

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

EIGHTEENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, April 22, 1999

The House of Representatives was called to order at 2:00 P.M., by the Honorable Hunt Downer, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Frith	Morrish	Winston
Fruge	Murray	Wooton
Gautreaux	Odinot	Wright
Glover	Perkins	
Green	Pierre	
Total—100		

ABSENT

Dimos	Strain	Vitter
Total—3		

The Speaker announced that there were 100 members present and a quorum.

Prayer

Prayer was offered by Rep. Weston.

Pledge of Allegiance

Rep. LeBlanc 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. Guillory, the reading of the Journal was dispensed with.

On motion of Rep. Guillory, the Journal of April 21, 1999, was adopted.

Petitions, Memorials and Communications

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

Privileged Report of the Legislative Bureau

April 22, 1999

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. 319
Reported without amendments.

Senate Bill No. 447
Reported without amendments.

Senate Bill No. 523
Reported without amendments.

Senate Bill No. 586
Reported with amendments.

Senate Bill No. 587
Reported without amendments.

Senate Bill No. 673
Reported without amendments.

Senate Bill No. 708
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Message from the Senate

SENATE BILLS

April 22, 1999

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. 110, 188, 210, 223, 348, 489, 521, 550, 558, 854, 898, and 960

Respectfully submitted,

MICHAEL S. BAER, III Secretary of the Senate

Suspension of the Rules

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

Senate Bills and Joint Resolutions on First Reading

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

SENATE BILL NO. 110— BY SENATORS HOLLIS, BEAN, CAIN, COX, DYESS, HAINKEL, HINES, LAMBERT, LANDRY, LENTINI, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS, ULLO, BAJOE, BARHAM, BOISSIERE, CAMPBELL, CRAVINS, DARDENNE, DEAN, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, IRONS, JORDAN, MALONE AND ROBICHAUX AND REPRESENTATIVES ANSARDI, BARTON, BAYLOR, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, DAMICO, DOERGE, DUPRE, DURAND, FAUCHEUX, FRITH, GAUTREAU, GLOVER, HEATON, HEBERT, HILL, HOLDEN, JENKINS, JOHNS, KENNARD, LANCASTER, LANDRIEU, LONG, MCDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PERKINS, PINAC, POWELL, QUEZAIRE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, STELLY, VITTER, WADDELL, WESTON, WIGGINS AND WINDHORST

AN ACT

To enact R.S. 32:429.1, relative to the Department of Public Safety and Corrections; to provide for the establishment of a toll free hotline in the Department of Public Safety and Corrections; to provide for the accurate and complete information to be provided and the hours of operation; to require the hotline be operated by a person; and to provide for related matters.

Read by title.

SENATE BILL NO. 188— BY SENATOR W. FIELDS

AN ACT

To enact R.S. 9:3538.1, relative to Louisiana consumer credit law; to provide that consumers shall have the right to cancel a mail and check solicitation sale; provides time period for cancellation; provides for warning language; provides for notice of cancellation; and to provide for related matters.

Read by title.

SENATE BILL NO. 210 (Duplicate of House Bill No. 850)— BY SENATOR BEAN AND REPRESENTATIVE GLOVER

AN ACT

To amend and reenact R.S. 22:1405(I)(1), relative to fire insurance rates, to provide for uniform adjustments in the premium rate on residential and commercial policies based on changes in the public protection classification for an area; and to provide for related matters.

Read by title.

SENATE BILL NO. 223—

BY SENATORS CAMPBELL, BARHAM, BEAN, BOISSIERE, CAIN, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, HAINKEL, HINES, HOLLIS, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, THEUNISSEN, THOMAS AND ULLO

AN ACT

To enact R.S. 56:116(D), relative to hunting; to create a "youth hunting" season for deer; and to provide for related matters.

Read by title.

SENATE BILL NO. 348—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:1(12) and (30), 606(A), the introductory paragraph of 659(A) and 660(1), and to enact R.S. 8:1(42) and 660(4), relative to cemeteries; to provide for the rearrangement and reuse of cemetery space; to provide for commencement and completion requirements; to provide for permission to remove remains; to provide for definitions; to provide for exceptions; and to provide for related matters.

Read by title.

SENATE BILL NO. 489—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 40:1749.12(8) and (11), 1749.13(B)(1) and (4) and (C), 1749.14(A), (B), (C)(1)(a), (b)(i), (iii), and (iv) and (2), 1749.15, 1749.16(2) and (3), 1749.17(A), 1749.18, 1749.20(A), the introductory paragraph of (B), 1749.23(C), the introductory paragraph of (D), and (D)(2), and 1749.24(A)(2) and to enact R.S. 40:1749.20(B)(6) and 1749.23(D)(3), relative to public utilities; to provide relative to notification of evacuation or demolition activities; to require certification of regional notification centers; to require promulgation of rules to establish certification requirement and procedures; to provide relative to fees for the certification process; to provide relative to penalties for nonparticipation in such centers or for noncompliance with notification requirements; to provide for disbursement of proceeds from such penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 521—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 23:1021(10)(f), relative to workers' compensation; to provide for the determination of wages; and to provide for related matters.

Read by title.

SENATE BILL NO. 550—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to reduce the minimum mesh size for commercial crawfish traps; and to provide for related matters.

Read by title.

SENATE BILL NO. 558—
BY SENATOR THEUNISSEN

AN ACT

To repeal R.S. 56:251(A)(2)(b), relative to the possession limits for nonresident alligator hunters; and to provide for related matters.

Read by title.

SENATE BILL NO. 854—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:115(E)(1), 135(A), 177(A) and 572(3), and to enact R.S. 18:533(C)(6), all relative to elections; to provide for the close of registration; to provide for registration deadlines for mail applications; to provide for the manner of reinstatement of registration after suspension for a felony conviction; to provide for the location of polling places; to provide for the duties of the clerk of court upon the transmission of election returns; and to provide for related matters.

Read by title.

SENATE BILL NO. 898—
BY SENATOR C. FIELDS

AN ACT

To enact R.S. 40:1662.18, relative to electronic protective systems; to provide for certain obligations by alarm contracting companies; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 960—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 51:421(G)(2)(b) and (d) and to enact R.S. 51:421(G)(2)(e), relative to the Unfair Sales Law; to include within the definition of "cost to the wholesaler" any federal gasoline tax; 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. 152—
BY REPRESENTATIVE WESTON

A CONCURRENT RESOLUTION

To commend and salute the Patient Relations Section of the Health Care Services Division and the individual patient representatives whose work has made the section a success.

Read by title.

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

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 1509—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to provide for the assignment of annexations in the city of Baton Rouge to elections sections of the City Court of Baton Rouge; to remove the termination date on the authority to provide for such assignments; and to provide for related matters.

Read by title.

HOUSE BILL NO. 1796—BY REPRESENTATIVES MONTGOMERY, DOWNER, GLOVER, BARTON,
AND HOPKINS AND SENATOR MALONE, BEAN, TARVER, AND
CRAVINS

AN ACT

To enact Chapter 39 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9551, relative to the creation of a special taxing district in Bossier Parish; to create such district; to provide for the purpose for which such district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 150—

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To urge and request Tenet Louisiana Healthsystem to reconsider its decision to leave the community of Algiers, Louisiana, without an acute health care facility and to direct the Department of Health and Hospitals to ensure that the community of Algiers will have ready access to acute health care services.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 59—BY SENATORS HINES, DARDENNE, EWING, HAINKEL AND BARHAM
AND REPRESENTATIVES R. ALEXANDER, DEWITT, DOWNER AND
MCMAINS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take certain actions to guarantee all monies due to states from any tobacco industry settlement, agreement, or judgment be paid in full to such states and to prohibit any activities that would result in reducing the amount of funds available to the states from any tobacco industry settlement, agreement, or judgment.

Read by title.

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

**House Bills and Joint Resolutions on
Second Reading to be Referred**

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

HOUSE BILL NO. 2076—
BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 47:302.29(A), 322.9(A), and 332.2(A) and to enact R.S. 47:302.45, 322.39, and 332.45, relative to the state sales tax on hotel occupancy collected in certain political subdivisions within East Baton Rouge Parish; to revise the dedication of a portion of such monies; to create the Baker Economic Development Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2077—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 33:2737.71, relative to the levy of sales and use taxes by school boards; to authorize certain school boards, subject to voter approval, to levy and collect an additional sales and use tax; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2078—
BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 22:1405(B), 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.

