid"

AMENDMENT NO. 9

On page 1, line 13, delete "of services and goods" and insert "for goods, services, or supplies"

AMENDMENT NO. 10

On page 1, delete line 16, and insert the following:

"Section 1. R.S. 46:437.1 is hereby enacted to read as follows:

§437.1. Definitions

As used in this Part:

(1) "Agent" means a person who is employed by or has a contractual relationship with a health care provider or who acts on behalf of the health care provider.

(2) "Billing" or "bills" means submitting, or attempting to submit, a claim for goods, services, or supplies.

(3) "Claim" includes any request or demand, including any and all documents or information required by federal or state law or by rule, made against medical assistance programs funds for payment. A claim may be based on costs or projected costs and includes any entry or omission in a cost report or similar document, book of account, or any other document which supports, or attempts to support, the claim. A claim may be made through electronic means if authorized by the department. Each claim may be treated as a separate claim or several claims may be combined to form one claim."

AMENDMENT NO. 11

On page 2, delete lines 1 through 8

AMENDMENT NO. 12

On page 2, line 9, delete "(1)" and insert "(4)"

AMENDMENT NO. 13

On page 2, delete lines 11 through 17, and insert the following:

Page 12 HOUSE

47th Day's Proceedings - June 6, 1997

"(5) "Good, service, or supply" means any good, item, device, supply, or service for which a claim is made, or is attempted to be made, in whole or part.

(6) "Health care provider" means any person furnishing or claiming to furnish a good, service, or supply under the medical assistance programs, any other person defined as a health care provider by federal or state law or by rule, and a provider-in-fact.

(7) "Managing employee" means a person who exercises operational or managerial control over, or who directly or indirectly conducts, the day-to-day operations of a health care provider. "Managing employee" shall include, but is not limited to, a chief executive officer, president, general manager, business manager, administrator, or director.

(8) "Medical assistance programs" means the Medical Assistance Program (Title XIX of the Social Security Act), commonly referred to as "Medicaid", and other programs operated by and funded in the department which provide payment to health care providers.

(9) "Misrepresentation" means the knowing failure to truthfully or fully disclose any and all information required, or the concealment of any and all information required on a claim or a provider agreement or the making of a false or misleading statement to the department relative to the medical assistance programs.

(10) "Ownership interest" means the possession, directly or indirectly, of equity in the capital or the stock, or the right to share in the profits, of a health care provider.

(11) "Payment" means the payment to a health care provider from medical assistance programs funds pursuant to a claim, or the attempt to seek payment for a claim.

(12) "Provider agreement" means a document which is required as a condition of enrollment or participation as a health care provider under the medical assistance programs.

(13) "Provider-in-fact" means an agent who directly or indirectly participates in management decisions, has an ownership interest in the health care provider, or other persons defined as a provider-in-fact by federal or state law or by rule.

(14) "Recipient" means an individual who is eligible to receive health care through the medical assistance programs.

(15) "Recoupment" means recovery through the reduction, in whole or in part, of payment to a health care provider.

(16) "Recovery" means the recovery of overpayments, damages, fines, penalties, costs, expenses, restitution, attorneys fees, or interest or settlement amounts.

(17) "Rule" means any rule or regulation promulgated by the department in accordance with the Administrative Procedure Act and any federal rule or regulation promulgated by the federal government in accordance with federal law."

AMENDMENT NO. 14

On page 2, line 18, delete "(4)" and insert "(18)"

AMENDMENT NO. 15

On page 2, line 19, after "Hospitals" and before the period "." insert a comma "," and "or his authorized designee"

AMENDMENT NO. 16

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

"(19) "Withhold payment" means to reduce or adjust the amount, in whole or in part, to be paid to a health care provider for a pending or future claim during the time of a criminal, civil, or departmental investigation or proceeding or claims review of the health care provider.

Section 2. R.S. 46:437.2 through 437.5 are hereby enacted to read as follows:

§437.2. Provider agreements"

AMENDMENT NO. 17

On page 2, line 22, delete "for medical assistance"

AMENDMENT NO. 18

On page 2, delete line 23 and insert "from medical assistance programs funds for goods, services, or supplies rendered to recipients to any"

AMENDMENT NO. 19

On page 2, line 24, delete "or entity" and insert "person"

AMENDMENT NO. 20

On page 2, delete lines 25 through 27 and insert the following:

"who is complying with all federal and state laws and rules pertaining to the medical assistance programs, and who agrees that no person shall be subjected to discrimination under the medical assistance programs because of race, creed, ethnic origin, sex, age, or physical condition."

AMENDMENT NO. 21

On page 3, delete lines 1 through 3

AMENDMENT NO. 22

On page 3, line 4, after "the" and before "provider to" insert "health care"

AMENDMENT NO. 23

On page 3, line 5, delete "state and federal laws" and insert "federal and state laws and rules"

AMENDMENT NO. 24

On page 3, line 5, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 25

On page 3, delete line 6, and insert "to licensure, if"

AMENDMENT NO. 26

On page 3, line 7, delete "any of the healing arts, and" and insert "medicine, osteopathy, surgery, and midwifery. The provider agreement"

AMENDMENT NO. 27

On page 3, delete lines 8 and 9, and insert "the health care provider to provide goods, services, or supplies only if medically necessary and that are within the scope and quality of standard care."

AMENDMENT NO. 28

On page 3, line 11, before each occurrence of the word "provider" insert "health care"

AMENDMENT NO. 29

On page 3, line 12, delete "all laws and rules" and insert "federal and state laws and rules"

AMENDMENT NO. 30

On page 3, line 12, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 31

On page 3, line 13, delete "services or goods to a Medicaid" and insert "goods, services, or supplies to a"

AMENDMENT NO. 32

On page 3, line 15, delete "manner, for the services or goods" and insert "method, for the goods, services, or supplies"

AMENDMENT NO. 33

On page 3, line 16, delete "Medicaid"

AMENDMENT NO. 34

On page 3, line 17, delete "Each" and insert the following:

"(1) Unless the provider agreement is terminated by the secretary for cause as provided in Paragraph (2) of this Subsection, a health care"

AMENDMENT NO. 35

On page 3, line 19, delete ", unless" and insert a period "."

AMENDMENT NO. 36

On page 3, delete line 20, and insert the following:

"(2) The secretary may terminate a provider agreement immediately and without written notice if a health care provider is the subject of a sanction or of a criminal, civil, or departmental proceeding."

AMENDMENT NO. 37

On page 3, line 21, after "Each" and before "provider who" insert "health care"

AMENDMENT NO. 38

On page 3, line 24, delete "160.23." and insert "437.3."

AMENDMENT NO. 39

On page 3, line 26, delete "160.22" and insert "437.2"

AMENDMENT NO. 40

On page 4, line 1, before "provider" insert "health care"

AMENDMENT NO. 41

On page 4, line 4, delete "services or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 42

On page 4, line 4, delete "state law and"

AMENDMENT NO. 43

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

"applicable federal and state laws and rules, and maintain such license or certificate in good standing with the department throughout the effective period of the provider"

AMENDMENT NO. 44

On page 4, delete lines 8 through 11, and insert the following:

"(2) Maintain medical assistance programs-related records in a systematic and orderly manner that the department requires and determines are relevant to the goods, services, or supplies being provided.

(3) Retain medical assistance programs-related records for a period"

AMENDMENT NO. 45

On page 4, line 14, delete "Medicaid"

AMENDMENT NO. 46

On page 4, line 14, delete "all state and"

AMENDMENT NO. 47

On page 4, line 15, delete "laws" and insert "and state laws and rules"

AMENDMENT NO. 48

On page 4, delete lines 18 through 22, and insert the following:

"to all medical assistance programs-related records pertaining to goods, services, or supplies billed to the medical assistance programs, including access to all patient records and other health care provider information if the health care provider cannot easily separate records for recipients"

AMENDMENT NO. 49

On page 4, line 25, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 50

On page 4, line 25, after "if" insert "after reasonable inquiry it is known that"

AMENDMENT NO. 51

On page 4, line 27, delete "other state and federal" and insert "applicable federal and state laws and rules in regard to this billing."

AMENDMENT NO. 52

On page 5, delete lines 1 and 2

Page 14 HOUSE

47th Day's Proceedings - June 6, 1997

AMENDMENT NO. 53

On page 5, line 3, delete "Promptly report" and insert "Report and refund"

AMENDMENT NO. 54

On page 5, line 4, before "provider" insert "health care"

AMENDMENT NO. 55

On page 5, at the end of line 4, delete "Medicaid" and delete line 5 and insert "medical assistance programs."

AMENDMENT NO. 56

On page 5, delete lines 7 through 9, and insert "department harmless from any cause of action or recovery arising out of the negligence or omission of the health care provider in the course of providing goods, services, or supplies"

AMENDMENT NO. 57

On page 5, line 10, delete "goods"

AMENDMENT NO. 58

On page 5, line 13, delete "services or goods are furnished to Medicaid" and insert "goods, services, or supplies are furnished to"

AMENDMENT NO. 59

On page 5, line 14, delete "Medicaid payment" and insert "payment from the medical assistance programs"

AMENDMENT NO. 60

On page 5, line 15, before "provider" insert "health care"

AMENDMENT NO. 61

On page 5, line 17, after "requires" insert a comma ","

AMENDMENT NO. 62

On page 5, line 18, delete "services"

AMENDMENT NO. 63

On page 5, line 19, delete "or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 64

On page 5, line 20, delete "Medicaid"

AMENDMENT NO. 65

On page 5, line 21, delete both occurrences of the words "services or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 66

On page 5, line 22, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 67

On page 5, delete line 23 and insert "be covered by medical assistance programs."

AMENDMENT NO. 68

On page 5, line 24, delete "payment" and insert "claims"

AMENDMENT NO. 69

On page 5, line 25, after "the" and before "provider sells" insert "health care"

AMENDMENT NO. 70

On page 5, line 27, after "the" and before "provider in" insert "health care"

AMENDMENT NO. 71

On page 6, delete line 2, and insert "as the health care provider in the provider agreement, the health care provider shall maintain"

AMENDMENT NO. 72

On page 6, line 3, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 73

On page 6, line 6, before "provider" insert "health care"

AMENDMENT NO. 74

On page 6, at the end of line 7, between "requirement" and the period "." insert "and provides a copy of this agreement to the department"

AMENDMENT NO. 75

On page 6, delete lines 8 through 23, and insert the following:

"C. A provider agreement shall provide that any sale, merger, consolidation, or other disposition of a health care provider shall be subject to any and all outstanding debts and liabilities owed or which may be owed to the medical assistance programs.

D. A provider agreement shall provide that, if the department withholds payment or is entitled to recovery, such withholding or assessment of recovery may be imposed on any and all provider numbers in which the health care provider has an interest or in which he may have an interest."

AMENDMENT NO. 76

On page 6, line 24, delete "160.24." and insert "437.4."

AMENDMENT NO. 77

On page 6, line 27, delete "services or"

AMENDMENT NO. 78

On page 7, line 1, after "goods" insert a comma "," and "services, or supplies"

AMENDMENT NO. 79

On page 7, line 1, after "by the" and before "provider" insert "health care"

AMENDMENT NO. 80

On page 7, line 2, delete "The claim form"

AMENDMENT NO. 81

On page 7, delete line 3, and insert "(2) Require certification on the claim form that the goods, services, or supplies have been"

AMENDMENT NO. 82

On page 7, delete line 4, delete "services or"

AMENDMENT NO. 83

On page 7, line 5, after "goods" insert a comma "," and "services, or supplies"

AMENDMENT NO. 84

On page 7, line 5, delete "services or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 85

On page 7, line 6, before "provider's" insert "health care"

AMENDMENT NO. 86

On page 7, line 7, delete "services or goods." and insert "goods, services, or supplies."

AMENDMENT NO. 87

On page 7, line 8, delete "(2)" and insert "(3)"

AMENDMENT NO. 88

On page 7, line 8, before "provider" insert "health care"

AMENDMENT NO. 89

On page 7, line 9, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 90

On page 7, line 14, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 91

On page 7, line 15, delete "Medicaid"

AMENDMENT NO. 92

On page 7, delete lines 16 and 17, and insert "a change of ownership in the named health care provider."

AMENDMENT NO. 93

On page 7, delete line 18, and insert "(b) Require a health care provider to give the department sixty days written notice"

AMENDMENT NO. 94

On page 7, delete line 19, delete "entity" and insert "person"

AMENDMENT NO. 95

On page 7, line 20, delete "provider agreement as the provider." and insert "provider agreement as the health care provider."

AMENDMENT NO. 96

On page 7, line 21, delete "(a)"

AMENDMENT NO. 97

On page 7, line 21, delete "Medicaid"

AMENDMENT NO. 98

On page 7, delete lines 22 through 24 and insert the following:

"medical assistance programs and before entering into the provider agreement, the following:

(a) An onsite inspection of"

AMENDMENT NO. 99

On page 7, line 25, before "provider's" insert "health care"

AMENDMENT NO. 100

On page 7, line 26, after "function" insert a period "." and delete the remainder of the line

AMENDMENT NO. 101

On page 7, delete line 27, and insert the following:

"(b) A letter of credit, a surety bond, or a combination thereof, from the health care provider not to"

AMENDMENT NO. 102

On page 8, at the end of line 1, add the following:

"The letter of credit, surety bond, or combination thereof may only be required if either of the following conditions are met:

(i) A letter of credit, surety bond, or any combination thereof is required for each health care provider in that category of health care provider.

(ii) The health care provider is the subject of a sanction or of a criminal, civil, or departmental proceeding."

AMENDMENT NO. 103

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

"(c) The submission of information concerning the professional, business, and personal background of the health care provider, any person having an ownership interest in the health care provider, and any agent of the health care provider."

AMENDMENT NO. 104

On page 8, delete lines 10 and 11, and insert the following:

"applicable, if required by federal or state law or by rule or by a local jurisdiction in which the health care provider is located."

AMENDMENT NO. 105

Page 16 HOUSE

47th Day's Proceedings - June 6, 1997

On page 8, line 12, delete "Information concerning any" and insert "Any"

AMENDMENT NO. 106

On page 8, line 13, delete "the"

AMENDMENT NO. 107

On page 8, delete lines 14 through 16, and insert the following:

"federal or state law or rule or the laws or rules of any other state relative to medical assistance programs, Medicare, or a regulatory body.

(iii) Any prior violation of the"

AMENDMENT NO. 108

On page 8, line 17, after "insurer" delete the remainder of the line and insert a period "."

AMENDMENT NO. 109

On page 8, delete lines 18 and 19

AMENDMENT NO. 110

On page 8, line 20, delete "(iii)" and insert "(iv)"

AMENDMENT NO. 111

On page 8, delete lines 21 and 22, and insert the following:

"interest that the health care provider, or a person with an ownership interest in that health care provider, may hold in any other health care provider or health"

AMENDMENT NO. 112

On page 8, line 25, delete "(iv) If a group" and insert "(v) If a group health care"

AMENDMENT NO. 113

On page 8, line 27, delete "Medicaid program." and insert "medical assistance programs."

AMENDMENT NO. 114

On page 9, line 7, delete "160.25." and insert "437.5."

AMENDMENT NO. 115

On page 9, line 8, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 116

On page 9, line 9, delete "160.25." and insert "437.5."

AMENDMENT NO. 117

On page 9, delete lines 12 through 21, and insert the following:

"medical assistance programs to a health care provider if any of the following are found to be applicable to the health care provider, his agent, a managing employee, or any person having an ownership interest equal to five percent or greater in the health care provider:

(1) Misrepresentation."

AMENDMENT NO. 118

On page 9, delete lines 23 through 25, and insert the following:

"or the involuntary withdrawing from participation in, the medical assistance programs, any other state's Medicaid program, Medicare, or any other public or private health or health insurance"

AMENDMENT NO. 119

On page 9, line 27, after "Conviction" insert "under federal or state law"

AMENDMENT NO. 120

On page 10, delete lines 1 through 4, and insert the following:

"any goods, services, or supplies, including the performance of management or administrative services relating to the delivery of the goods, services, or supplies, under the medical assistance programs, any other state's Medicaid program, Medicare, or any other public or private health or health insurance program."

AMENDMENT NO. 121

On page 10, line 6, delete "related" and insert "relating"

AMENDMENT NO. 122

On page 10, delete line 7, and insert "delivery of any goods, services, or supplies."

AMENDMENT NO. 123

On page 10, line 11, after "Conviction" delete "of any" and insert "under federal or state law of a"

AMENDMENT NO. 124

On page 10, line 14, after "crime" insert "criminal offense"

AMENDMENT NO. 125

On page 10, line 17, after "Conviction" insert "under federal or state law of a criminal offense"

AMENDMENT NO. 126

On page 10, line 18, after "in" and before "this" insert "Paragraphs (3) through (9) of"

AMENDMENT NO. 127

On page 10, delete lines 20 through 27, and insert the following:

"(9) Sanction pursuant to a violation of federal or state laws or rules relative to the medical assistance programs, any other state's Medicaid program, Medicare, or any other public health care or health insurance program.

(10) Violation of licensing or certification conditions or professional standards relating to the licensure or certification of health care providers or the required quality of goods, services, or supplies provided."

AMENDMENT NO. 128

On page 11, delete lines 1 through 8, and insert the following:

"(1) Failure to pay recovery properly assessed or pursuant to an approved repayment schedule under the medical assistance programs."

AMENDMENT NO. 129

On page 11, line 9, delete "conditions" and insert "condition"

AMENDMENT NO. 130

On page 11, delete line 11, and insert "the department, a person"

AMENDMENT NO. 131

On page 11, line 12, delete "entity"

AMENDMENT NO. 132

On page 4, line 12, delete "Medicaid"

AMENDMENT NO. 133

On page 11, delete lines 13 through 16, and insert the following:

"medical assistance programs from the time the goods, services, or supplies were furnished, if:

(1) The goods, services, or supplies provided were otherwise compensable.

(2) The person met all other requirements of a health care provider at the time the goods, services, or supplies were provided."

AMENDMENT NO. 134

On page 11, line 17, delete "entity" and insert "person"

AMENDMENT NO. 135

On page 11, delete line 18, and insert the following:

"agreement to be effective from the date the goods, services, or supplies were provided.

Section 3. If the bill which originated as Senate Bill No. 1559 of the 1997 Regular Session of the Legislature is enacted into law, Section 1 of this Act shall be null, void, and of no effect.

Section 4. If the bill which originated as Senate Bill No. 1559 of the 1997 Regular Session of the Legislature is enacted into law, the Louisiana State Law Institute is hereby directed to designate R.S. 46:437.2 through 437.5 contained herein as R.S. 46:437.11 through 436.14 under Subpart A of Part VI-A of that Act.

Section 5. If the bill which originated as Senate Bill No. 1559 of the 1997 Regular Session of the Legislature is not enacted into law, the Louisiana State Law Institute is hereby directed to designate R.S. 46:437.1 through 437.5 contained herein as Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be entitled "MEDICAL ASSISTANCE PROGRAMS PROVIDER AGREEMENTS".

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1325 by Senator Hines

AMENDMENT NO. 1

In House Committee Amendment No. 13, proposed by the House Committee on Health and Welfare on page 3, line 28, change "attorneys" to "attorney"

AMENDMENT NO. 2

In House Committee Amendment No. 24, proposed by the house Committee on Health and Welfare on page 4, line 33, after "programs" insert a comma ","

AMENDMENT NO. 3

In House Committee Amendment No. 82, proposed by the House Committee on Health and Welfare on page 10, line 13, delete the first "delete" and change "services" to "service"

AMENDMENT NO. 4

In House Committee Amendment No. 90, proposed by the House Committee on Health and Welfare on page 11, line 2, after "Medicaid" insert "program"

AMENDMENT NO. 5

In House Committee Amendment No. 94, proposed by the House Committee on Health and Welfare on page 11, line 13, delete the first "delete"

AMENDMENT NO. 6

In House Committee Amendment No. 102, proposed by the House Committee on Health and Welfare on page 12, line 8, change "only be required" to "be required only" and change "are" to "is"

AMENDMENT NO. 7

In House Committee Amendment No. 124, proposed by the House Committee on Health and Welfare on page 14, line 26, change "after crime" to "delete crime"

AMENDMENT NO. 8

In House Committee Amendment No. 135, proposed by the House Committee on Health and Welfare on page 16, line 15, delete "that" and on line 16, delete "Act" and insert "Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1350—
BY SENATORS BAJIOE AND GUIDRY
AN ACT

To amend and reenact R.S. 22:657(D)(2), relative to emergency care; to prohibit pre-certification for an emergency medical condition; to provide for coverage in certain circumstances; to prohibit certain health care organizations from denying or reducing payments in certain circumstances; to provide for penalties; 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. 1350 by Senator Guidry

AMENDMENT NO. 1

On page 3, line 1, following "condition" and before "initially" delete the comma ","

AMENDMENT NO. 2

On page 3, line 15, following "patients" and before "and" insert a comma ","

AMENDMENT NO. 3

On page 3, line 18, following "organization" and before "preferred" delete "or" and on line 19, following "organization" and before "to" insert "or other managed care organization"

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. 1351—
BY SENATOR HINES

AN ACT

To enact 46:460.4, relative to public assistance; to provide for a six month disregard of certain earnings of certain persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1364—
BY SENATOR BAJOLE

AN ACT

To enact R.S. 46:460.4, relative to welfare reform; to continue the state's commitment to provide educational opportunities to promote the self-sufficiency of welfare recipients; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1503—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:858, relative to domestic insurers; to authorize investment in investment pools; 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. 1503 by Senator Cravins

AMENDMENT NO. 1

On page 4, line 5, after "index," insert "such as"

AMENDMENT NO. 2

On page 4, line 12, after "22:844.3" insert "and 844(I)"

AMENDMENT NO. 3

On page 4, line 21, change "an" to "any"

AMENDMENT NO. 4

On page 5, line 20, delete "cases" and insert in lieu thereof "the case"

AMENDMENT NO. 5

On page 8, line 2, after "1006" and before the period "." insert "(A)(6)"

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. 1503 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 16, following "note" and before "debenture" insert a comma ","

AMENDMENT NO. 2

On page 3, line 23, following "rating," and before "by" insert "as rated"

AMENDMENT NO. 3

On page 4, line 6, following "Rate" and before "or" insert a comma ","

AMENDMENT NO. 4

On page 4, line 12, following "R.S." and before "or" change "22:844.3 and 844(I)" to "22:844(I) and 844.3"

AMENDMENT NO. 5

On page 4, line 25, following "from" and before "or" insert a comma ","

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. 1512—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 22:215(A)(2) and 215.4, relative to health and accident insurance; to provide coverage for certain unmarried students under the age of twenty-four; 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. 1512 by Senator Cox

AMENDMENT NO. 1

On page 1, line 14, after "insurance" insert "or similar coverage issued by a health maintenance organization"

AMENDMENT NO. 2

On page 2, line 17, after "policy" insert "or health maintenance organization subscriber agreement"

AMENDMENT NO. 3

On page 2, line 25, after "of a" delete "physician," and insert in lieu thereof "qualified psychiatrist, subject, if deemed necessary by the insurer or health maintenance organization, to a second opinion,"

AMENDMENT NO. 4

On page 2, line 26, after "student" insert "and from holding self-sustaining employment"

AMENDMENT NO. 5

On page 3, line 10, after "policy" insert "or health maintenance organization subscriber agreement"

AMENDMENT NO. 6

On page 3, line 21, after "of a" insert "qualified psychiatrist, subject, if deemed necessary by the insurer or health maintenance organization, to a second opinion,"

AMENDMENT NO. 7

On page 3, at the beginning of line 22, delete "physician," and after "student" insert "and from holding self-sustaining employment"

AMENDMENT NO. 8

On page 4, line 1, after "policies" insert "or health maintenance organization subscriber agreements"

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. 1552 (Substitute for Senate Bill No. 739 by Senator Heitmeier)—

BY SENATORS IRONS, DARDENNE, EWING AND ULLO

AN ACT

To amend and reenact R.S. 46:1608(E) and to enact R.S. 46:932(13) and (14), relative to the office of elderly affairs; to require the office to develop a plan for the delivery of services to the elderly; to provide for reporting of the plan; to authorize the office to approve additional senior centers; to provide relative to funding the parish councils on aging; 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 Reengrossed Senate Bill No. 1552 by Senator Irons

AMENDMENT NO. 1

On page 2, at the end of line 8, add "with private organizations and"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1553 (Substitute for Senate Bill No. 741 by Senator Heitmeier)—

BY SENATORS IRONS, DARDENNE, EWING, HINES, CASANOVA, BAJOIE, DYESS, LANDRY, SCHEDLER AND ULLO

AN ACT

To amend and reenact R.S. 14:403.2(B)(2), (D)(1), (E)(7), and the introductory paragraph of (K) and to enact R.S. 14:403.2(B)(11), (D)(3), and (F)(3), relative to abuse of the elderly; to define terms; to provide for reporting of alleged abuse or neglect; to provide for referral of such reports; to provide for orders of protective custody or judicial commitment; to provide relative to production of certain evidence; to provide for immunity under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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. 1553 by Senator Irons

AMENDMENT NO. 1

On page 1, lines 2 and 11, following "14:403.2(B)(2)," and before "(E)(7)", delete "(D)(1);"

AMENDMENT NO. 2

On page 2, line 18, following "D." delete the remainder of line 18 and lines 19-21 in their entirety

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1558 (Substitute for Senate Bill No. 1534 by Senator Ellington)—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 40:1299.35.5(B)(3), (4), (6), (7), and (10) and (C)(2) and to reenact R.S. 40:1299.35.5(B)(1), (2), (5), (8), (9), (11), (12) and (13), (C)(1), and (D), relative to abortion procedures for minors, to clarify procedural provisions relative to a minor's application for judicial authorization of an abortion; to provide relative to hearings, delays, determinations, the exercise of appellate supervisory power, and expedition; to clarify and provide relative to evaluation and counseling sessions and reports to the court; to provide relative to court notification of parents or guardian of immature minors; to provide for severability; 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 Engrossed Senate Bill No. 1558 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 10, after "minors;" and before "to provide" insert "to provide relative to legislative intent;"