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

HOUSE BILL NO. 2079—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 38:2311(A)(1)(a) and 2316, relative to the selection of architects for professional services contracts; to provide for the Architects Selection Board; to provide for the selection of architects; to provide for professional services contracts; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2080—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 9:2772(A)(1) through (3) and (C), relative to preemptive periods for certain actions; to reduce the preemptive period for actions involving deficiencies in surveying, design, supervision, or construction of immovables or improvements thereon; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2081—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 42:1123(27), relative to governmental ethics; to provide for an exception to the Code of Governmental Ethics for any member of a higher education board to be an officer, director, or employee of any state or national bank; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 2082—
BY REPRESENTATIVES BOWLER, JENKINS, AND PERKINS
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the "CHOOSE LIFE" prestige license plate; to provide for the issuance of such plate; to provide for the design and color of such plate; to provide relative to the fees for such plates; to provide for the creation of the "Choose Life" fund within the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of such monies; to provide for the qualifications of organizations applying for receipt of such monies; to require annual disbursement of such monies; to require qualified organizations to submit an annual audit; to create the Choose Life Advisory Council; to provide for membership, terms, duties and pay for members of such Council; to authorize promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

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

SENATE BILL NO. 116—
BY SENATORS CAIN, BARHAM, SMITH, DYESS, SCHEDLER AND THOMAS
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana; to allow the state to donate asphalt removed from state roads and highways to certain governing authorities; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

SENATE BILL NO. 177—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 221—

BY SENATORS HINES, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 36:254(D)(1)(a)(i), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to remove certain requirements of actions that must be taken prior to the implementation of a managed care or voucher system pursuant to a federal waiver in the Medical Assistance Program; to provide an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 362—

BY SENATOR LANDRY AND IRONS
AN ACT

To amend and reenact R.S. 32:295.1(F), relative to the required use of safety belts; to delete the provision prohibiting vehicles and occupants from being detained for failure to wear a safety belt; and to provide for related matters.

Read by title.

Motion

Rep. Stelly moved that Senate Bill No. 362 be designated as a duplicate of House Bill No. 190.

Which motion was agreed to.

Motion

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

SENATE BILL NO. 365—

BY SENATOR LENTINI
AN ACT

To enact R.S. 40:1484.11(5), relative to inspections of amusement attractions or rides; to exempt certain inflatable amusement rides and attractions from the Amusement Rides Safety Law; and to provide for related matters.

Read by title.

Motion

Rep. Dupre moved that Senate Bill No. 365 be designated as a duplicate of House Bill No. 744.

Which motion was agreed to.

Rep. Dupre moved that Senate Bill No. 365 be amended to conform with House Bill No. 744 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Downer to Engrossed Senate Bill No. 365 by Senator Lentini (Duplicate of House Bill No. 744)

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 40:" and insert "R.S. 40:1484.2(8) and" and after "relative to" delete "inspections of"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and on line 4, delete "from the Amusement Rides Safety Law;" and insert "and rides; to exempt air-supported structures from inspection and regulation by the state fire marshal;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete "R.S. 40:" and insert R.S. 40:1484.2(8) and" and after "1484.11(5)" change "is" to "are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§1484.2. Definitions

As used in this Part, the following definitions shall apply unless otherwise indicated:

* * *

(8) "Air-supported structure" means an amusement device that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by pretensioning with internal air pressure, all of which are intended to provide an enclosed area for the self-enjoyment of those so confined within.

* * *

AMENDMENT NO. 5

On page 1, line 13, after "(5)" delete "Inflatable amusement rides and attractions where" and insert "Air-supported structures, when"

AMENDMENT NO. 6

On page 1, line 14, change "to" to "by" and after "user" and before the period "." insert "or operator"

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

Motion

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

SENATE BILL NO. 396—

BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b), relative to motor vehicles; to provide for the exclusion of Saturdays, Sundays and legal holidays in the computation of time to provide proof of compliance with the Motor Vehicle Safety Responsibility Law; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 413 (Duplicate of House Bill No. 1341)—
BY SENATOR HEITMEIER AND REPRESENTATIVE TRAVIS AND COAUTHORED BY SENATORS HOLLIS, BEAN, BRANCH, DYESS, JORDAN, MALONE, SCHEDLER, SMITH, AND THOMAS, AND REPRESENTATIVES BARTON, CHAISSON, CLARKSON, DIEZ, DIMOS, FLAVIN, FRITH, GAUTREAU, GLOVER, HEATON, HEBERT, HILL, HOPKINS, JOHNS, LANCASTER, LONG, MARTINY, McDONALD, McMANS, MICHOT, MONTGOMERY, PERKINS, PIERRE, PINAC, POWELL, SCALISE, SCHNEIDER, SCHWEGMANN, J.D. SMITH, STELLY, THOMPSON, TRICHE, WADDELL, WALSWORTH AND WIGGINS
AN ACT

To amend and reenact R.S. 9:3141, 3143(1) and (3), 3144(A), (B)(2), and (C), relative to the New Home Warranty Act; to provide for its purpose; to provide for definitions; to provide for exclusions; to provide for exclusiveness of the provisions; and to provide for related matters.

Read by title.

Motion

Rep. Travis moved that Senate Bill No. 413 be designated as a duplicate of House Bill No. 1341.

Which motion was agreed to.

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

SENATE BILL NO. 453—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 42:1102(13) relative to ethics; to provide that the term "immediate family" of a public servant includes certain in-laws; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 454—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 42:1102(8), relative to ethics; to provide for the definition of "controlling interest"; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 457—
BY SENATORS THOMAS, W. FIELDS, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES TRAVIS, CARTER, DEWITT, DOWNER AND McMANS
AN ACT

To enact R.S. 36:254(G) and to repeal R.S. 36:256(D), relative to the Department of Health and Hospitals; to transfer the administrative responsibilities for the state-operated nursing homes for the aged and infirm from the undersecretary to the secretary of the department; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 512—
BY SENATOR CRAVINS AND LANDRY
AN ACT

To amend and reenact R.S. 37:1103(3) and 1107(D), relative to the Louisiana Mental Health Counselor Licensing Act; to revise the definition of "mental health counseling services"; to provide requirements for the renewal of a license by a licensed professional counselor; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 519—
BY SENATORS BAJOE AND IRONS
AN ACT

To amend and reenact R.S. 14:79(A)(1) and (E) and to enact R.S. 14:79(A)(3), relative to domestic violence offenses; to define the crime of violation of protective orders; to provide for failure to comply with conditions of bail, probation, or parole relative to protective orders; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 541—
BY SENATORS HINES AND SCHEDLER
AN ACT

To amend and reenact Children's Code Arts. 1037(C) and 622(A), relative to children; to provide for custody of certain children according to the best interest of the child after termination of parental rights; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 594 (Duplicate of House Bill No. 447)—
BY SENATORS SCHEDLER AND REPRESENTATIVE THORNHILL AND COAUTHORED BY SENATOR HAINKEL AND REPRESENTATIVES DONELON, PERKINS AND RIDDLE
AN ACT

To amend and reenact Civil Code Arts. 890, 1499, and 1514, relative to usufruct of surviving spouse; to provide with respect to requesting security and the granting of a usufruct by the decedent; and to provide for related matters.

Read by title.

Motion

Rep. Thornhill moved that Senate Bill No. 594 be designated as a duplicate of House Bill No. 447.

Which motion was agreed to.

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

SENATE BILL NO. 596—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:3715.3(A), relative to confidentiality of records of certain healthcare authorities and agencies; to provide that the reports and conclusions of nationally recognized healthcare accreditation authorities and certain licensure agencies of the Department of Health and Hospitals and those committees who make determinations relative to sentinel events are confidential; and to provide for related matters.

Read by title.

Motion

Rep. Wiggins moved that Senate Bill No. 596 be designated as a duplicate of House Bill No. 1148.

Which motion was agreed to.

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

SENATE BILL NO. 641—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:1382(B)(3), relative to the Louisiana Insurance Guaranty Association; to provide for the right of intervention in receivership proceedings of insolvent insurance companies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 646—
BY SENATOR SMITH

AN ACT

To enact R.S. 9:3518.2, relative to credit cards; to prohibit the unsolicited delivery or issuance of credit cards and certain other activities; to provide penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 694—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:32.8(A)(2)(b), 39.1(A)(2), 93.12(B)(1), 93.13(B), 98(A)(1)(b), 98.1(C) and the introductory paragraph of (D), R.S. 29:211(2), and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 662(A)(1)(b) and (c), the introductory paragraph of 667(A) and (3) and (B)(1), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i) and to enact R.S. 32:430.1, relative to certain offenses involving alcoholic beverages; to provide for penalties for certain crimes involving alcoholic beverages; to provide for levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, ignition interlock device provisions, and certain driving records; to provide for the denial of driving privileges as a penalty for the crime of unlawful purchase or possession of alcoholic beverages; to provide for a hardship license under certain circumstances; to provide for reinstatement of a license; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 795—
BY SENATOR IRONS

AN ACT

To enact Children's Code Art. 606(A)(6), relative to grounds for determining child in need of care status; to add unlawful possession of a firearm by a child as an additional ground; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 832—
BY SENATOR ROMERO

AN ACT

To amend and reenact Code of Civil Procedure Article 1732, relative to civil jury trials; to repeal the prohibition against jury trials in suits on admiralty or general maritime claims in state court; and to provide for related matters.