AMENDMENT NO. 2

On page 6, delete lines 21 through 24 and insert in lieu thereof the following:

"Section 2. The Legislature of Louisiana hereby declares that the purpose of this Act is to remedy the issues addressed by the United States Court of Appeals, Fifth Circuit decision rendered on

April 14, 1997 in Causeway Medical Suite v. Richard P. Ieyoub, No. 95-31178, with regard to Act No. 1254 of the 1995 Regular Session of the Legislature of Louisiana, with the exception of the issue regarding the constitutionality of R.S. 40:1299.35.5(B)(5). By retaining the language of R.S. 40:1299.35.5(B)(5) as enacted by said Act, it is the intention of the legislature in this Act to preserve the language of R.S. 40:1299.35.5(B)(5) for appeal to the United States Supreme Court of the above cited decision."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1559 (Substitute for Senate Bill No. 1324 by Senators Ewing and Hines)—
BY SENATORS EWING, HINES AND LANDRY
AN ACT

To enact Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of Subpart A, comprised of R.S. 46:437.1 through 437.10, Subpart B, comprised of R.S. 46:438.1 through 438.8, Subpart C, comprised of R.S. 46:439.1 through 439.4, and Subpart D, comprised of R.S. 46:440.1 through 440.3, and to repeal R.S. 46:442, relative to health services; to create and provide relative to the Medical Assistance Programs Integrity Law; to provide for definitions; to provide for claims review and administrative sanctions; to authorize settlements on behalf of the medical assistance programs; to authorize use of certain legal processes to protect the fiscal integrity of the medical assistance programs; to authorize civil causes of action for certain misconduct relative to the medical assistance programs; to provide for damages, civil fines, penalties, costs, fees, and expenses, and other recovery; to provide for burden of proof and evidence in regard to a civil action instituted pursuant to this Act; to authorize a private person to institute a civil action on behalf of the medical assistance programs and himself, to be known as a "Qui Tam action"; to provide procedures, limitations, and requirements for a Qui Tam action; to provide relative to recovery in a Qui Tam action; to establish a fund to receive recovery in excess of actual damages to the medical assistance programs; to authorize uses for the monies in the fund; to allow the secretary of the Department of Health and Hospitals to grant limited rewards for certain information that leads to recovery; to provide certain protections and a cause of action for a person who supplies such information; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

House and House Concurrent Resolutions on Third Reading for Final Consideration

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

HOUSE CONCURRENT RESOLUTION NO. 131—
BY REPRESENTATIVES ALARIO AND LEBLANC
A CONCURRENT RESOLUTION

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

Read by title.

Rep. Alario moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander, A.—93rd	Hammett	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Rousselle
Bruce	Hudson	Salter
Brun	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Daniel	Marionneaux	Toomy
Deville	Martiny	Travis
DeWitt	McCain	Triche
Doerge	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Forster	Morrell	Willard-Lewis
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Odinet	Wright
Glover	Perkins	
Total—92		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Fontenot	Smith, J.D.—50th
Baudoin	Heaton	Strain
Diez	Jenkins	Vitter
Dimos	Kennard	
Donelon	Romero	
Total—13		

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 169—

BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION

To urge and request that the House and Senate Committees on Health and Welfare, the House Committee on Appropriations, the Senate Committee on Finance, and the secretary of the Department of Health and Hospitals review Medicaid reimbursement of emergency room care in rural hospitals to determine if consideration of geographic location and the limitation of patient options may be considered in determining reimbursement for certain services.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 170—

BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact legislation which would provide for consideration of geographical location and the availability of patient options in the reimbursement of claims for emergencies treated in rural hospital emergency rooms which are not life-threatening and to enact legislation which would correct the current inequity in reimbursing rural hospitals for costs of stabilizing patients who are to be referred to larger, more suitably equipped facilities.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 191—

BY REPRESENTATIVE GUILLORY
A CONCURRENT RESOLUTION

To memorialize congress to allow Louisiana to impose requirements on the storage and transportation of hazardous materials by rail car that are more stringent than federal requirements.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 199—

BY REPRESENTATIVES DIEZ AND WIGGINS
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 1998 Regular Session of the Legislature any reduction in wages for the Department of Transportation and Development construction and maintenance personnel which was a result of the requirements contained in the Engineering Directives and Standards Manual IV.1.1.10 of the Department of Transportation and Development and to direct the Department of Transportation and Development to provide formal training courses and certified instructors for the mandatory structured training programs throughout the Department of Transportation and Development.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Page 22 HOUSE

47th Day's Proceedings - June 6, 1997

Amendments proposed by Representative Wiggins to Engrossed House Concurrent Resolution No. 199 by Representative Diez

AMENDMENT NO. 1

On page 3, delete lines 11 through 13

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Flavin	Perkins
Bowler	Hopkins	Smith, J.D.—50th
Brun	Johns	Thornhill
Donelon	Lancaster	Vitter
Total—12		

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 200—

BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature on the feasibility of adopting in this state the Uniform Law on Nonprobate Transfer on Death, particularly the Uniform Transfer on Death Security Registration Act.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 202—

BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress to make the determination that the preferable route for the construction of Interstate 69 between Memphis, Tennessee, and Houston, Texas, is the shortest and most direct route between the two cities.

Read by title.

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

Ordered to the Senate.

HOUSE RESOLUTION NO. 74—

BY REPRESENTATIVE GAUTREUX
A RESOLUTION

To direct the Louisiana Wildlife and Fisheries Commission to make an annual report to the legislature on red drum and spotted sea trout.

Read by title.

Rep. Gautreaux moved the adoption of the resolution.

By a vote of 100 yeas and 0 nays, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 194—

BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress and the appropriate federal agencies to approve the Louisiana Coastal Wetlands Conservation Plan.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 207—

BY REPRESENTATIVE GAUTREUX
A CONCURRENT RESOLUTION

To direct the Louisiana Wildlife and Fisheries Commission to make an annual report to the legislature on red drum and spotted sea trout.

Read by title.

Rep. Gautreaux moved the adoption of the resolution.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 93—
BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 1998 Regular Session of the Legislature the provisions of R.S. 46:706(A)(1) and (2) which provide for retention and expenditure of certain funds by the Louisiana Health Care Authority.

Called from the calendar.

Read by title.

Rep. DeWitt moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Diez	Fontenot	Vitter
Donelon	Jetson	
Total—5		

The resolution was adopted.

Ordered to the Senate.

**Senate Concurrent Resolutions on
Third Reading for Final Consideration**

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

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATORS JORDAN, BARHAM, BRANCH, CAIN, CAMPBELL, DARDENNE, DEAN, FIELDS, GUIDRY, HINES, HOLLIS, JONES, LENTINI, MALONE, ROBICHAUX, SCHEDLER, SHORT, SMITH, TARVER AND ULLO

A CONCURRENT RESOLUTION

To urge and request the Supreme Court of Louisiana to strictly construe the Constitution of Louisiana with respect to the declaration of individual rights and liberties contained therein.

Read by title.

On motion of Rep. Bruneau, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 57—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

A CONCURRENT RESOLUTION

To request the Supreme Court to promulgate rules which will provide for the suspension of an attorney's license to practice law where the attorney has failed to comply with a subpoena or court order as it pertains to child support payments.

Read by title.

On motion of Rep. Murray, the resolution was concurred in.

Suspension of the Rules

On motion of Rep. Alario, 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. 2377—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 47:322.1 and 332.25, relative to the state sales and use tax; to dedicate a portion of the state tax on hotel occupancy in Lincoln Parish; to create the Lincoln Parish Municipalities Fund in the state treasury; to provide for deposit of monies into the fund; to provide for use of monies in the fund; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Wilkerson and Alario to Reengrossed House Bill No. 2377 by Representative Wilkerson

AMENDMENT NO. 1

On page 2, at the end of line 16, delete "or tourism." and insert a comma "," and "tourism, or public health or safety."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—99

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Donelon	McCallum
Alexander, R.—13th	Fruge	Vitter

Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 70 by Representative Rodney Alexander

AMENDMENT NO. 1

On page 1, line 6, change "3356" to "3556"; and, on page 2, line 2, change "3356" to "3556"

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

Motion

Rep. Thomas moved that the bill, as amended, be returned to the calendar subject to call.

Rep. Rodney Alexander objected.

By a vote of 59 yeas and 26 nays, the House returned the bill, as amended, to the 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 646 by Representative Fontenot

AMENDMENT NO. 1

On page 4, between lines 12 and 13 insert the following:

"Section 4. Sections 1 and 2 of this Act, requiring the Board of Ethics to implement a drug testing program for elected officials shall be suspended if an action challenging the validity of this Act is instituted in a court of competent jurisdiction prior to January 1, 1998, and such suspension shall be effective until a final determination of the validity of this Act has been issued by the court of last resort."

AMENDMENT NO. 2

On page 4, at the beginning of line 13 delete "Section 4. Sections 3 and 4" and insert "Section 5. Sections 3, 4, and 5"

Rep. Copelin moved the adoption of the amendments.

Rep. Thornhill objected.

By a vote of 35 yeas and 61 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed House Bill No. 646 by Representative Fontenot

AMENDMENT NO. 1

On page 1, line 5, change "elected officials" to "public servants"

AMENDMENT NO. 2

On page 1, line 17, change "elected officials" to "public servants"

AMENDMENT NO. 3

On page 1, delete 19 and insert "that those persons who serve the public at all levels of"

AMENDMENT NO. 4

On page 2, at the end of line 2, delete "an elected" and at the beginning of line 3 delete "official" and insert "a public servant"

AMENDMENT NO. 5

On page 2, line 5, change "elected officials" to "public servants"

AMENDMENT NO. 6

On page 2, line 9, after "for" change "elected officials" to "public servants"

AMENDMENT NO. 7

On page 2, at the end of line 9 delete "elected" and at the beginning of line 10, delete "officials" and insert "public servants"

AMENDMENT NO. 8

On page 2, line 15, change "elected officials" to "public servants"

AMENDMENT NO. 9

On page 2, line 19, change "elected officials" to "public servants"

AMENDMENT NO. 10

On page 3, at the end of line 1 delete "elected" and at the beginning of line 2, delete "official" and insert "public servant"

AMENDMENT NO. 11

On page 3, at the end of line 7 delete "an" and delete line 8 and insert "a public servant."

AMENDMENT NO. 12

On page 3, at the end of line 9 delete "an" and at the beginning of line 10, delete "elected official" and insert "a public servant"

AMENDMENT NO. 13

On page 3, line 12, change "elected official" to "public servant"

AMENDMENT NO. 14

On page 3, line 14, change "elected official" to "public servant"

AMENDMENT NO. 15

On page 3, line 17, change "elected official" to "public servant"

AMENDMENT NO. 16

On page 3, at the end of line 18 delete "an" and at the beginning of line 19, delete "elected official" and insert "a public servant"

AMENDMENT NO. 17

On page 4, line 1, change "an elected official" to "a public servant"

AMENDMENT NO. 18

On page 4, line 2, change "an elected official" to "a public servant"

AMENDMENT NO. 19

On page 4, line 7, change "elected officials" to "public servants"

AMENDMENT NO. 20

On page 4, line 12, change "elected officials." to "public servants."

Rep. Green moved the adoption of the amendments.

Rep. Thornhill objected.

By a vote of 13 yeas and 86 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 646 by Representative Fontenot

AMENDMENT NO. 1

On page 2, delete lines 14 through 16 in their entirety and insert in lieu thereof:

"(2) The board shall develop a plan which shall include a methodology for identifying and selecting those elected officials required to be tested for the use of illegal drugs."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Alexander, A.—93rd	Green	Pratt
Bowler	Holden	Welch
Glover	Morrell	
Total—8		

ABSENT

Mitchell
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Speaker Pro Tempore Bruneau in the Chair

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wiggins to Engrossed House Bill No. 1124 by Representative Wiggins

AMENDMENT NO. 1

On page 2, line 11, change "average" to "normal"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed House Bill No. 1124 by Representative Wiggins

AMENDMENT NO. 1

On page 1, at the end of line 12, add a semicolon ";" and add "definitions"

AMENDMENT NO. 2

On page 1, at the beginning of line 13, insert "A."

AMENDMENT NO. 3

On page 1, after line 18, add the following:

"B. As used in this Chapter, the words and phrases 'person', 'whoever', 'those in violation', and 'offender' mean and refer to the horse race tracks, offtrack wagering parlors, riverboat and land-based casinos, video draw poker establishments, charities conducting raffles, bingo halls, keno operators, and others conducting related gaming activities, including the State Lottery authorized pursuant to R.S. 33:4861.1, et seq, which advertise their gaming or gambling activities."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, R.—13th	Iles	Scalise
Baudoin	Jenkins	Schneider
Brun	Johns	Shaw
Carter	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Crane	Landrieu	Strain

Diez	LeBlanc	Thomas
Dimos	Marionneaux	Thompson
Donelon	McCain	Thornhill
Durand	McCallum	Triche
Faucheux	McDonald	Walsworth
Fontenot	Michot	Weston
Forster	Perkins	Wiggins
Frith	Powell	Wright
Fruge	Riddle	
Hill	Salter	
Total—46		

NAYS

Alario	Doerge	Odinet
Alexander, A.—93rd	Gautreaux	Pierre
Ansardi	Guillory	Pinac
Barton	Hammitt	Pratt
Baylor	Heaton	Quezaire
Bowler	Hebert	Romero
Bruce	Holden	Smith, J.D.—50th
Bruneau	Hudson	Theriot
Chaisson	Hunter	Toomy
Copelin	Lancaster	Warner
Curtis	Martiny	Welch
Damico	Montgomery	Windhorst
Daniel	Morrell	Winston
Deville	Morrish	
DeWitt	Murray	
Total—43		

ABSENT

Mr. Speaker	Hopkins	Travis
Dupre	Jetson	Vitter
Farve	Long	Wilkerson
Flavin	McMains	Willard-Lewis
Glover	Mitchell	
Green	Rousselle	
Total—16		

Failed to pass.

Motion to reconsider pending.

Suspension of the Rules

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

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.

Motion

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

Speaker Downer in the Chair

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Donelon and Hunter to Engrossed House Bill No. 1879 by Representative Donelon

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 4, after "penalties;" and before "and to" insert "to allow probation under certain conditions; 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 1, at the end of line 14, insert the following:

"Imposition or execution of sentence shall not be suspended unless:

(1) The offender is placed on probation with a minimum condition that he serve two days in jail and participate in a court-approved substance abuse program and participate in a court-approved driver improvement program; or

(2) The offender is placed on probation with a minimum condition that he perform four eight-hour days of court-approved community service activities, at least half of which shall consist of participation in a litter abatement or collection program, participate in a court-approved substance abuse program, and participate in a court-approved driver improvement program. An offender who participates in a litter abatement or collection program pursuant to this Subparagraph shall have no cause of action for damages against the entity conducting the program or supervising his participation therein, including a municipality, parish, sheriff, or other entity, nor against any official, employee, or agent of such entity, for any injury or loss suffered by him during or arising out of his participation in the program, if such injury or loss is a direct result of the lack of supervision or act or omission of the supervisor, unless the injury or loss was caused by the intentional or grossly negligent act or omission of the entity or its official, employee, or agent."

AMENDMENT NO. 5

On page 2, after line 26, 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. Donelon, the amendments were adopted.

Motion

Rep. Welch moved to table the bill.

Rep. Donelon objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Murray
Alexander, A.—93rd	Holden	Perkins
Ansardi	Hopkins	Pratt
Baylor	Hudson	Welch
Bowler	Jenkins	Weston
Copelin	Jetson	Willard-Lewis
Deville	Montgomery	
Doerge	Morrell	
Total—22		

NAYS

Alexander, R.—13th	Hebert	Salter
Brun	Hill	Scalise
Bruneau	Hunter	Schneider
Carter	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Crane	Landrieu	Stelly
Curtis	LeBlanc	Theriot
Damico	Marionneaux	Thompson
Diez	Martiny	Thornhill
Dimos	McCain	Toomy
Donelon	McCallum	Triche
Dupre	McDonald	Vitter
Durand	McMains	Walsworth
Faucheux	Michot	Warner
Flavin	Pinac	Wiggins
Fontenot	Powell	Windhorst
Forster	Riddle	Winston
Hammett	Romero	Wright
Total—57		

ABSENT

Mr. Speaker	Gautreaux	Odinet
Barton	Glover	Pierre
Baudoin	Guillory	Quezaire
Bruce	Heaton	Rousselle
Daniel	Iles	Strain
DeWitt	Lancaster	Thomas
Farve	Long	Travis
Frith	Mitchell	Wilkerson
Fruge	Morrish	
Total—26		

The House refused to table the bill.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Romero
Alexander, A.—93rd	Hammett	Rousselle
Alexander, R.—13th	Hebert	Salter
Barton	Hill	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Strain
Clarkson	Kenney	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Daniel	Marionneaux	Toomy
Deville	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Durand	Michot	Wiggins
Faucheux	Montgomery	Windhorst
Flavin	Odinet	Winston
Fontenot	Pinac	Wright
Forster	Powell	
Fruge	Riddle	
Total—70		

NAYS

Alario	Holden	Pratt
Ansardi	Hopkins	Smith, J.R.—30th
Baylor	Hudson	Stelly
Bowler	Jenkins	Welch
Brun	Jetson	Weston
Copelin	Morrell	Willard-Lewis
DeWitt	Murray	
Green	Perkins	
Total—22		

ABSENT

Baudoin	Guillory	Pierre
Dupre	Heaton	Quezaire
Farve	Lancaster	Wilkerson
Frith	Mitchell	
Glover	Morrish	
Total—13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Donelon 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. 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.

Motion

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

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/developmentally disabled; to require persons or facilities which participate in the Medicaid program to obtain the approval of the Department of Health and Hospitals through the office for citizens with developmental disabilities prior to the sale, purchase, transfer, or relocation of a Medicaid-certified bed of a community or group home for the mentally retarded/developmentally disabled; 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; to require the department to promulgate rules and regulations; and to provide for related matters.

Read by title.

Motion

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 2340 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "33:4861.27(C)" delete the comma "," and insert "and to enact R.S. 33:4861.27(K),"

AMENDMENT NO. 2

On page 1, line 4, after "devices;" and before "and" insert "to authorize assessment of administrative fees by division of charitable gaming control;"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" and before "to" insert "and R.S. 33:4861.27(K) is hereby enacted all"

AMENDMENT NO. 4

On page 1, after line 18 insert the following:

"K. The division may assess such fees as may be necessary to carry out the purposes of this Section and the rules and regulations adopted pursuant to the provisions of R.S. 33:4861.27(H)."

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

Point of Order

Rep. Marionneaux asked for a ruling from the Chair as to whether House Bill No. 2340, as amended, levies a fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Ruling of the Chair

The Chair ruled the bill, as amended, did levy a fee and therefore would require the favorable vote of two-thirds of the elected members to finally pass the House.

Motion

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

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.

Motion

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

HOUSE BILL NO. 2438—

BY REPRESENTATIVE VITTE
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.

Motion

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

Rep. Vitter objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Pinac
Baudoin	Hammett	Pratt
Baylor	Heaton	Quezaire
Bruce	Hebert	Rousselle
Brun	Hill	Salter
Carter	Holden	Smith, J.D.—50th
Chaisson	Hopkins	Smith, J.R.—30th
Copelin	Hudson	Strain
Curtis	Hunter	Thomas
Damico	Iles	Thornhill
Deville	Johns	Travis
DeWitt	Long	Walsworth
Doerge	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Gautreaux	Morrell	Wilkerson
Glover	Murray	Willard-Lewis
Green	Pierre	Wright
Total—54		

NAYS

Alexander, A.—93rd	Fruge	Powell
Ansardi	Jenkins	Riddle
Barton	Jetson	Romero
Bowler	Kennard	Scalise
Bruneau	Kenney	Schneider
Clarkson	Lancaster	Shaw
Crane	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Dimos	Martiny	Toomy
Donelon	McCain	Triche
Dupre	McCallum	Vitter
Durand	McDonald	Wiggins
Faucheux	McMains	Windhorst
Fontenot	Morrish	Winston
Forster	Odinet	
Frith	Perkins	
Total—46		

ABSENT

Mr. Speaker	Diez	Stelly
Alexander, R.—13th	Marionneaux	
Total—5		

The House returned the bill to the 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.

Read by title.

Rep. Clarkson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Perkins
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Alexander, R.—13th	Hammett	Pratt
Ansardi	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Brun	Hunter	Schneider
Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Dimos	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Bruneau	Guillory	Pierre
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Clarkson 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. 2471—
 BY REPRESENTATIVE POWELL
 AN ACT

To amend and reenact R.S. 37:2809(A)(2) and (8), to enact R.S. 37:2809(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 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 2471 by Representative Powell

AMENDMENT NO. 1

On page 2 between lines 6 and 7 insert three asterisks "****"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fontenot	Morrish	Windhorst
Forster	Murray	Winston
Frith	Odinet	Wright
Fruge	Perkins	
Gautreaux	Pierre	

Total—103

NAYS

Total—0

ABSENT

Farve	Jenkins
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Powell 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. 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; to provide exceptions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 2480 by Representative Perkins

AMENDMENT NO. 1

On page 5, at the end of line 14, delete the period "." and insert in lieu thereof

" , so long as the gaming activity and/or wagering is not transmitted beyond the premises of the establishment."

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

Motion

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

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 require the department to promulgate rules and regulations relative to the earned income disregard program; 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 2490 by Representative Willard-Lewis

AMENDMENT NO. 1

On page 2, line 10, following "(1)" and before "incapacitated" change "An" to "To an"

AMENDMENT NO. 2

On page 2, line 13, following "individual" and before "in" insert "is"

AMENDMENT NO. 3

On page 2, line 15, following "individual" and before "loses" delete "who"

AMENDMENT NO. 4

On page 2, line 17, following "(c)" delete "An individual for whom"

AMENDMENT NO. 5

On page 2, line 17, before "extension" change "an" to "An"

AMENDMENT NO. 6

On page 2, line 18, following "enable" and before "individual" change "the" to "an"

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

Rep. Willard-Lewis moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

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

Dimos	McCain	Vitter
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Mitchell	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Fontenot	Morrish	Winston
Forster	Murray	Wright
Total—96		

NAYS

Windhorst
Total—1

ABSENT

Alexander, R.—13th	Kennard	Schneider
Green	Martiny	Thornhill
Iles	Powell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Willard-Lewis 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. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed House Bill No. 2492 by Representative Winston

AMENDMENT NO. 1

On page 1, delete lines 3 through 5 and insert the following:

"the establishment of the Advisory Committee on Pain of the Louisiana State Board of Medical Examiners; to provide for the membership, powers, and duties of said committee; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 8 through the end of the page and delete pages 2 and 3 and on page 4 delete lines 1 through 5 and insert the following:

"§1285.2. Advisory Committee on Pain

A. The board shall establish the Advisory Committee on Pain, referred to in this Section as the committee. Membership of the committee shall include but not be limited to the following:

- (1) A member of the board.
 - (2) A state representative selected by the speaker of the House of Representatives.
 - (3) A senator selected by the president of the Senate.
 - (4) The secretary of the Department of Health and Hospitals or his designee.
 - (5) The attorney general or his designee.
 - (6) The commissioner of insurance or his designee.
 - (7) The president of the Louisiana State Pain Society.
 - (8) A representative of the Louisiana division of the American Cancer Society.
 - (9) A representative of the Louisiana Nursing Home Association.
 - (10) A representative of the Louisiana Society of Anesthesiologists.
 - (11) A representative of the Louisiana Hospital Association.
 - (12) One member of each of following state licensing agencies:
 - (a) The Louisiana Board of Pharmacy.
 - (b) The Louisiana State Board of Nursing.
 - (c) The Louisiana State Board of Examiners of Psychologists.
 - (d) The Louisiana State Board of Dentistry.
 - (e) The Louisiana Board of Chiropractic Examiners.
 - (13) At least one physician specializing in each of the following areas:
 - (a) Oncology.
 - (b) Neurology.
 - (c) Anesthesiology.
 - (14) Representatives of other health care professions and organizations deemed appropriate by the committee, the board, or both.
- B. The committee shall:
- (1) Examine current and proposed practice guidelines on pain management, identify deficiencies in current treatment and practice guidelines, and prepare recommendations for revision of practice guidelines on pain management to the board and to other boards with practice guidelines on pain management. Practice guidelines shall include but not be limited to the guidelines for the prescription of controlled substances for pain management.
 - (2) Prepare recommendations for proposed legislation, including but not limited to proposed legislation for any of the following if the commission or the board determines that such legislation is necessary:
 - (a) Protection of the rights of patients with pain in a managed care and regulatory environment.