Read by title.

Motion

Rep. Johns moved that Senate Bill No. 832 be designated as a duplicate of House Bill No. 544.

Which motion was agreed to.

Motion

On motion of Rep. Johns, the bill was returned to the calendar.

SENATE BILL NO. 855—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, THOMAS, CAMPBELL, BEAN, DEAN, LENTINI AND ROMERO AND REPRESENTATIVES DEWITT, DOWNER, McMAINS, DIEZ, CRANE, THORNHILL, BARTON, DONELON, FLAVIN, KENNARD, LANCASTER, PERKINS, SCALISE, SHAW, TOOMY AND WIGGINS

AN ACT

To amend and reenact R.S. 20:1, relative to homesteads; to provide for an increase in the acreage and value of a homestead which shall be exempt from seizure; to provide for exemptions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 860 (Duplicate of House Bill No. 1060)—

BY SENATOR DARDENNE AND REPRESENTATIVE McMAINS AND COAUTHORED BY SENATORS EWING, HAINKEL, BARHAM, SCHEDLER AND ROMERO AND REPRESENTATIVES DEWITT, DOWNER, AND WALSWORTH

AN ACT

To enact R.S. 9:2798.4, relative to civil liability; to prohibit the recovery of damages of certain persons who operate a vehicle while under the influence of alcoholic beverages or drugs; to provide for certain exceptions; and to provide for related matters.

Read by title.

Motion

Rep. McMains moved that Senate Bill No. 860 be designated as a duplicate of House Bill No. 1065.

Which motion was agreed to.

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

SENATE BILL NO. 861 (Duplicate of House Bill No. 936)—
BY SENATORS DARDENNE AND REPRESENTATIVE MCMAINS AND
COAUTHORED BY SENATORS EWING, HAINKEL, BARHAM, AND
SCHEDLER AND REPRESENTATIVES DEWITT AND DOWNER
AN ACT

To amend and reenact R.S. 32:295.1(E), relative to the failure to use safety belts; to provide that the failure to use a safety belt shall be used as evidence to determine comparative negligence, apportionment of fault, or mitigation of damages; and to provide for related matters.

Read by title.

Motion

Rep. McMains moved that Senate Bill No. 861 be designated as a duplicate of House Bill No. 936.

Which motion was agreed to.

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

SENATE BILL NO. 921 (Duplicate of House Bill No. 1136)—
BY SENATOR HEITMEIER AND REPRESENTATIVE PINAC
AN ACT

To enact Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:969.1 through 969.41, and to repeal Chapter 10 of Title 6 of the Louisiana Revised Statutes, comprised of R.S. 6:951 through 964, relative to the Motor Vehicle Sales Finance Act; to provide for a short title; to provide for the scope of the Chapter; to provide for certain exclusions; to provide for a waiver and an agreement to forego rights; to provide relative to agreements to contract and of financing; to provide for definitions; to provide for terms, construction, and additional fees and charges; to provide for construction against implicit repeal; to provide for consumer loans; to provide for a consumer credit sale; to provide for maximum charges after negotiations; to provide for maximum charges after maturity; to provide for the impact of leap years; to provide for variable rates; to provide for maximum delinquency charges; to provide for maximum deferral charges; to provide for charges for checks returned for insufficient funds; to provide for documentation fees; notary fees, transfer of equity and other fees and for disclosure; to provide for the right to prepay; to provide for rebates upon prepayment and prepayment charges; to provide for rebate after acceleration of maturity; to provide for attorney fees; to provide for collection and enforcement costs and expenses; to provide for use of multiple agreements; to provide for consumer credit insurance; to provide for property insurance; to provide for existing insurance; to provide for limitations on insurance rates and contract requirements; to provide for a choice of insurer; to provide for conditions applying to insurance provided by the extender of credit; to provide for cancellation of insurance and refund or credit upon cancellation; to provide for gain from insurance; to provide for the effect of violations on rights of parties; to provide for guidance by commission and advisory opinions; to provide authorization for consumer loans and assignees; to provide for license not required; to provide for licensing procedures; to provide for denial, suspension or revocation of licenses; to provide for investigations and complaints; to provide for powers of the commission; to provide for penalties imposed by the commission; and to provide for related matters.

Read by title.

Motion

Rep. Pinac moved that Senate Bill No. 921 be designated as a duplicate of House Bill No. 1136.

Which motion was agreed to.

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

SENATE BILL NO. 945—
BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 51:614, relative to agricultural commodities; to require certain entities to label processed or unprocessed meat after January 1, 2000; to provide for exceptions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 373—
BY SENATORS IRONS, CAIN, CAMPBELL, HINES, SMITH, THEUNISSEN,
ULLO, HOLLIS AND JOHNSON AND REPRESENTATIVES BRUNEAU,
SCALISE AND WILLARD
AN ACT

To enact Part IX of Chapter 20 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3391.1 through 3391.13, relative to a Formosan Termite Initiative project; to provide for a short title; to provide for purposes and legislative intent; to provide for the powers and duties of the commissioner; to provide for cooperative agreements and funding; to provide for quarantines; to provide for suppression zones and control programs; to provide for entry into premises and inspections; to provide for investigations; to provide for regulated articles and stop orders; to provide for enforcement and civil penalties; to create the Formosan Termite Initiative Fund; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Willard moved that Senate Bill No. 373 be amended to conform with House Bill No. 1869 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Willard to Reengrossed Senate Bill No. 373 by Senator Irons (Duplicate of House Bill No. 1869)

AMENDMENT NO. 1

On page 4, line 13, after "of" insert "this" and after "Title" delete the remainder of the line, and on line 14, delete "Statutes of 1950"

AMENDMENT NO. 2

On page 5, line 1, after "of" and before "Title" insert "this" and after "Title" delete the remainder of the line and on line 2, delete "of 1950"

AMENDMENT NO. 3

On page 6, line 26, delete the comma "," after "zone" and insert "and"

AMENDMENT NO. 4

On page 7, line 10, delete "herein"

AMENDMENT NO. 5

On page 7, line 17, before "devise" insert "may"

AMENDMENT NO. 6

On page 7, line 22, after "notice" insert "a" and after "shall" insert "give notice of intent for treatment and shall"

AMENDMENT NO. 7

On page 8, line 2, after "owner," insert "renter."

AMENDMENT NO. 8

On page 8, line 6, after "present" insert "in order"

AMENDMENT NO. 9

On page 8, line 11, after "owner" insert a comma "," and "renter," and after "lessee" insert "if the property is under lease"

AMENDMENT NO. 10

On page 9, line 10, after "Part" insert "or of"

AMENDMENT NO. 11

On page 9, line 11, after "or" and before "any" insert "of"

AMENDMENT NO. 12

On page 9, line 15, delete "or expected violation"

AMENDMENT NO. 13

On page 9, line 24, after "may order" delete "that"

AMENDMENT NO. 14

On page 9, line 25, delete "be:" and insert "to be either:"

AMENDMENT NO. 15

On page 10, line 10, after "Part" delete "or"

AMENDMENT NO. 16

On page 10, line 11, after "or" insert "in order"

AMENDMENT NO. 17

On page 10, line 13, after "obtain" delete "an order or orders of enforcement"

AMENDMENT NO. 18

On page 10, line 14, after "venue" and before the period "." insert "an order or orders of enforcement"

AMENDMENT NO. 19

On page 11, line 22, after "monies in" delete "this" and insert "the"

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

Motion

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

SENATE BILL NO. 936—
BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 37:1518(A)(4), 1526(A)(2) and (B), 1549(A), 1551, 1552(3) and (4), 1553(4)(b), the introductory paragraph of 1554(A) and 1554(A)(2) through (6), 1556, 1557(C), and 1558 and to enact R.S. 37:1552(5), 1553(4)(c) and (d) and (6), 1554(A)(7) through (14), relative to the Louisiana Veterinary Practice Act; to provide for the issuance of subpoenas under certain circumstances; to provide for disciplinary actions of licensees; to provide for costs of proceedings; to provide for fees; to provide for legislative intent; to provide for rules; to provide for duties for a lead certified animal euthanasia technician; to provide for disciplinary actions of certified animal euthanasia technician; to provide for applicant license requirements; to provide for penalties for violations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Thompson moved that Senate Bill No. 936 be amended to conform with House Bill No. 1885 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Thompson to Engrossed Senate Bill No. 936 by Senator Thomas (Duplicate of House Bill No. 1885)

AMENDMENT NO. 1

On page 1, line 3, after "1553(4)(b)," delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 4, after "1554(A)" delete "and 1554(A)(2) through (6)"

AMENDMENT NO. 3

On page 1, line 5, after "1553" delete "(4)(c) and (d) and" and after "(6)," delete the remainder of the line and delete lines 6 through 12 and insert the following:

"relative to professions and occupations; to provide relative to certain veterinary practices and technicians; to provide relative to the Louisiana Veterinary Practice Law, veterinary technicians, and certified euthanasia technicians; to provide for definitions and duties; to provide for board powers and duties; to provide grounds and procedures for disciplinary actions; to provide for applications and for fee schedules; to provide for rules and regulations; to provide"

AMENDMENT NO. 4

On page 1, line 16, after "1553(4)(b)," delete "the introductory paragraph of" and at the end of the line delete "and"

AMENDMENT NO. 5

On page 2, line 1, delete "1554(A)(2) through (6),"

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AMENDMENT NO. 6

On page 2, line 2, after "1552(5)" delete the remainder of the line and on line 3, delete "(14)" and insert "and 1553(6)"

AMENDMENT NO. 7

On page 2, at the end of line 10 and the beginning of line 11, delete "of this Chapter" and insert "relative to the practice of veterinary medicine."

AMENDMENT NO. 8

On page 3, at the beginning of line 5, change "1." to "(1)"

AMENDMENT NO. 9

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

AMENDMENT NO. 10

On page 3, at the beginning of line 12, change "These" to "The"

AMENDMENT NO. 11

On page 3, delete lines 15 through 21 in their entirety and insert the following:

"(a) Application fee not to exceed one hundred dollars.

(b) Examination fee, per examination, state or national(s) exclusive of vendor's cost, not to exceed one hundred dollars.

(c) Original certificate of approval fee not to exceed one hundred fifty dollars.

(d) Annual renewal of certificate of approval fee not to exceed one hundred fifty dollars.

(e) Late fee for delinquent certificate of approval renewals not to exceed one hundred dollars."

AMENDMENT NO. 12

On page 4, line 15, after "who" delete the remainder of the line and delete line 16 in its entirety and insert "is:" and the following:

"(a) Designated in documents submitted to the board as the CAET at a designated site responsible for maintaining the security of those controlled substances in accordance with rules adopted by the board for the sole purpose of restraining, capturing and euthanizing animals, including records relating to controlled substances and drugs, in accordance with applicable state and federal laws; and

(b) Licensed and in good standing with the state controlled dangerous substances program and registered and in good standing with the United States Drug Enforcement Administration; and

(c) Trained in a board-approved chemical capture training course."

AMENDMENT NO. 13

On page 5, line 3, after "the board," insert "in proper"

AMENDMENT NO. 14

On page 5, line 4, after "precautions," delete the remainder of the line and delete line 5 in its entirety and insert "in proper recordkeeping, and"

AMENDMENT NO. 15

On page 5, delete lines 8 through 13 in their entirety

AMENDMENT NO. 16

On page 5, delete line 19 and insert "Discipline of CAETS"

AMENDMENT NO. 17

On page 5, delete line 27 and insert "(1) Failed to carry out his duties."

AMENDMENT NO. 18

On page 6, at the end of line 13, after "court" insert "of law"

AMENDMENT NO. 19

On page 6, line 15, after "shown to" delete the remainder of the line and insert "suffer from chronic inebriation or habitual use of drugs."

AMENDMENT NO. 20

On page 6, delete lines 17 and 18 in their entirety and insert the following:

"(9) Been subject to a conviction, plea of no contest, or compromise of a felony or other public offense involving moral turpitude or a crime involving controlled"

AMENDMENT NO. 21

On page 6, line 22, after "animals in" delete "a" and insert "an incompetent or"

AMENDMENT NO. 22

On page 8, line 4 after "substances" insert "prescribed"

AMENDMENT NO. 23

On page 8, delete lines 12 through 14 in their entirety

AMENDMENT NO. 24

On page 8, line 25, after "shall" and before the colon ":" insert "have the power to"

AMENDMENT NO. 25

On page 9, delete lines 10 through 17 in their entirety and insert the following:

"(a) Course fee not to exceed two hundred dollars.

(b) Application fee not to exceed one hundred dollars.

(c) Examination fee not to exceed one hundred dollars.

(d) Original certificate of approval fee not to exceed one hundred fifty dollars.

(e) Annual renewal of certificate of approval not to exceed one hundred dollars.

(f) Late fee for delinquent certificate of approval renewals not to exceed one hundred dollars.

(g) Temporary certificate of approval fee not to exceed one hundred dollars."

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

Motion

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

House and House Concurrent Resolutions Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the feasibility of increasing campaign contribution limits based on the rate of inflation and to report the findings of the joint committee to the legislature prior to the convening of the 2001 Regular Session.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 171—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 46:236.6(F), relative to support obligations; to authorize the Department of Social Services to adopt rules governing the publication of certain information regarding delinquent child support orders; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 413—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 17:3048.1(A)(4)(a) and (d), relative to the Tuition Opportunity Program for Students; to provide continuing eligibility requirements for certain program awards; to provide limitations; to provide for the reinstatement of certain award payments under specified circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 418—

BY REPRESENTATIVES DUPRE, DEVILLE, AND FLAVIN
AN ACT

To amend and reenact R.S. 14:32.1(A)(4), relative to the crime of vehicular homicide; to provide with regard to certain persons under the influence of alcoholic beverages charged with that offense; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 420—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:98.1(A), relative to the crime of underage operating a vehicle while under the influence of alcohol; to provide with regard to commission of the offense; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 420 by Representative Dupre

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "driving" to "operating a vehicle while"

AMENDMENT NO. 2

On page 1, line 8, after "Underage" and before "under" change "driving" to "operating a vehicle while"

AMENDMENT NO. 3

On page 1, delete lines 9 and 10 and insert "A. It shall be a crime to operate any motor vehicle."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 432—

BY REPRESENTATIVE DUPRE
AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to allow constables of justice of the peace courts to contemporaneously hold the position of deputy sheriff; to provide an exemption from the prohibition against dual office holding; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 432 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 2, after "allow" insert "certain"

AMENDMENT NO. 2

On page 1, line 3 after "peace courts" insert "and certain marshals"

AMENDMENT NO. 3

On page 1, line 11, after "office of" and before "constable" insert "part-time"

AMENDMENT NO. 4

On page 1, line 12, after "court" delete the period "." and insert "whose jurisdiction has a population of fifteen thousand or fewer persons according to the 1990 federal decennial census, or from holding the office of part-time constable or part-time marshal of a city court in a municipality with a population of ten thousand or fewer persons according to the 1990 federal decennial census."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 459—

BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 42:66(N), relative to dual officeholding and employment; to allow certain state employees to hold certain elective offices in certain municipalities of the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 472—

BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 18:1505.2(I)(1), relative to campaign finance; to provide that the payment of interest on loans from a candidate shall not be considered personal use of campaign funds under certain circumstances; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 472 by Representative Copelin

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 18:1505.2(I)(1)," and insert "enact R.S. 18:1505.2(N),"

AMENDMENT NO. 2

On page 1, between lines 5 and 6, insert "Be it enacted by the Legislature of Louisiana:"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." delete the remainder of the line and insert "R.S. 18:1505.2(N) is hereby enacted to"

AMENDMENT NO. 4

On page 1, delete lines 11 through 18 and on page 2, delete lines 1 through 14 in their entirety and insert "N. Any interest payments"

AMENDMENT NO. 5

On page 2, delete line 20

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

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

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 615—

BY REPRESENTATIVES LONG AND MCDONALD
AN ACT

To repeal R.S. 17:1808(J)(3), relative to exemptions for certain postsecondary, academic degree-granting institutions from Board of Regents' registration and licensure requirements; to repeal provision exempting from such requirements institutions granted tax exempt status under Section 501(C)(3) of the federal Internal Revenue Code.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 615 by Representatives Long and McDonald

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "R.S. 17:1808(J)(3)," change "repeal" to "amend and reenact"

AMENDMENT NO. 2

On page 1, line 4, after "requirements;" delete the remainder of the line and insert "to remove the provisions exempting"

AMENDMENT NO. 3

On page 1, at the end of line 6, change the period "." to a semicolon ";" and add "to provide relative to compliance with registration requirements by such institutions; to provide relative to completion of the licensure process; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 8, after "hereby" delete the remainder of the line and insert the following:

"amended and reenacted to read as follows:

§1808. Registration and licensure of postsecondary, academic degree-granting institutions

* * *

J.