- (b) Assurance that quality in pain management provided in the state is maintained and enhanced.
 - (c) Changes in the Uniform Controlled Dangerous Substances Law.
 - (d) Elimination of impediments to pain management and access of patients with pain to pain management services or substances.
 - (3) Examine the education of health care providers with respect to pain management, identify needs and deficiencies in such education, and recommend educational guidelines and strategies for the education of professionals, regulators, and the public.
 - (4) Determine if there are impediments to pain management in state medical assistance programs or workers' compensation policies.
 - (5) Review and evaluate coverage offered by managed care plans for pain management and the provision of information on pain management services available to plan enrollees.
 - (6) Examine the protection of consumer and patient rights with respect to pain management, identify needs and deficiencies in such consumer and patient protection, and recommend adequate cost-effective treatment.
- C. The committee shall hold its first meeting not later than October 1, 1997, and shall elect a chair from its membership.
- D. Not later than September 1, 1998, and annually thereafter, the committee shall submit a report to the board of its findings and recommendations. The board shall review the report and submit the report, and the board's response to the committee's findings and recommendations, to the House and Senate Committees on Health and Welfare and the presiding officer of each house within ninety days of receipt of the annual report.
- E. Staff of the board shall provide technical, clerical, and other support necessary for the committee to carry out its responsibilities under this Section."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Powell
Alexander, A.—93rd	Green	Pratt
Alexander, R.—13th	Guillory	Quezaire
Ansardi	Hammett	Riddle
Barton	Heaton	Romero
Baudoin	Hebert	Rousselle
Baylor	Hill	Salter
Bowler	Holden	Scalise
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	Kennedy	Thomas
Damico	Lancaster	Thompson

Page 34 HOUSE

47th Day's Proceedings - June 6, 1997

Deville	Landrieu	Thornhill
DeWitt	LeBlanc	Toomy
Diez	Long	Triche
Dimos	Marionneaux	Vitter
Doerge	Martiny	Walsworth
Donelon	McCain	Warner
Dupre	McCallum	Welch
Durand	McDonald	Weston
Farve	McMains	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Fruge	Perkins	

Total—98

NAYS

Total—0

ABSENT

Brun	Michot	Travis
Daniel	Odinot	
Hopkins	Pinac	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Winston 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. 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.

Rep. Jetson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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

Total—101

NAYS

Total—0

ABSENT

Alexander, R.—13th	Smith, J.R.—30th
Kennard	Toomy

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Theriot to Engrossed House Bill No. 2516 by Representative Theriot

AMENDMENT NO. 1

On page 1, line 2, between "22:" and "1406.5" insert "1405(B)," and after "1406.5" insert a comma ","

AMENDMENT NO. 2

On page 1, line 7, after "22:" and "1406.5" insert "1405(B)," and after "1406.5" insert a comma ","

AMENDMENT NO. 3

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

"§1405. Fire insurance rates; the Property Insurance Association of Louisiana

* * *

B. (1) The Property Insurance Association of Louisiana shall be continued and every insurance company, now or hereafter licensed and authorized to write fire insurance in this state, shall belong to such association. The board of directors of the association shall consist of not less than nine nor more than twenty-five members, who shall be residents of this state, and who shall be elected from and by the members of the ~~association~~ association, and the following six additional persons, the commissioner of insurance or his designee, a member designated by the Louisiana Association of Fire and Casualty Insurance Companies, a senator appointed by the president of the Senate, a representative appointed by the speaker of the House of Representatives, a member designated by the Independent Insurance Agents of Louisiana or its successor, and a member designated by the Professional Insurance Agents of Louisiana or its successor.

(2) Representation Unless otherwise indicated, the representation on the board of directors shall be properly apportioned as between stock and nonstock members predicated on the ratio of their net fire insurance premiums for the calendar year immediately preceding said election.

(3) Said All net fire insurance premiums shall be furnished the association by the commissioner of insurance. Each board member shall be entitled to one vote. The officers shall consist of a president, vice president, and secretary-treasurer. The bylaws may provide for such other officers and employees as may be deemed necessary or advisable. The main office of the association shall be in the city of New Orleans, and branch offices may be established throughout this state.

* * *

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gautreaux	Pierre
Alario	Glover	Pinac
Alexander, A.—93rd	Green	Powell
Ansardi	Guillory	Pratt
Barton	Hammett	Quezairé
Baudoin	Heaton	Riddle
Baylor	Hebert	Romero
Bowler	Hill	Rousselle
Bruce	Holden	Salter
Brun	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th

Clarkson	Jenkins	Stelly
Copelin	Johns	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneau	Triche
Diez	Martiny	Vitter
Dimos	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Weston
Durand	Michot	Wiggins
Farve	Mitchell	Wilkerson
Faucheux	Montgomery	Willard-Lewis
Flavin	Morrell	Windhorst
Fontenot	Morrish	Winston
Forster	Murray	Wright
Frith	Odinet	
Fruge	Perkins	

Total—100

NAYS

Total—0

ABSENT

Alexander, R.—13th	Kennard	Toomy
Jetson	Smith, J.R.—30th	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Theriot 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. 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.

Motion

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

Page 36 HOUSE

47th Day's Proceedings - June 6, 1997

HOUSE BILL NO. 71—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:2614, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in St. James Parish; to provide for an additional justice of the peace and constable; to provide for elections; and to provide for related matters.

Read by title.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Curtis	Kennard	Smith, J.R.—30th
Hudson	Morrell	Thornhill
Jetson	Quezaire	Toomy
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 75—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:2614, relative to particular justice of the peace courts; to provide for territorial jurisdiction of justice of the peace courts in St. John the Baptist Parish; to provide for an additional justice of the peace and constable; to provide for elections; and to provide for related matters.

Read by title.

Rep. Fauchaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Glover	McCallum	Toomy
Hammett	Quezaire	Welch
Hopkins	Smith, J.R.—30th	
Jetson	Stelly	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 189—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:46(A) and (B), relative to the Judicial Compensation Commission; to require the commission to study and make recommendations regarding the cost-of-living adjustments for the Judges' Noncontributory Retirement Plan; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed House Bill No. 189 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 5, after "Plan" and before the semicolon ";", insert "and other changes in judges' retirement"

AMENDMENT NO. 2

On page 1, line 14, at the end of the line, delete the period "." and insert "and all proposed changes in judges' retirement."

AMENDMENT NO. 3

On page 1, line 17, between "Plan" and the words "to the" insert "and other changes to judges' retirement."

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

Motion

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

HOUSE BILL NO. 341—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs' fees; to provide for the rate at which sheriffs are paid for their attendance in court; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 466—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2592(B), relative to justices of the peace; to authorize justices of the peace in certain parishes to appoint ad hoc justices of the peace under certain circumstances; and to provide for related matters.

Read by title.

Rep. Faucheux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Gautreaux	Perkins
Alexander, A.—93rd	Glover	Pierre
Alexander, R.—13th	Green	Pinac
Ansardi	Guillory	Powell
Barton	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Riddle
Bowler	Hill	Romero
Bruce	Holden	Rousselle
Brun	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Schneider
Chaisson	Iles	Shaw
Clarkson	Jenkins	Smith, J.D.—50th
Copelin	Johns	Stelly
Crane	Kennard	Strain
Curtis	Kenney	Theriot
Damico	Lancaster	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Dimos	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Walsworth
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard-Lewis
Fontenot	Morrell	Windhorst
Forster	Morrish	Winston
Frith	Murray	Wright
Total—102		

NAYS

Total—0

ABSENT

Jetson	Smith, J.R.—30th	Warner
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Engrossed House Bill No. 2340 by Representative Martiny

AMENDMENT NO. 1

Delete House Floor Amendment Nos. 1 through 4 as proposed by Representative Martiny and adopted by the House on June 6, 1997.

Rep. Martiny moved the adoption of the amendments.

Rep. Copelin objected.

By a vote of 52 yeas and 42 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Fruge	McCain
Ansardi	Gautreaux	Michot
Bowler	Green	Montgomery
Bruneau	Hammett	Morrish
Chaisson	Heaton	Murray
Curtis	Hebert	Odinot
Damico	Holden	Pinac
Deville	Hopkins	Romero
Donelon	Hunter	Scalise
Dupre	Johns	Smith, J.D.—50th
Durand	Lancaster	Stelly
Flavin	Landrieu	Theriot
Forster	Marionneaux	Travis
Frith	Martiny	Warner
Total—42		

NAYS

Mr. Speaker	Hill	Riddle
Alario	Hudson	Rousselle
Alexander, R.—13th	Iles	Salter
Barton	Jenkins	Schneider
Baudoin	Jetson	Shaw
Baylor	Kennard	Smith, J.R.—30th
Bruce	Kenney	Thomas
Carter	LeBlanc	Thompson
Copelin	Long	Thornhill
Crane	McCallum	Triche
DeWitt	McDonald	Vitter
Diez	McMains	Walsworth
Dimos	Morrell	Weston
Doerge	Perkins	Wiggins
Farve	Pierre	Willard-Lewis
Faucheux	Powell	Windhorst
Fontenot	Pratt	Wright
Guillory	Quezaire	
Total—53		

ABSENT

Brun	Mitchell	Wilkerson
Clarkson	Strain	Winston
Daniel	Toomy	
Glover	Welch	
Total—10		

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 570—
BY REPRESENTATIVE WARNER
AN ACT

To amend and reenact R.S. 11:3363.1(H)(1) and (2) and (J), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide relative to allowing a member, beneficiary, or survivor to bring a civil action against the fund to enforce laws governing the retirement system; to provide with respect to the use of commission recapture arrangement fee contracts for investment advisory services; and to provide for related matters.

Read by title.

Rep. Warner moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Green	Weston
Holden	Wilkerson
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Warner 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. 574—

BY REPRESENTATIVE WARNER

AN ACT

To amend and reenact R.S. 11:3370(G), relative to the Firefighters' Pension and Relief Fund in the City of New Orleans; to increase the maximum allowable limit on investment in equities; and to provide for related matters.

Read by title.

Rep. Warner moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Morrish
Alario	Gautreaux	Murray
Alexander, A.—93rd	Glover	Perkins
Alexander, R.—13th	Green	Pierre
Ansardi	Guillory	Pinac
Barton	Hammett	Powell
Baudoin	Heaton	Pratt
Baylor	Hebert	Quezaire
Bowler	Hill	Riddle
Bruce	Holden	Rousselle
Brun	Hopkins	Salter
Bruneau	Hudson	Scalise
Carter	Hunter	Schneider
Chaisson	Iles	Shaw
Clarkson	Jenkins	Smith, J.D.—50th
Copelin	Jetson	Smith, J.R.—30th
Crane	Johns	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Theriot
Deville	Lancaster	Thomas
DeWitt	Landrieu	Thompson
Diez	LeBlanc	Thornhill
Dimos	Long	Toomy
Doerge	Marionneaux	Travis
Donelon	Martiny	Vitter
Dupre	McCain	Walsworth
Durand	McCallum	Warner
Farve	McDonald	Welch
Faucheux	McMains	Wiggins
Flavin	Michot	Willard-Lewis
Fontenot	Mitchell	Windhorst
Forster	Montgomery	Wright
Frith	Morrell	
Total—98		

NAYS

Total—0

ABSENT

Daniel	Triche	Winston
Odinot	Weston	
Romero	Wilkerson	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Warner 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. 575—

BY REPRESENTATIVE WARNER

AN ACT

To amend and reenact R.S. 11:3378(A)(1), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide with respect to survivor benefits; to provide for survivor benefit payments when a firefighter dies within thirty days of an injury received in the line of duty; to provide with respect to retroactive applicability of those survivor benefits; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Warner to Engrossed House Bill No. 575 by Representative Warner

AMENDMENT NO. 1

On page 2, line 5, after the word and punctuation "annuity." insert the following:

"If the firefighter is killed or dies from immediate effects of any injury received while engaged in the discharge of his duties, and leaves a child or children under the age of eighteen years of age, that child or those children shall receive the benefits payable to children as provided elsewhere in this Section."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Dimos	Marionneaux	Travis
Doerge	Martiny	Triche
Donelon	McCain	Vitter
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Fauchoux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Willard-Lewis
Forster	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wright

Total—102

NAYS

Total—0

ABSENT

Diez	Strain	Wilkerson
------	--------	-----------

Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Warner 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. 952—

BY REPRESENTATIVE THOMAS
AN ACT

To enact R.S. 11:3039.1, relative to the City of Bogalusa Employees' Retirement System; to provide with respect to the creation of a Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thomas to Engrossed House Bill No. 952 by Representative Thomas

AMENDMENT NO. 1

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

"To amend and reenact R.S. 11:3049 and to enact R.S. 11:3039.1, relative to the City of Bogalusa Employees"

AMENDMENT NO. 2

On page 1, line 4, after the word and punctuation "Plan;" insert the following:

"to provide with respect to the management and investment of the retirement system funds; to provide with respect to the deposit and distribution of such funds thereof;"

AMENDMENT NO. 3

On page 1, line 10, after "enacted" insert "and R.S. 11:3049 is hereby amended and reenacted"

AMENDMENT NO. 4

On page 5, between lines 9 and 10 insert the following:

* * *

§3049. Investments—Management of funds

~~The board shall have full power to invest and re-invest funds of the system subject to the terms, conditions, limitations and restrictions imposed by state law. Such monies belonging to the system that are in excess of cash requirements for annuity and benefit payments and administrative expenses for a period of ninety days, shall be invested in bonds of the United States Government, or in general obligation bonds of the State of Louisiana, or of any municipality or school district of the State. In the selection of bonds for investment, preference shall be given to the extent possible or practicable, to bonds of the City of Bogalusa or of any independent school district or districts embracing such City.~~

A. The board of trustees shall be the trustees of the fund created by this Chapter as provided in R.S. 11:3047(D) and of various accounts authorized by R.S. 11:3048(A) and shall have full power to invest and reinvest such funds in accordance with provisions of R.S. 11:263. The trustees shall have full power to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments in which any of the funds created herein have been invested as well as the proceeds of the investments and monies belonging to the funds. The expenses associated with the investment and administration of fund assets shall be charged against the various investment accounts and shall not be charged to the expense account.