* * *

(3) The provisions of this Section shall not be applicable to any Any institution granted a tax exemption under the provisions of Section 501(c)(3) of the federal Internal Revenue Code to which the provisions of this Section were not applicable prior to August 15, 1999, shall comply with the provisions of Subsection B of this Section by not later than January 15, 2000. Subsequent to such compliance, the Board of Regents shall establish a time frame within which the licensure process shall be completed.

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 703—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:81, relative to bail; to increase the amount of bail which may be set in the mayor's court in the city of Kenner; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 759—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 22:627(B)(2) and (C)(2) and 1404.3, relative to fees imposed on criminal bail bonds; to provide that additional fees imposed do not exceed statutory limitations; to provide with regard to imposition of policy fees; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 759 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 22:1404.3" to "R.S. 22:627(B)(2) and (C)(2) and 1404.3"

AMENDMENT NO. 2

On page 1, line 4, after "limitations;" and before "and to" insert "to provide with regard to imposition of policy fees;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." and before "hereby" change "R.S. 22:1404.3 is" to "R.S. 22:627(B)(2) and (C)(2) and 1404.3 are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§627. Quoted premium shall include all charges; dollar amount required

* * *

B.

* * *

(2) The policy fee collected by the agent under this Subsection shall not exceed twenty-five dollars for any criminal bail bond or homeowners or personal automobile insurance, other than surplus line insurance or risks which are not normal and not insurable at standard rates.

C.

* * *

(2) The policy fee collected by the agent under this Subsection shall not exceed twenty-five dollars for criminal bail bonds or homeowners or personal automobile insurance, other than surplus line insurance or risks which are not normal and not insurable at standard rates.

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 810—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1491.6(D) and 1495.4(D), relative to campaign finance disclosure; to require certain supplemental reports; to require certain reports in the case of deficits; to require certain reports in the case of surplus campaign funds; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 810 by Representative Lancaster

AMENDMENT NO. 1

On page 2, line 3, delete "R.S. 18:505.2(I)." and insert "R.S. 18:1505.2(I). The report on surplus funds shall disclose the disbursement of such funds in the same manner as expenditures are reported."

AMENDMENT NO. 2

On page 2, at the beginning of line 9, delete "one thousand" and insert "two thousand five hundred"

AMENDMENT NO. 3

On page 2, at the beginning of line 11, delete "one thousand" and insert "two thousand five hundred"

AMENDMENT NO. 4

On page 3, line 12, after "R.S. 18:1505.2(I)." insert "The report on surplus funds shall disclose the disbursement of such funds in the same manner as expenditures are reported."

AMENDMENT NO. 5

On page 3, line 17, after "shows" and before "a deficit" insert "either"

AMENDMENT NO. 6

On page 3, line 17, after "deficit" insert "or a surplus of"

AMENDMENT NO. 7

On page 3, at the beginning of line 18, delete "one thousand" and insert "two thousand five hundred"

AMENDMENT NO. 8

On page 3, line 19, after "deficit" insert "or surplus"

AMENDMENT NO. 9

On page 3, at the beginning of line 20, delete "one thousand" and insert "two thousand five hundred"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 815—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 339, relative to elections of type of bail; to provide for a single amount of bail for each charge to be fixed by the court; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 815 by Representative McCain

AMENDMENT NO. 1

On page 1, line 3, after "bail" and before "to" insert "for each charge"

AMENDMENT NO. 2

On page 1, line 9, after "bail" and before "has" insert "for each charge"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 817—
BY REPRESENTATIVE MCCAIN
AN ACT

To enact Code of Criminal Procedure Article 345(G), relative to surrender of defendant; to provide for the placing of defendants charged with a felony who have forfeited their bail bonds to be placed into the National Crime Information Center registry; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 818—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 345(D)(3), relative to judgments of bond forfeiture in criminal proceedings; to provide for the time period for payment by sureties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 818 by Representative McCain

AMENDMENT NO. 1

On page 2, line 4, after "detention" change "within ten days of" to "prior to"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 921—

BY REPRESENTATIVE WINSTON
AN ACT

To enact Children's Code Article 1004.1, relative to parental rights; to require the Department of Social Services to pursue involuntary termination of parental rights in certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 921 by Representative Winston

AMENDMENT NO. 1

On page 1, line 10, after "pursue to" delete "final" and after "judgment" insert "in the trial court"

AMENDMENT NO. 2

On page 1, line 11, after "rights of" delete "a parent" and insert "the parent or parents"

AMENDMENT NO. 3

On page 1, line 12, change "fifteen" to "seventeen"

AMENDMENT NO. 4

On page 1, line 12, after "months" delete the remainder of the line and lines 13 through 15 and insert "unless the department has documented in the case plan a compelling reason why filing is not in the best interest of the child."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 964—

BY REPRESENTATIVES DONELON AND MARTINY
AN ACT

To amend and reenact R.S. 22:1258, 1263.1, and 1265(A)(2), relative to surplus lines insurance; to provide for notices; to provide for affidavits; to provide for tax payments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 964 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2, after "1258," delete the remainder of the line and insert in lieu thereof the following:

"1262(A)(3) and (B)(4)(b)(ii), 1263.1, 1265(A) and (B), 1267(A)(1), and 1269(A)(introductory paragraph), and to repeal R.S. 22:1264, relative to"

AMENDMENT NO. 2

On page 1, line 6, after "1258," and before "are" delete "1263.1 and 1265(A)(2)" and insert in lieu thereof the following:

"1262(A)(3) and (B)(4)(b)(ii), 1263.1, 1265(A) and (B), 1267(A)(1), and 1269(A)(introductory paragraph)"

AMENDMENT NO. 3

On page 1, line 11, after "procured it," and before "the" insert "in bold type and the face of which shall not be less than ten-point type."

AMENDMENT NO. 4

On page 1, insert on lines 14 and 15 the following:

"This insurance policy is delivered as a surplus line coverage under the insurance code of the State of Louisiana."

AMENDMENT NO. 5

On page 1, delete lines 16 and 17.

AMENDMENT NO. 6

On page 2, line 4, after "Louisiana." delete the remainder of the line and delete line 5 in its entirety.

AMENDMENT NO. 7

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

"This surplus lines policy has been procured by the following licensed Louisiana surplus lines broker:

Signature of Licensed Louisiana Surplus Lines Broker or
Authorized Representative

Printed Name of Licensed Louisiana Surplus Lines Broker"

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AMENDMENT NO. 8

On page 2, between lines 6 and 7, insert the following:

"§1262. Surplus lines in solvent insurers; capital and surplus requirements; deposits and bond requirements

A.

* * *

(3) The full amount or type of insurance cannot be obtained from insurers who are authorized to do business in this state. In addition to the other requirements of this Part, including but not limited to R.S. 22:1257 and 1263.1, the full amount or type of insurance may be procured from an approved authorized insurers ~~unauthorized insurer~~, provided that a diligent search is made among the insurers who are authorized to transact business and are actually writing the particular type of insurance in this state if any are writing it.

B. The surplus lines broker shall not so insure with any insurer unless the insurer has met the requirements of R.S. 22:1262.1, unless otherwise provided by law, has established satisfactory evidence of good repute and financial integrity, and has done the following:

* * *

(4) Except for an exchange or plan complying with Subparagraph B(1)(e) or Paragraph B(2) or B(3) of this Section, an alien insurer shall satisfy the capital and surplus requirements of Subparagraphs B(1)(a) through (d) of this Section and shall have in force a trust fund of not less than the greater of:

* * *

(b) Thirty percent of the United States surplus lines gross liabilities, which does not include those types of insurance liabilities set forth in R.S. 22:1249.1(C)(4), not to exceed sixty million dollars, to be determined annually on the basis of accounting practices and procedures substantially equivalent to those promulgated by this state, as of December thirty-first next preceding the date of determination, where:

* * *

(ii) The insurer may request approval from the commissioner to use the trust fund to pay valid surplus lines claims. The balance of the trust fund shall never be less than the greater of five million four hundred thousand dollars or thirty percent of the current gross United States surplus lines liabilities of the insurer, excluding ~~aviation, marine protection, and indemnity insurance liabilities~~ those types of liabilities set forth in R.S. 22:1249.1(C)(4).

* * *

AMENDMENT NO. 9

On page 2, line 9 change "surplus lines" to "unauthorized"

AMENDMENT NO. 10

On page 2, line 19, change "surplus lines" to "unauthorized"

AMENDMENT NO. 11

On page 2, line 24, change "surplus lines" to "unauthorized"

AMENDMENT NO. 12

On page 2, line 26, change "surplus lines" to "unauthorized"

AMENDMENT NO. 13

On page 3, delete lines 5 and 6 in insert in lieu thereof the following:

~~"A.(1) On or before the first day of March, 1961, each surplus line broker shall remit to the commissioner of insurance a tax on the premiums on surplus line insurance subject to tax transacted by him during the preceding calendar year as shown by his annual statement filed with the commissioner of insurance and at the same rate as is applicable to the premiums of authorized foreign insurers under this Code, and"~~

AMENDMENT NO. 14

On page 3, line 7 change "(2)(a)" to "(2) (1)"

AMENDMENT NO. 15

On page 3, line 11, at the end of the line, delete "on a surplus lines tax" and insert in lieu thereof the following:

"in a manner and format prescribed by the commissioner of insurance and include any additional information as required by the commissioner."

AMENDMENT NO. 16

On page 3, line 12, at the beginning of the line delete "form as promulgated by the commissioner's office."

AMENDMENT NO. 17

On page 3, line 14, change "(i)" to "(a)"

AMENDMENT NO. 18

On page 3, line 14, change "reported in" to "included in the report for"

AMENDMENT NO. 19

On page 3, line 16, change "(ii)" to "(b)"

AMENDMENT NO. 20

On page 3, line 16, change "reported in" to "included in the report for"

AMENDMENT NO. 21

On page 3, line 18, change "(b)" to "(2)"

AMENDMENT NO. 22

On page 3, line 18, after "Along" delete the remainder of the line and insert in lieu thereof the following:

"with the report required to be filed on the due dates provided in Paragraph (1) of this Subsection, each"

AMENDMENT NO. 23

On page 3, line 24, after "collected and before "shall" insert "by the commissioner of insurance"

AMENDMENT NO. 24

On page 3, between lines 25 and 26, insert the following:

"B. Every person placing insurance with an unauthorized insurer without going through a licensed Louisiana agent or broker, except as provided in R.S. 22:1257, shall remit to the commissioner of insurance a tax of five percent of the gross premium, such tax to be paid at the same time and under the same conditions as that levied on surplus line brokers under the provisions of ~~Sub-section~~ Subsection A of this Section. Such tax when collected by the commissioner of insurance shall be paid to the state treasurer and be credited to the general fund."

AMENDMENT NO. 25

On page 3, after line 26 insert the following:

"§1267. Suspension or revocation of licenses

A. The commissioner of insurance shall revoke any surplus line broker's license:

(1) If the broker fails to ~~file his annual statement comply with R.S. 22:1265~~ or to remit required taxes on surplus lines premiums as required by this Part.

* * *

§1269. Exemptions

A. The provisions of R.S. 22:1256 through 1268 and 1270 controlling the placing of insurance with unauthorized insurers shall not apply to reinsurance or to the following insurances when so placed by licensed surplus line brokers of this state, except that on or before thirty days after the close of each calendar quarter a tax on the portion of the premiums received from ocean marine and foreign trade coverages which is properly allocable to the risks or exposures located in this state during the preceding calendar quarter shall be due at the rate of five percent, such tax when collected to be paid to the state treasurer and to be credited to the state general fund, and such licensed surplus line broker placing ocean marine insurance shall be subject to the provisions of R.S. 22:1262, notwithstanding the provisions of R.S. 22:1249, 1249.1, and 1252, and must show on any document issued by and/or delivered by them evidencing such insurance, all of the insurers and must clearly stamp on any such documents that on the demand of the assured or its representative the latest financial statements of any such insurers are available at its office for inspection as follows:

* * *

Section 2. R.S. 22:1264 is hereby repealed in its entirety."

AMENDMENT NO. 26

On page 4, line 1, change "Section 2." to "Section 3."

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

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

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 982—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:1220(B)(5) and to enact R.S. 22:1220(E), relative to insurance claims; to provide for good faith duty; to provide for fire losses; to provide for arson; to provide for suspension of payments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 982 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S. 22:" and before "1220(B)(5)" insert "658(B)(2) and"

AMENDMENT NO. 2

On page 1, line 7, after "reenact R.S. 22:" and before "1220(B)(5)" insert "658(B)(2) and" and on the same line, change "is" to "are"

AMENDMENT NO. 3

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

"§658. Payment and adjustment of claims, policies other than life and health and accident; personal vehicle damage claims; penalties; arson-related claims suspension

* * *

B.

* * *

(2) The period set herein for payment of losses resulting from fire and the penalty provisions for nonpayment within the period shall not apply where the loss from fire was arson related and the state fire marshal or other state or local investigative bodies have the loss under active arson investigation. The provisions relative to time of payment and penalties shall commence to run upon certification of the investigating authority that there is no evidence of arson, no owner or named insured is a target of the investigation, or that there is insufficient evidence to warrant further proceedings. The investigating authority shall send an official copy of the certification to the insurer within three days of finalizing the certification.

* * *

AMENDMENT NO. 4

On page 2, line 10, after "arson" and before "or" insert "no owner or named insured is a target of the investigation."

AMENDMENT NO. 5

On page 2, at the end of line 11 insert the following:

"The investigating authority shall send an official copy of the certification to the insurer within three days of finalizing the certification."

AMENDMENT NO. 6

On page 2, after line 15, insert the following:

"Section 2. This Act shall be procedural and retroactive in accordance with Article 6 of the Civil Code."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1054—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1491.9, relative to campaign finance disclosure; to provide that an out-of-state political committee file certain portions of reports to the Federal Elections Commission with the supervisory committee if any contribution is made to a Louisiana candidate; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1175—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 40:1563.2(A) and (B)(1), (2), and (4), relative to family child day care homes; to provide for inspections of such homes by the state fire marshal; to provide for 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 Original House Bill No. 1175 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "(B)" delete "(1), (2), and (4)" and insert in lieu thereof "(2) and (4) and to repeal R.S. 40:1563.2(B)(1)"

AMENDMENT NO. 2

On page 1, line 7, after "(B)" delete "(1), (2)," and insert in lieu thereof "(2)"

AMENDMENT NO. 3

On page 1, line 15, after "Education" change the comma to a period and delete the rest of the line and delete lines 16 and 17 in their entirety and on page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 3 through 10 in their entirety and insert in lieu thereof the following:

"B.

* * *

AMENDMENT NO. 5

On page 2, after line 23 insert the following:

"Section 2. R.S. 40:1563.2(B)(1) is hereby repealed in its entirety."

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

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

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 1184—
BY REPRESENTATIVES THOMPSON AND HUDSON
AN ACT

To enact R.S. 40:2197(G), relative to rural health clinics; to provide that a hospital-based rural health clinic operated by a rural hospital shall not be required to secure a separate license from the hospital license; to provide conditions for said exemption; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1184 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 2, after "clinics;" delete the remainder of the line and delete line 3 and on line 4 delete "hospitals;" and insert the following:

"to provide that a hospital-based rural health clinic operated by a rural hospital shall not be required to secure a separate license from the hospital license;"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1299—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 18:1505.2 (H)(1)(a), (2)(a) and (b), and (7)(a) and to repeal R.S. 18:1505.2(H)(2)(c), relative to limits on campaign contributions; to provide for the maximum amount of certain contributions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1361—

BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 33:4861.13(D), relative to statement of receipts for charitable gaming organizations; to provide that any disbursements of charitable gaming net proceeds by the charitable organization be approved by the board of directors or financial members in charge; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1361 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 4, after "organization" and before "board" insert "be approved by the"

AMENDMENT NO. 2

On page 1, line 12, after "charge" and before "The" change the period "." to a comma "," and add "unless the licensee's board of directors or financial members in charge has first approved a procedure, guidelines, or adequate restrictions for disbursements."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1363—

BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1485.5(A)(1), 1485.8(A), (B), and (C), 1485.9(B) and (C), and to enact R.S. 33:4861.2(8) and (9), relative to the regulation of charitable gaming; to include and define noncommercial lessor and casino night contractor within licensing provisions; to make changes to incorporate the definitions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1363 by Representative Windhorst

AMENDMENT NO. 1

On page 3, line 11, after "equivalents," and before "or such" insert "commercial surety."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1365—

BY REPRESENTATIVES WINDHORST, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 33:4861.6(C), 4861.8, 4861.9, 4861.10(B), 4861.11(B), 4861.12(A)(1) and (B)(1) and (2), 4861.16(B)(6) and (7), 4861.19(B), and 4861.20(A), and R.S. 40:1485.4(10) and 1485.11, and to enact R.S. 33:4861.17(B)(9), all relative to the conducting and regulation of charitable gaming; to provide for duration and form of a license; to provide relative to hearings; to provide changes in the regulatory authority of the division of charitable gaming control; to provide for restrictions on prizes; to increase salaries of employees conducting charitable gaming sessions; to provide that only members of the charitable organization may act in a managerial capacity; to provide relative to violations; to provide for restrictions on combination of interests; to provide that no person under the age of eighteen shall assist in the conducting of electronic or video bingo; to provide technical changes in statutory citations regarding assistance for compulsive gamblers; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1365 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert "R.S. 36:401(B)(1) and 451(B) and (C) and R.S. 49:968(B)(10)"