B. All expense vouchers and pension payrolls shall be certified by the secretary. The secretary shall furnish the board of trustees a surety bond with a company authorized to do business in Louisiana and in such an amount as shall be required by the board, the premium to be paid from the expense fund.

C. For the purpose of meeting disbursement for pensions, annuities, and other payments, there may be kept available cash, not exceeding ten percent of the total amount in the several funds of the retirement system, on deposit in one or more banks or trust companies of the state of Louisiana organized under the laws of the state of Louisiana or of the United States, provided that the sum on deposit in any one bank or trust company shall not exceed twenty-five percent of the paid up capital and surplus of such bank or trust company.

D. The board of trustees shall approve the fiscal agency bank or banks selected for the deposit of funds and securities of the retirement system, provided that no bank shall be selected unless the bank is a fiscal agent of the state. The funds and properties of the system held in any bank of the state shall be safeguarded by bonds or other securities acceptable for the protection of state deposits, the amount to be determined by the board of trustees.

E. Except as otherwise herein provided, no trustee and no employee of the board of trustees shall have any direct interest in the gains or profits of any investments made by the board of trustees, nor as such receive any pay or emolument for his service. No trustee or employee of the board shall, directly or indirectly, for himself or as an agent in any manner use the same, except to make such current and necessary payments as are authorized by the board of trustees; nor shall any trustee or employee of the board of trustees become an endorser or surety or in any manner as obligor for monies loaned or borrowed from the board of trustees."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander, A.—93rd	Hammett	Powell
Alexander, R.—13th	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Rousselle
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Brun	Iles	Schneider
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
DeWitt	Long	Toomy
Dimos	Marionneaux	Travis
Doerge	Martiny	Triche
Donelon	McCain	Vitter
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Forster	Morrell	Wilkerson
Frith	Morrish	Willard-Lewis
Fruge	Murray	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Clarkson	Diez	Montgomery
Deville	Fontenot	Strain
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thomas 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. 1365—
BY REPRESENTATIVE WARNER
AN ACT

To amend and reenact R.S. 11:3383(A), 3384(B), and 3385.1(K)(4) and to repeal R.S. 11:3380, relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to discontinue the minimum benefit to beneficiaries of deceased firefighters; to provide with respect to standardizing the formula for the computation of retirement benefits; to make a technical correction within the provisions of the Deferred Retirement

Option Plan; to repeal the one dollar per day sick benefit for members who have exhausted such sick leave; and to provide for related matters.

Read by title.

Rep. Warner moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Diez	Glover	Strain
Fontenot	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Warner 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.

Page 42 HOUSE

47th Day's Proceedings - June 6, 1997

HOUSE BILL NO. 341—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs' fees; to provide for the rate at which sheriffs are paid for their attendance in court; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Engrossed House Bill No. 341 by Representative Toomy

AMENDMENT NO. 1

On page 2, after line 9, insert the following:

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Forster Murray Winston
Frith Odinet Wright
Total—102

NAYS

McCain Salter
Total—2 ABSENT

Montgomery
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Toomy 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. 2251—
BY REPRESENTATIVES HEBERT, FAUCHEUX, AND WELCH
AN ACT

To amend and reenact R.S. 14:93.11(A), 93.12(A), and 93.13(A) and R.S. 26:90(A)(1)(a)(introductory paragraph) and (b) and 286(A)(1)(a)(introductory paragraph) and (b) and to enact R.S. 26:588.1, relative to alcoholic beverages; to provide for a statewide election on the proposition of whether all persons who have attained the age of majority may purchase, possess, and consume alcoholic beverages in the same manner and to the same extent; to provide for changes in laws governing the sale of alcoholic beverages to and purchase or public possession of alcoholic beverages by persons under a certain age; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 2251 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert in lieu thereof "enact R.S."

AMENDMENT NO. 2

On page 1, line 5, after "for a" and before "statewide" insert "nonbinding"

AMENDMENT NO. 3

On page 1, at the end of line 8, delete "to provide for" and delete lines 9 and 10 in their entirety and at the beginning of line 11, delete "a certain age;"

AMENDMENT NO. 4

On page 2, line 4, after "The" and before "referendum" insert "nonbinding"

AMENDMENT NO. 5

On page 2, line 8, after "printed a" and before "upon" change "proposition" to "question"

AMENDMENT NO. 6

On page 2, at the beginning of line 11, change "Shall" to "Should"

AMENDMENT NO. 7

On page 2, at the end of line 11 and the beginning of line 12, delete "(18 years of age)"

AMENDMENT NO. 8

On page 2, line 15, after "this" delete the remainder of the line and delete line 16 in its entirety and insert in lieu thereof "question shall be deemed to advise the legislative, judicial, and executive branches of government of the will of the citizens of Louisiana on this matter of public policy."

AMENDMENT NO. 9

On page 2, line 19, after "Section 2." delete the remainder of the line and delete lines 20 through 26 in their entirety and insert in lieu thereof the following:

"This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

AMENDMENT NO. 10

On page 3, delete lines 1 through 25 in their entirety and on page 4, delete lines 1 through 26 in their entirety and on page 5 delete lines 1 through 18 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Donelon to Engrossed House Bill No. 2251 by Representatives Hebert, et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:" insert "91(A), 91.6(A), 91.8(B), (C), and (D), 93.2,"

AMENDMENT NO. 2

On page 1, line 4, after "(b)" insert a comma "," and "and R.S. 27:319(A)" and after "enact" insert "Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1400 through 1403, and"

AMENDMENT NO. 3

On page 1, line 5, after "relative to" delete the remainder of the line and lines 6 through 11 in their entirety and insert in lieu thereof the following:

"person under the age of twenty-one; to provide for statewide elections on the proposition of whether persons who have attained the age of twenty-one may purchase, possess, own, use, or sale certain items, products, materials, or goods and services; to provide for changes in laws governing the purchase, possession, ownership, use,

or sale of certain items, products, materials, or goods and services; and to provide for related matters."

AMENDMENT NO. 4

On page 2, line 11, after "age of" delete the remainder of the line and on line 12 delete "years of age" and insert in lieu thereof "twenty-one"

AMENDMENT NO. 5

On page 2, line 19, after "R.S. 14:" insert "91(A), 91.6(A), 91.8(B), (C), and (D), 93.2,"

AMENDMENT NO. 6

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

"§91. Unlawful sales of weapons to minors

A. Unlawful sales of weapons to minors is the selling or otherwise delivering for value of any firearm or other instrumentality customarily used as a dangerous weapon to any person under the age of ~~eighteen~~ twenty-one. Lack of knowledge of the minor's age shall not be a defense.

* * *

§91.6. Unlawful distribution of sample tobacco products to persons under age eighteen; penalty

A. No person shall distribute or cause to be distributed to persons under ~~eighteen~~ twenty-one years of age a promotional sample of any tobacco product.

* * *

§91.8. Unlawful sale of tobacco to or purchase of tobacco by persons under age eighteen; signs required on vending machines; penalty

* * *

B. It is unlawful for any manufacturer, distributor, retailer, or other person knowingly to sell or distribute any tobacco product to a person under the age of ~~eighteen~~ twenty-one. However, it shall not be unlawful for a person under the age of ~~eighteen~~ twenty-one to accept receipt of a tobacco product from an employer when required in the performance of such person's duties. At the point of purchase, a sign in type not less than 30-point type shall be displayed that reads "LOUISIANA LAW PROHIBITS THE SALE OF TOBACCO TO PERSONS UNDER AGE ~~18~~ 21".

C. It is unlawful for a vending machine operator to place in use a vending machine to vend any tobacco product automatically, unless the machine displays a sign or sticker in not less than 22-point type on the front of the machine stating, "LOUISIANA LAW PROHIBITS THE SALE OF TOBACCO TO PERSONS UNDER AGE ~~18~~ 21", or words of similar meaning.

D. It is unlawful for any person under the age of ~~eighteen~~ twenty-one to buy any tobacco product.

* * *

§93.2. Tattooing minors

It is unlawful for any person to tattoo any other person under the age of ~~eighteen~~ twenty-one without the consent of the parents of such

person. Whoever is found guilty of violating the provisions of this Section shall be fined not less than one hundred dollars nor more than five hundred dollars or be imprisoned for not less than thirty days nor more than one year, or both.

* * *

AMENDMENT NO. 7

On page 2, line 22, after "under" delete "eighteen" and insert "twenty-one"

AMENDMENT NO. 8

On page 2, line 24, after "under" delete "eighteen" and insert "twenty-one"

AMENDMENT NO. 9

On page 3, line 6, after "under" delete "eighteen" and insert "twenty-one"

AMENDMENT NO. 10

On page 3, line 11, after "under" delete "eighteen" and insert "twenty-one"

AMENDMENT NO. 11

On page 3, line 14, after "under" delete "eighteen" and insert "twenty-one"

AMENDMENT NO. 12

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

"Section 3. Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18: 1400 through 1403, is hereby enacted to read as follows:

CHAPTER 6-E STATEWIDE ELECTIONS

§1400. Statewide vote on age of purchase and possession of weapons

A. The referendum provided for in this Section shall be submitted to the electors of the state of Louisiana at the congressional primary election to be held in 1998.

B. On the official ballot to be used at that election there shall be printed a proposition upon which the electors of this state shall be permitted to vote FOR or AGAINST and which shall read as follows:

OFFICIAL BALLOT

Shall a person having attained the age of twenty-one be allowed to purchase and possess a firearm or other instrumentality customarily used as a dangerous weapon in the same manner and to the same extent as any other adult?

C. A majority vote on this proposition shall determine the issue for the entire state.

D. The costs of the election required by this Section shall be borne by the state.

§1401. Statewide vote on age of purchase and possession of tobacco products

A. The referendum provided for in this Section shall be submitted to the electors of the state of Louisiana at the congressional primary election to be held in 1998.

B. On the official ballot to be used at that election there shall be printed a proposition upon which the electors of this state shall be permitted to vote FOR or AGAINST and which shall read as follows:

OFFICIAL BALLOT

Shall a person having attained the age of twenty-one be allowed to purchase and possess tobacco products in the same manner and to the same extent as any other adult?

C. A majority vote on this proposition shall determine the issue for the entire state.

D. The costs of the election required by this Section shall be borne by the state.

§1402. Statewide election on age of obtaining a tattoo

A. The referendum provided for in this Section shall be submitted to the electors of the state of Louisiana at the congressional primary election to be held in 1998.

B. On the official ballot to be used at that election there shall be printed a proposition upon which the electors of this state shall be permitted to vote FOR or AGAINST and which shall read as follows:

OFFICIAL BALLOT

Shall a person having attained the age of twenty-one be allowed to obtain a tattoo in the same manner and to the same extent as any other adult?

C. A majority vote on this proposition shall determine the issue for the entire state.

D. The costs of the election required by this Section shall be borne by the state.

§1403. Statewide election on age to play video draw poker devices

A. The referendum provided for in this Section shall be submitted to the electors of the state of Louisiana at the congressional primary election to be held in 1998.

B. On the official ballot to be used at that election there shall be printed a proposition upon which the electors of this state shall be permitted to vote FOR or AGAINST and which shall read as follows:

OFFICIAL BALLOT

Shall a person having attained the age of twenty-one be allowed to play or operate a video poker device at a licensed establishment in the same manner and to the same extent as any other adult?

C. A majority vote on this proposition shall determine the issue for the entire state.

D. The costs of the election required by this Section shall be borne by the state."

AMENDMENT NO. 13

On page 3, line 17, after "Section" change "3" to "4"

AMENDMENT NO. 14

On page 5, between lines 16 and 17 insert the following:

"Section 5. R.S. 27:319(A) is hereby amended and reenacted to read as follows:

§319. Allowing minors to play video draw poker devices; penalties; revocation of license

A.(1) No person licensed pursuant to the provisions of this Chapter, or any agent or employee thereof, shall intentionally allow a person under the age of ~~eighteen~~ twenty-one to play or operate a video draw poker device at a licensed establishment.

(2) The person licensed pursuant to provisions of this Chapter shall each quarter report and remit to the division all winnings withheld from patrons who are determined to be under the age of ~~eighteen~~ twenty-one.