AMENDMENT NO. 2

On page 1, line 5, after "enact" and before "all" delete "R.S. 33:4861.17(B)(9)," and insert "R.S. 36:454(C), 458(G), 459(G), and 921(D), R.S. 49:653 and 654 and Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:701 through 739, and to repeal R.S. 33:4861.1 through 4861.28 and R.S. 40:1485.1 through 1485.11,"

AMENDMENT NO. 3

On page 1, line 7, after "hearings;" delete the remainder of the line and delete line 8 in its entirety and insert in lieu thereof the following:

"to abolish the division of charitable gaming control, office of state police, Department of Public Safety and Corrections, and transfer its powers, duties, functions, and responsibilities, programs and operations to the office of charitable gaming, Department of Revenue; to provide for reference to the office of charitable gaming;

to provide for the powers and duties of the office of charitable gaming; to provide with respect to the rulemaking authority and procedure of the office of charitable gaming; to provide with respect to legislative oversight of administrative rules; to provide for procedures relative to transfer of certain agencies; to provide for certain definitions; to provide with respect to the conducting and regulation of charitable gaming; to provide technical changes to statutes affected by this transfer; to provide with respect to electronic dabber devices; to"

AMENDMENT NO. 4

On page 1, line 14, after "bingo;" insert "and" and delete lines 15 and 16 in their entirety and insert "for related matters."

AMENDMENT NO. 5

On page 2, line 1 after "Section 1." delete the remainder of the line and delete line 2 in its entirety and at the beginning of line 3 delete "4861.20(A)" and insert in lieu thereof "R.S. 36:401(B)(1) and 451(B) and (C)"

AMENDMENT NO. 6

On page 2, line 3, after "reenacted and" delete the remainder of the line and insert "R.S. 36:454(C), 458(G), 459(G), and 921(D) are"

AMENDMENT NO. 7

On page 2, delete lines 5 through 26 in their entirety and insert the following:

"§401. Department of Public Safety and Corrections; public safety services; corrections services; creation; domicile; composition; purposes and functions

* * *

B.(1) The Department of Public Safety and Corrections, through its offices and officers, shall have authority generally for the security and physical safety of the citizens and property of Louisiana, the enforcement of laws and regulations pertaining to criminal conduct, automobile and highway safety, motor vehicles and drivers, ~~charitable gaming control~~; and fire protection.

* * *

§451. Department of Revenue; creation; domicile; composition; purposes and functions

* * *

B. The Department of Revenue, through its offices and officers, shall be responsible for assessing, evaluating, and collecting the consumer, producer, and any other state taxes specifically assigned by law to the department, and shall have authority generally for alcoholic beverage control and the regulation of charitable gaming.

C. The Department of Revenue shall be composed of the executive office of the secretary, the office of management and finance, the office of tax administration, group I, the office of tax administration, group II, the office of tax administration, group III, the office of alcohol and tobacco control, the office of legal affairs, the office of charitable gaming, and such other offices as shall be created by law. Whenever the secretary determines that the administration of the functions of the department may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, he shall present a plan therefor to the legislature for its approval by statute; provided that,

whenever the secretary deems necessary, he may reassign the responsibility for the collection of a specific tax from one office to another office.

* * *

§454. Powers and duties of secretary of revenue

* * *

C. The secretary and agents of the office of charitable gaming are authorized to have direct access by means of computer interfacing to criminal history records maintained by the office of state police, Department of Public Safety and Corrections, for the purpose of issuing, denying, suspending, revoking, or conditioning a charitable gaming license or for any other action necessary with respect to a charitable gaming license.

* * *

§458. Offices; purposes and functions

* * *

G. The office of charitable gaming shall perform generally the functions of the state relating to the regulation of charitable gaming in the state, including the issuance and renewal of licenses required by law for organizations conducting games of chance pursuant to the Charitable Raffles, Bingo and Keno Licensing Law, for manufacturers or distributors of supplies or equipment for such games, and for commercial lessors of premises on which such games are conducted. The office shall be responsible for the administration of the law relating to charitable gaming.

§459. Transfers of agencies or their powers to Department of Revenue

* * *

G. The division of charitable gaming control, office of state police, Department of Public Safety and Corrections, is hereby abolished. Except as otherwise provided in this Subsection, the powers, duties, functions, responsibilities, programs, and operations of the division of charitable gaming control, office of state police, Department of Public Safety and Corrections, are hereby transferred to the office of charitable gaming, Department of Revenue, as provided in Part IV of Chapter 22 of this Title. Employees of the division of charitable gaming control, office of state police, Department of Public Safety and Corrections, who are commissioned law enforcement officers, shall not be transferred under the provisions of R.S. 36:927, but shall remain with the office of state police, Department of Public Safety and Corrections. Notwithstanding the provisions of R.S. 36:927, the transfer of all other employees from the division of charitable gaming control, office of state police, Department of Public Safety and Corrections, to the office of charitable gaming, Department of Revenue, shall be at the discretion of the secretary of the Department of Revenue.

* * *

§921. Transfer, merger and consolidation of functions

* * *

D. The powers, duties, functions, responsibilities, programs, and operations as vested by the laws of the state, of the division abolished by the provisions of R.S. 36:459(G), upon and after the date of such abolition shall be transferred in accordance with

Subsections A and B of this Section, except as otherwise provided in R.S. 36:459(G) and this Chapter.

Section 2. R.S. 49:968(B)(10) is hereby amended and reenacted and R.S. 49:653 and 654 are hereby enacted all to read as follows:

§653. Charitable gaming regulation

The Department of Revenue shall be responsible for the regulation of charitable gaming in accordance with the provisions of Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950.

§654. Access to criminal history records

The secretary of the Department of Revenue for the state of Louisiana and agents of the office of charitable gaming are authorized to have direct access by means of computer interfacing to criminal history records maintained by the office of state police, Department of Public Safety and Corrections, for the purpose of issuing, denying, suspending, revoking, or conditioning a charitable gaming license or for any other action necessary with respect to a charitable gaming license.

* * *

§968. Review of agency rules; fees

* * *

B.

* * *

(10) The Department of Revenue and all of the agencies made a part of it, except as otherwise provided in this Paragraph, shall submit the report to the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs; however, the office of charitable gaming shall submit the report to the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary, Section B.

* * *"

AMENDMENT NO. 8

Delete pages 3 through 6 in their entirety and insert in lieu thereof the following:

"Section 3. Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:701 through R.S. 4:739, is hereby enacted to read as follows:

CHAPTER 11. CHARITABLE RAFFLES, BINGO AND KENO LICENSING LAW

§701. Citation

This Chapter shall be known and may be cited as the "Charitable Raffles, Bingo and Keno Licensing Law".

§702. Declaration of purpose

A. The Legislature of Louisiana does hereby recognize the state's role and responsibilities in ensuring that the net proceeds of charitable games of chance conducted pursuant to the Charitable Raffles, Bingo and Keno Licensing Law are contributed to bona fide charitable causes. The legislature further finds that it is in the public interest to prevent infiltration of elements of organized crime or professional gambling into charitable gaming.

B. Therefore, it shall be the policy of the state of Louisiana to decrease the potential for fraud in charitable games of chance and to increase compliance with the provisions of the Charitable Raffles, Bingo and Keno Licensing Law and other applicable laws and regulations through monitoring and enforcement as well as public education and awareness of the purposes of these laws and regulations.

C. The purpose of this Chapter is to establish mechanisms to effectuate such purposes, including but not limited to:

(1) A state licensing system for charitable organizations conducting such games of chance and for manufacturers and distributors of supplies and equipment used in such games.

(2) Provision of specialized instruction and training for local law enforcement agencies and for licensees.

§703. Definitions

For the purposes of this Chapter, the following definitions shall apply:

(1)(a) Except as provided in R.S. 4:707(C), "charitable organization" shall mean a nonprofit board, association, corporation, or other organization domiciled in this state and qualified with the United States Internal Revenue Service for an exemption from federal income tax under Section 501(c)(3), (4), (5), (6), (7), (8), (10), or (19) of the Internal Revenue Code.

(b) The provisions of this Paragraph shall be retroactive to January 1, 1989. No charitable organization as defined in R.S. 4:703(1)(a) or member or employee thereof which is qualified for an exemption from federal income tax under Section 501(c)(5) or (6) and which applies for a license under the provisions of Part V-A of Chapter 14 of the Louisiana Revised Statutes of 1950 by October 1, 1989, shall be subject to any penalties for holding, operating, or conducting any game of chance authorized by that Part prior to the issuance or written denial of such license.