* * *

AMENDMENT NO. 15

On page 5, line 17, after "Section" change "4" to "6" and after "2" delete "and 3" and insert in lieu thereof a comma "," and "4 and 5"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Alario, Alexander, A.—93rd, Ansardi, Baudoin, Baylor, Bowler, Bruce, Bruneau, Carter, Copelin, Damico, Deville, DeWitt, Doerge, Durand, Faucheux, Total—46; Forster, Green, Guillory, Hammett, Heaton, Hebert, Holden, Hudson, Lancaster, LeBlanc, Marionneaux, Martiny, Montgomery, Morrell, Murray, Pierre; Pinac, Pratt, Quezairé, Romero, Rousselle, Scalise, Thornhill, Toomy, Travis, Triche, Warner, Welch, Willard-Lewis, Wright

NAYS

Table with 3 columns of names: Mr. Speaker, Alexander, R.—13th, Barton, Chaisson, Crane, Diez, Dimos, Donelon, Dupre; Iles, Jenkins, Jetson, Johns, Kennard, Kenney, Landrieu, Long, McCain; Salter, Schneider, Shaw, Smith, J.D.—50th, Strain, Theriot, Thomas, Thompson, Vitter

Table with 3 columns of names: Farve, Flavin, Fontenot, Frith, Fruge, Gautreaux, Hill, Total—46; McCallum, McDonald, McMains, Michot, Morrish, Odinet, Powell; Walsworth, Weston, Wiggins, Windhorst, Winston

ABSENT

Table with 3 columns of names: Brun, Clarkson, Curtis, Daniel, Glover, Total—13; Hopkins, Hunter, Mitchell, Perkins, Riddle; Smith, J.R.—30th, Stelly, Wilkerson

The Chair declared the above bill failed to pass.

Rep. Donelon moved to reconsider the vote by which the above bill failed to pass and moved to lay the motion to reconsider on the table.

Rep. Bruneau objected to tabling the motion to reconsider the vote by which the above bill failed to pass.

By a vote of 34 yeas and 58 nays, the House refused to table the motion to reconsider the vote by which the above bill failed to pass.

Motion to reconsider pending.

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; to provide exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed House Bill No. 2480 by Representative Perkins

AMENDMENT NO. 1

On page 5, line 10, after "establishment" and before "by" delete "or"

AMENDMENT NO. 2

On page 5, at the end of line 10 insert the following:

"by a charitable gaming licensee, or at a pari-mutuel wagering facility"

AMENDMENT NO. 3

On page 5, at the end of line 11 insert "Chapter 4 of Title 4,"

AMENDMENT NO. 4

On page 5, line 12, after "27" and before "of" insert ", or Part V-A of Chapter 14 of Title 33"

Page 46 HOUSE

47th Day's Proceedings - June 6, 1997

AMENDMENT NO. 5

On page 5, at the end of line 14, delete the period "." and insert in lieu thereof

" , so long as the wagering is done on the premises of the licensed establishment."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Engrossed House Bill No. 2480 by Representative Perkins

AMENDMENT NO. 1

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

"G. The conducting or assisting in the conducting of pari-mutuel wagering at licensed racing facilities under the provisions of Chapter 4 of Title 4 of the Louisiana Revised Statutes of 1950, shall not be considered gambling by computer for the purposes of this Section."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Quezaire
Alario	Hammett	Riddle
Alexander, A.—93rd	Hebert	Rousselle
Barton	Hill	Salter
Bruce	Iles	Scalise
Brun	Jenkins	Schneider
Bruneau	Jetson	Shaw
Carter	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Crane	Kenney	Thompson
Damico	Lancaster	Thornhill
Deville	Landrieu	Travis
Dimos	LeBlanc	Triche
Doerge	Long	Vitter
Donelon	Marionneaux	Walsworth
Dupre	McCain	Warner
Durand	McCallum	Welch
Farve	McDonald	Weston
Faucheux	McMains	Wiggins
Flavin	Michot	Wilkerson
Fontenot	Montgomery	Willard-Lewis
Forster	Morrish	Windhorst
Frith	Perkins	Winston
Fruge	Powell	Wright
Gautreaux	Pratt	
Total—74		

NAYS

Ansardi	Glover	Odinot
Baylor	Guillory	Pierre
Bowler	Holden	Pinac

Chaisson	Hunter	Romero
Copelin	Martiny	Theriot
Curtis	Morrell	Toomy
DeWitt	Murray	
Total—20		

ABSENT

Alexander, R.—13th	Heaton	Stelly
Baudoin	Hopkins	Strain
Daniel	Hudson	Thomas
Diez	Mitchell	
Total—11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Perkins 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. 189—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:46(A) and (B), relative to the Judicial Compensation Commission; to require the commission to study and make recommendations regarding the cost-of-living adjustments for the Judges' Noncontributory Retirement Plan; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Engrossed House Bill No. 189 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 2, after "(B)" and before the comma "," insert "and to enact R.S. 13:46(D)"

AMENDMENT NO. 2

On page 1, line 5, after "Plan;" and before "and to" insert "to provide with respect to legislative action on commission recommendations; to provide for termination of the commission;"

AMENDMENT NO. 3

On page 1, at the end of line 8, add "and R.S. 13:46(D) is hereby enacted"

AMENDMENT NO. 4

On page 2, at the end of line 7 add the following:

"D. Notwithstanding any other provision of the law to the contrary no recommendations by the commission shall require the legislature to act unless there exists the appropriate and necessary variation in the economy to support the recommendations of the commission or prohibit the legislature from adjusting the recommendations of the commission."

Section 2. The commission shall cease to exist and be null and void on July 1, 1999."

Rep. Faucheux moved the adoption of the amendments.

Rep. Toomy objected.

By a vote of 87 yeas and 16 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Perkins
Alario	Green	Pierre
Alexander, A.—93rd	Guillory	Pinac
Alexander, R.—13th	Hammett	Powell
Barton	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Romero
Bruce	Holden	Rousselle
Brun	Hopkins	Salter
Bruneau	Hudson	Schneider
Carter	Hunter	Shaw
Chaisson	Iles	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Thomas
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Travis
Dimos	Marionneaux	Triche
Doerge	McCain	Vitter
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Montgomery	Wilkerson
Flavin	Morrell	Willard-Lewis
Forster	Morrish	Wright
Frith	Murray	
Gautreaux	Odinot	
Total—88		

NAYS

Ansardi	Lancaster	Toomy
Bowler	Martiny	Walsworth
Crane	Riddle	Windhorst
Fruge	Scalise	Winston
Jenkins	Theriot	
Total—14		

ABSENT

Diez	Fontenot	Mitchell
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2369—

BY REPRESENTATIVE DEVILLE

AN ACT

To amend and reenact R.S. 46:1844(B)(introductory paragraph), relative to basic rights for victims and witnesses; to require certain law enforcement officers to notify victims of their right to notification of proceedings; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Heaton, 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. 79—

BY REPRESENTATIVE THERIOT

A RESOLUTION

To remember the lifetime accomplishments of Colette Ann Eymard and to express the sincere condolences of the House of Representatives to her friends and family upon her untimely death.

Read by title.

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

HOUSE RESOLUTION NO. 80—

BY REPRESENTATIVES MARTINY, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUN, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, WINDHORST, WINSTON, AND WRIGHT

A RESOLUTION

To recognize and commend the LSU Baseball Fighting Tigers and Coach Skip Bertman for a terrific season and playing for LSU's second consecutive national collegiate baseball championship in the 1997 College World Series.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 217—
BY REPRESENTATIVES ROMERO AND DURAND
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to control the access on U.S. Highway 90 in Iberia and St. Mary Parishes.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 218—
BY REPRESENTATIVE HUDSON
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Nolan E. Simmons and to pay tribute to his many contributions to this state and its citizens.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Agriculture

June 6, 1997

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 101, by Cain
Reported favorably. (9-0)

Senate Concurrent Resolution No. 128, by Cain
Reported favorably. (10-0)

R. H. STRAIN
Chairman

Report of the Committee on House and Governmental Affairs

June 6, 1997

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 5, 1997, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 193, by Hopkins
Reported with amendments. (8-0)

Senate Bill No. 58, by Guidry
Reported with amendments. (9-0) (Regular)

Senate Bill No. 176, by Guidry
Reported with amendments. (9-0) (Regular)

Senate Bill No. 251, by Hines
Reported with amendments. (9-0) (Regular)

Senate Bill No. 295, by Jordan (Joint Resolution)
Reported favorably. (9-0)

Senate Bill No. 321, by Malone (Joint Resolution)
Reported with amendments. (9-1)

Senate Bill No. 449, by Jordan
Reported with amendments. (9-0) (Regular)

Senate Bill No. 828, by Hainkel
Reported with amendments. (9-0) (Regular)

Senate Bill No. 832, by Hainkel
Reported with amendments. (9-0) (Regular)

Senate Bill No. 907, by Jordan
Reported with amendments. (10-0) (Regular)

Senate Bill No. 1278, by Hainkel
Reported with amendments. (8-0) (Regular)

Senate Bill No. 1469, by Hainkel
Reported with amendments. (10-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 295 and Senate Bill No. 321 were referred to the Legislative Bureau.

Report of the Committee on Judiciary

June 6, 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. 1403, by Wright
Reported favorably. (6-0-1) (Consent)

Senate Bill No. 908, by Jordan
Reported with amendments. (6-0-1) (Regular)

Senate Bill No. 1523, by Schedler
Reported with amendments. (6-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

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

Report of the Committee on Retirement

June 6, 1997

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1180, by Montgomery
Reported with amendments. (7-0) (Consent)

Senate Bill No. 394, by Heitmeier
Reported with amendments. (7-0) (Regular)

Senate Bill No. 425, by Heitmeier
Reported with amendments. (9-0) (Regular)

Senate Bill No. 426, by Heitmeier
Reported with amendments. (9-0) (Regular)

Senate Bill No. 427, by Heitmeier
Reported with amendments. (9-0) (Regular)

Senate Bill No. 1020, by Heitmeier
Reported favorably. (9-0) (Regular)

Senate Bill No. 1070, by Heitmeier
Reported favorably. (9-0) (Regular)

Senate Bill No. 1142, by Heitmeier
Reported favorably. (8-1) (Regular)

Senate Bill No. 1296, by Dardenne
Reported with amendments. (7-1) (Regular)

Senate Bill No. 1501, by Romero
Reported with amendments. (9-0) (Regular)

VICTOR T. STELLY
Chairman

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

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

June 6, 1997

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 210, by Long
Reported favorably. (7-0)

Senate Bill No. 763, by Short
Reported favorably. (8-0) (Regular)

Senate Bill No. 1082, by Johnson
Reported with amendments. (10-0) (Regular)

Senate Bill No. 1138, by Dean
Reported favorably. (9-0) (Regular)

Senate Bill No. 1450, by Guidry
Reported favorably. (8-0) (Consent)

Senate Bill No. 1474, by Schedler
Reported favorably. (9-0) (Regular)

Senate Bill No. 1504, by Cravins
Reported with amendments. (8-0) (Consent)

Senate Bill No. 1519, by Short
Reported favorably. (9-0) (Regular)

SHARON WESTON
Chairman

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

Privileged Report of the Committee on Enrollment

June 6, 1997

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 87—
BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN
AN ACT

To enact R.S. 13:2111, relative to the clerk of the city court of
Leesville; to require an assessment of a nonrefundable fee for
filing of a civil suit or proceeding; to provide for the disposition
of such fee; and to provide for related matters.

HOUSE BILL NO. 149—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To enact R.S. 34:851.27(B)(7) and (8), relative to regulation of
vessels and motorboats; to authorize and provide for the
enforcement as to vessels and motorboats of state and local laws
and ordinances prohibiting trespass and unauthorized entry; to
provide for regulation of watercraft operating near structures in
Lake Pontchartrain which are leased by a local governing
authority for recreational purposes; and to provide for related
matters.

HOUSE BILL NO. 163—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.2(B), relative to personalized
license plates for motor vehicles; to provide for eligibility for a
personalized license plate; and to provide for related matters.

HOUSE BILL NO. 283—
BY REPRESENTATIVES MCCAIN, GAUTREAUX, HUDSON, AND
QUEZAIRE
AN ACT

To authorize and provide for the transfer or lease of certain state
property by and on behalf of the state through the Department
of Transportation and Development to the Assumption Parish
Fire Protection District No. 1 for use by the Pierre Part/Belle
River Volunteer Fire Department; to provide terms, conditions,
procedures, and requirements; and to provide for related
matters.

HOUSE BILL NO. 287—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 37:1437(C)(6)(c)(iv), relative to real
estate brokers and salespersons; to permit brokers and
salespersons who have been on inactive status to cumulate
continuing education hours; and to provide for related matters.

HOUSE BILL NO. 304—
BY REPRESENTATIVE DOWNER, DUPRE, AND, GAUTREAUX, AND
SENATOR ROBICHAUX
AN ACT

To authorize and provide for the lease of certain property, consisting
of certain state-owned water bottoms in Terrebonne Parish, from
the Department of Natural Resources to the governing authority
of Terrebonne Parish; to provide certain terms, conditions, and
requirements; and to provide for related matters.

HOUSE BILL NO. 305—

BY REPRESENTATIVES DOWNER, DUPRE, AND GAUTREAUX AND
Senator ROBICHAUX

AN ACT

To enact R.S. 41:1705(15), relative to public lands and state water bottom management; to provide an exemption from management by the Department of Natural Resources for Terrebonne Parish projects utilizing certain areas of Bayou Terrebonne for a public purpose; and to provide for related matters.

HOUSE BILL NO. 340—

BY REPRESENTATIVE TOOMY

AN ACT

To repeal R.S. 36:706(B), relative to the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States and the Louisiana Commission on Legal Education and Clinical Services; to remove such agencies within the Department of Justice; and to provide for related matters.

HOUSE BILL NO. 365—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FRITH,
GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER,
AND WESTON

AN ACT

To amend and reenact R.S. 51:1752(4), relative to the economically disadvantaged business development program; to provide for the definition of "economically disadvantaged person"; and to provide for related matters.

HOUSE BILL NO. 417—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FRITH,
GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER,
AND WESTON

AN ACT

To enact R.S. 51:2312(G), relative to the Louisiana Economic Development Corporation; to require all persons receiving financial assistance or grants or participating in investment programs be United States citizens; and to provide for related matters.

HOUSE BILL NO. 469—

BY REPRESENTATIVE GREEN

AN ACT

To enact R.S. 10:4A-209(e), relative to banks; to prohibit banks from charging a beneficiary a fee for cashing a check; and to provide for related matters.

HOUSE BILL NO. 471—

BY REPRESENTATIVES GREEN AND MURRAY

AN ACT

To amend and reenact R.S. 9:3527(D), relative to consumer credit transactions; to require a creditor to notify a consumer before converting a precomputed consumer credit transaction into a simple interest transaction; and to provide for related matters.

HOUSE BILL NO. 499—

BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact R.S. 51:1909.1(A) and to enact R.S. 51:1901(8) and 1901.2, relative to commercial co-venturers; to provide a definition; to provide for final accounting for charitable sales promotions; to provide for the promulgation of rules for disclosure of the percentage of funds collected by commercial co-venturers that actually goes to the charitable organization; to provide for violations and penalties; and to provide for related matters.

HOUSE BILL NO. 502—

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 51:1903, relative to law enforcement solicitations; to permit law enforcement entities to designate one benevolent organization as its "sanctioned benevolent organization"; to provide relative to disclosure and billing; and to provide for related matters.

HOUSE BILL NO. 545 (Duplicate of Senate Bill No. 975)—

BY REPRESENTATIVE MURRAY AND SENATOR HEITMEIER AND
COAUTHORED BY REPRESENTATIVES BARTON, DUPRE, FLAVIN,
FRITH, HILL, HOPKINS, POWELL, THOMPSON, AND TRAVIS

AN ACT

To amend and reenact R.S. 9:3542(B), relative to credit life insurance; to reduce the per-dollar premium rate assessed and collected on credit life insurance, joint credit life insurance, level term credit life insurance, and joint level term insurance; and to provide for related matters.

HOUSE BILL NO. 548—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 23:1393(B), relative to the Louisiana Workers' Compensation Corporation; to provide that Jones Act coverage may only be issued when such coverage is incidental to certain other policies; and to provide for related matters.

HOUSE BILL NO. 555—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:2150.1(4), relative to contractors; to provide for definition of "contractor"; and to provide for related matters.

HOUSE BILL NO. 557—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 37:2153(F), relative to contractors; to provide for powers of the State Licensing Board for Contractors; to allow for delegation of powers and duties; and to provide for related matters.

HOUSE BILL NO. 558—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:2156.1(C) and (D)(1)(introductory paragraph) and (c), relative to licensure of contractors; to provide for requirements for issuance of a license; to provide for qualification as a qualifying party; and to provide for related matters.

HOUSE BILL NO. 567—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH,
GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER,
AND WESTON

AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(b), relative to the Department of Economic Development, including provisions to provide for the re-creation of the Department of Economic Development and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 590—

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE

AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(d), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part

of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 591—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(e), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 592—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 606—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:3276(E), 3277(A)(3), 3279(C), 3283(A)(3) and (4)(a), 3284(C), (D)(2), (H), and (J), and 3290(C)(2) and to repeal R.S. 37:3290(C)(1), relative to licensed private security officers; to provide for the minimum amount of liability insurance required; to provide relative to reexamination and submission of information to the board; to provide relative to registration, training, and uniforms; and to provide for related matters.

HOUSE BILL NO. 730 (Duplicate of Senate Bill No. 988)—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND
COAUTHORED BY REPRESENTATIVES BRUNEAU, LANCASTER,
SCALISE, VITTER, WINDHORST, BARTON, BOWLER, BRUN, CRANE,
DEVILLE, FRITH, FRUGE, MICHOT, PERKINS, AND POWELL AND
SENATORS DEAN, HAINKEL, AND SHORT
AN ACT

To enact R.S. 23:642, relative to the establishment of a minimum wage rate; to prohibit a local governmental subdivision from establishing a minimum wage rate; and to provide for related matters.

HOUSE BILL NO. 784—
BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 40:941(C), relative to handling of meat not slaughtered under license; to add field dressing of wild game intended for human consumption to the listing of exceptions to the licensure requirement; to provide that the Louisiana Department of Health and Hospitals promulgate rules and regulations addressing the field dressing of wild game; and to provide for related matters.

HOUSE BILL NO. 920—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 51:911.24(C)(3) and to repeal R.S. 51:911.24(C)(2), relative to manufactured housing; to repeal domiciliary and prior service requirements for licensure of manufactured housing dealers; to delete domiciliary requirements for licensure of salesmen; and to provide for related matters.

HOUSE BILL NO. 921—
BY REPRESENTATIVE DIEZ
AN ACT

To repeal R.S. 51:911.26 and 911.30(B), relative to manufactured housing; to repeal requirements of inspection by the fire marshal, the affixing of seals, labels, and certifications, and the placing of serial numbers on applications to the fire marshal.

HOUSE BILL NO. 922—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 51:911.23(D)(2) and (E), relative to manufactured housing; to provide for revisions to the Uniform Standards Code; to provide for the location of offices where documents will be held; and to provide for related matters.

HOUSE BILL NO. 923—
BY REPRESENTATIVE DIEZ
AN ACT

To repeal Part XIV-A of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:912 through 912.10, relative to remanufactured housing; to repeal the Uniform Standards Code for Remanufactured Housing.

HOUSE BILL NO. 972—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:1373.1(A) and (B) and to repeal R.S. 13:1373.1(B) as amended by Acts 1981, No. 636, relative to the Criminal District Court for the parish of Orleans; to provide for additional court reporters and deputy court reporters; and to provide for related matters.

HOUSE BILL NO. 1044—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:200 and 206(A) and (B), relative to community mental health services; to provide for the establishment and administration of a community-based system of care; to provide for a continuum of care for emotionally and behaviorally disturbed children and adults; and to provide for related matters.

HOUSE BILL NO. 1077—
BY REPRESENTATIVES RIDDLE, DEWITT, DURAND, AND JOHNS
AN ACT

To amend and reenact R.S. 40:2013, relative to the Department of Health and Hospitals; to designate the Department of Health and Hospitals as the agency responsible for carrying out the purposes of the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act; and to provide for related matters.

HOUSE BILL NO. 1086—
BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 25:341(A), (D), and (E), 342(A)(1), (2)(c), (5), (6), and (8), (B)(2) and (3), and (C), 343, 344, 345(A), (B), (C)(2), 349, and 351 and R.S. 36:207(A)(2) as amended and reenacted by Act No. 687 of the 1983 Regular Session of the Legislature and 909 and to repeal R.S. 25:342(F) and R.S. 36:207(A)(2) as amended and reenacted by Act No. 688 of the 1983 Regular Session of the Legislature, to provide relative to the Louisiana State Museum and the office of the state museum of the Department of Culture, Recreation and Tourism; to provide for the operation and management of the museum and the office; to provide for the holdings of the museum; to provide for the Board of Directors of the Louisiana State Museum, including membership, powers and duties, and the executive committee; to provide for the director of the museum and the assistant secretary of the office of the state

museum; to provide for fees, contracts, leases, and donations; and to provide for related matters.

HOUSE BILL NO. 1095—
BY REPRESENTATIVES GREEN AND MURRAY
AN ACT

To amend and reenact R.S. 6:315.1(A), relative to banks and banking; to provide for the transfer of small deposits to the surviving spouse or heirs upon the death of an intestate depositor; and to provide for related matters.

HOUSE BILL NO. 1176—
BY REPRESENTATIVE LANDRIEU AND SENATOR BAJOEI
AN ACT

To amend and reenact R.S. 40:2175(A) and (B)(2), 2176(A), and 2178 and to enact R.S. 40:2175.1, relative to basic care facilities; to provide with respect to the licensure of basic care facilities; to provide procedures and fees; and to provide for related matters.

HOUSE BILL NO. 1193—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1573, relative to the state fire marshal; to provide for the definition of "structure"; and to provide for related matters.

HOUSE BILL NO. 1309—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 28:841, R.S. 36:258(C) and (E)(1), and R.S. 47:9021, relative to compulsive or problem gambling; to transfer responsibility for operation of certain programs related to compulsive or problem gambling from the office of mental health of the Department of Health and Hospitals to the office of alcohol and drug abuse of the department; and to provide for related matters.

HOUSE BILL NO. 1493—
BY REPRESENTATIVES SHAW, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:21, relative to state mental health institutions; to authorize the assistant secretary of the office of mental health of the Department of Health and Hospitals to reorganize and consolidate the administration of state mental health institutions to comply with the State Mental Health Plan; to provide for the authority of the assistant secretary to establish community cottages; and to provide for related matters.

HOUSE BILL NO. 1514—
BY REPRESENTATIVES DOWNER, ANSARDI, DONELON, AND JOHN SMITH
AN ACT

To enact R.S. 39:14(6), relative to state lands; to exempt the Military Department, state of Louisiana, from certain provisions relative to the administration of state lands; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1781—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 30:129(A), relative to the State Mineral Board; to provide relative to the powers, duties, and authority of the board; to provide relative to pooling agreements and operating units; and to provide for related matters.

HOUSE BILL NO. 1783—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 30:148.2, relative to the Department of Natural Resources; to provide relative to duties and powers of the office of mineral resources; to provide relative to lands which may be leased; to authorize the granting of surface/subsurface agreements for the erection and use of certain facilities or equipment where appropriate on unleased acreage; and to provide for related matters.

HOUSE BILL NO. 1789—
BY REPRESENTATIVE FLAVIN AND SENATORS MALONE AND ROMERO
AN ACT

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

HOUSE BILL NO. 1792—
BY REPRESENTATIVE JOHN SMITH AND SENATORS MALONE AND ROMERO
AN ACT

To amend and reenact R.S. 30:11.1, relative to filing and recording of orders creating drilling or production units by the commissioner of conservation; to provide for the filing of copies of such orders; and to provide for related matters.

HOUSE BILL NO. 1860—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 33:4861.12(A)(2)(b), relative to charitable gaming; to authorize increased compensation for employees assisting in holding, operating, or conducting charitable games of chance; and to provide for related matters.

HOUSE BILL NO. 1903—
BY REPRESENTATIVE JOHNS
AN ACT

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

HOUSE BILL NO. 2010—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(m), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 2060—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:646(A)(3) and (4) and to enact R.S. 6:646(A)(5), relative to the merger or conversion of federally chartered credit unions; to permit federally chartered credit unions to convert to or merge with state-chartered credit unions; and to provide for related matters.

HOUSE BILL NO. 2072—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:1783, 1787(E), 1788(C), 1799(A), and 1807(A), and to enact R.S. 37:1796(A)(8), relative to pawnbrokers; to provide relative to the notice given to the commissioner of change of location by a pawnbroker; to provide relative to bonding and net worth requirements; to provide relative to pawn transactions; to provide relative to records that must be kept; and to provide for related matters.

HOUSE BILL NO. 2138—

BY REPRESENTATIVES WINDHORST, DEWITT, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUN, BRUNEAU, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FAUCHEUX, FLAVIN, FORSTER, FRITH, FRUGE, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JETSON, JOHNS, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, JACK SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, TRAVIS, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, AND WINSTON

AN ACT

To amend and reenact R.S. 40:1375, to designate the State Police Training Academy the "Donald J. Thibodeaux Training Complex"; and to provide for related matters.

HOUSE BILL NO. 2156—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3531, 3532(A), 3548(B) and 3550(E)(3) and (H), relative to consumer credit transactions; to provide relative to the fees that can be charged for the prepayment of a consumer transaction; to provide relative to the return of unearned insurance premiums; and to provide for related matters.

HOUSE BILL NO. 2228—

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 22:2004(C)(12) and (13), 2017(C), 2018(A), 2021, and 2026(B) and to enact R.S. 22:2004(D)(1)(f), 2022(E), and 2026(C) and (D), relative to health maintenance organizations; requires health maintenance organizations to explain all terms for payment or payment reductions; establishes accreditation standards for quality assurance; establishes minimum requirements for utilization review and grievance requirements; requires establishment of provider grievance procedures; requires notice to enrollees regarding benefits and coverage; and to provide for related matters.

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

BY REPRESENTATIVES JOHN SMITH, FAUCHEUX, AND FRITH

AN ACT

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

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and

were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Adjournment

On motion of Rep. Martiny, at 3:00 P.M., the House agreed to adjourn until Monday, June 9, 1997, at 10:00 A.M.

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

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