(c) Except as otherwise provided in this Chapter, an auxiliary group associated with a nonprofit veterans association, which functions in a subsidiary capacity to the parent organization and exists for the benefit and enhancement of the parent organization, shall be considered part of the parent organization for purposes of this Chapter.

(2) A "municipality" shall mean an incorporated municipality.

(3) "Pull-tabs" shall mean single or banded tickets or cards each with its face covered to conceal one or more numbers or symbols, where one or more card or ticket in each set has been designated in advance as a winner. The sale of pull-tabs by licensed charitable organizations during authorized sessions pursuant to the provisions of this Chapter shall constitute charitable gaming, and all revenues realized from the sale thereof shall be exempt from state income taxation and from federal income taxation to the extent allowable by the Internal Revenue Code.

(4) "Commercial lessor" means any person or other entity other than a bona fide nonprofit organization licensed under this Chapter who leases any building, structure, or premises to organizations licensed under the provisions of this Chapter.

(5) "Distributor" means any person or other entity who sells, offers for sale, or otherwise furnishes to any person supplies or equipment for use in the conduct of any game of chance authorized under this Chapter and any private contractor qualified to conduct games of chance as authorized under the provisions of R.S. 4:729.

(6) "Immediate family" means the subject individual's spouse, children, parents, brothers and sisters, spouses of children, and spouses of brothers and sisters.

(7) "Manufacturer" means any person or other entity who manufactures for sale, offers for sale, or otherwise furnishes any gaming supplies or equipment for use in the conduct of any game of chance authorized under this Chapter.

(8) "Office" means the office of charitable gaming within the Department of Revenue.

(9) "Qualified association of licensed charitable organizations" means an association which, for not less than one year, has consisted of not less than ten licensed charitable organizations as defined by R.S. 4:703(1)(a) or 707(C), and whose member organizations have contributed annual dues which average not less than five hundred dollars per member organization during the previous twelve months.

§704. Office of charitable gaming: creation; employees; records and reports

A. The office of charitable gaming is hereby created and established in the Department of Revenue. The secretary for the Department of Revenue shall employ such persons as he considers qualified, consistent with civil service regulations, and may incur such expenses as may be required to carry out the provisions of this Chapter. The office shall be subject to the division of administrative law as authorized in Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, R.S. 49:991 et seq., and all administrative hearings shall be conducted therein.

B. Subject to the exceptions contained in Article VII, Section 9(A) of the Constitution of Louisiana, all fees and fines collected or received by the office pursuant to this Chapter shall be paid into the state treasury on or before the twenty-fifth day of each month following such collection or receipt and shall be credited to the Bond Security and Redemption Fund.

C. The office shall annually prepare and submit a comprehensive report on the scope and nature of charitable gaming activities in this state and the impact of the office on such activities. The report shall be submitted to the governor, the speaker of the House of Representatives, the president of the Senate, the House Committee on Administration of Criminal Justice, and the Senate Committee on the Judiciary, Section B.

D. Neither the secretary nor any employee of the office shall be an officer, director, or manager of any organization licensed by the state to conduct charitable games of chance or have a direct or indirect financial interest in any entity manufacturing or distributing supplies or equipment used in such games.

§705. Office functions, duties, and responsibilities

The office shall have the following functions, duties, and responsibilities:

(1) To issue and renew annual state licenses required by law for organizations conducting games of chance pursuant to the Charitable Raffles, Bingo and Keno Licensing Law, for manufacturers or distributors of supplies or equipment for such games, and for commercial lessors of premises on which such games are conducted.

(2) To assess and collect the following fees and taxes for issuance of licenses and special licenses and for license renewal as follows:

(a) Manufacturer's license and renewal fee shall be two thousand five hundred dollars.

(b) Distributor's license and renewal fee shall not be more than two hundred fifty dollars, except the license and renewal fee for a private contractor licensed to conduct games of chance authorized under the provisions of R.S. 4:729 shall be two hundred dollars.

(c) Licensed organization's license and renewal fee shall be fifty dollars.

(d) Special events license and renewal fee shall be one hundred dollars.

(e) Commercial lessor's license and renewal fee shall be two hundred dollars.

(3) To establish and collect a fee of not more than three percent of the ideal net proceeds at the point of sale on all pull tabs or break open tickets and a fee of not more than five percent on the actual value of all other gaming supplies.

(4) To deny applications for licensure or license renewal and to issue orders for restriction, suspension, or revocation of licenses issued pursuant to R.S. 4:718.

(5) To establish and assess fees for identification stamps to be affixed to gaming supplies and equipment by manufacturers and distributors of such supplies or equipment as further provided in R.S. 4:726.

(6) To monitor licensees to ensure compliance with all provisions of law and regulations relative to charitable gaming through routine scheduled and unscheduled inspections and when warranted, investigations and audits.

(7) To enforce all provisions of law and regulations relative to charitable gaming and to assist local law enforcement agencies in these enforcement responsibilities.

(8) To establish and assess penalties for violations of provisions of law or regulations relative to gambling or charitable gaming, not to exceed five thousand dollars per violation, as further provided in R.S. 4:721(D).

(9) To familiarize the general public, and in particular members of organizations which conduct charitable games of chance, with provisions of the Charitable Raffles, Bingo and Keno Licensing Law and other applicable laws and regulations.

(10)(a) To adopt rules and regulations to provide for the sale or transfer of surplus supplies or equipment from one licensed organization to another and such other rules and regulations as are necessary to carry out the purposes and functions of this Chapter strictly in accordance with R.S. 705(1)(b).

(b) All rules and regulations adopted by the office shall be adopted only pursuant to specific and express statutory authorization and in accordance with the Administrative Procedure Act, except that all rules authorized by this Chapter shall also require the affirmative approval of the House Committee on the Administration of Criminal Justice and the Senate Committee on the Judiciary, Section B.

(11)(a) To determine certain person or persons in certain relationships between an applicant or licensee and other persons to be unsuitable to participate in charitable gaming and to bar any such persons from participation in charitable gaming after notice and opportunity for hearing in accordance with the Administrative Procedure Act.

(b) In determining the suitability of an applicant, licensee, or other person, the office shall consider the person's:

(i) General character, including honesty and integrity.

(ii) Financial security and stability, competency, and business experience.

(iii) Record, if any, of violations which may affect the legal and proper operation of charitable gaming, including a violation affecting another licensee or applicant, and any violation of the laws of this state or other states or countries, without limitations as to the nature of the violation.

(iv) Prior activities, arrest, or criminal record, if any, reputation, habits, and associations which may pose a threat to the public interest of this state or to the effective regulation and control of gaming operations, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of gaming operations or the carrying on of the business and financial arrangements incidental thereto.

(v) Refusal to provide records, information, equipment, or access to premises to any member of the office or any peace officers when such access is reasonably necessary to insure or protect public health, safety, or welfare or to insure the integrity of the charitable gaming industry or security of charitable gaming proceeds.

(vi) Association or relationship to other applicants or licensees.

§706. Decision whether to permit raffles, bingo, and keno

The governing authority of each such municipality shall decide whether charitable raffles, bingo, and keno as provided for in this Chapter shall be permitted within the limits of the municipality.

The governing authority of each parish shall decide whether charitable raffles, bingo, and keno as provided for in this Chapter shall be permitted within the parish.

§707. Authorization to license certain organizations; exemption; requirement for state license

A. The office and the governing authority of any municipality or parish may, consistent with the provisions of this Chapter, license charitable organizations, as defined in R.S. 4:703(1) to hold and operate the following specific games of chance:

(1) The game of chance commonly known as raffle or raffles played by drawing for prizes or the allotment of prizes by chance, by the selling of shares, tickets, or rights to participate in such game or games, and by conducting the game or games accordingly.

(2) The game of chance commonly known as bingo or keno played for prizes with cards bearing numbers or other designations, five or more in one line, the holder covering numbers, as objects, similarly numbered, are drawn from a receptacle, and the game being won by the person who first covers a previously designated arrangement of numbers on such a card.

(3) The game of chance commonly known as pull-tabs played for prizes with cards or tickets and as defined in R.S. 4:725 or played as electronic pull-tabs as provided in R.S. 4:733.

(4) Electronic video bingo as provided for in R.S. 4:724 and as defined by rules of the office.

(5) Fund-raising events generally known as "Las Vegas Nights" or "Casino Nights" as provided for in R.S. 4:729 as defined by rules of the office.

B. Any such organization so licensed may sell shares, tickets, or rights to participate in such games and may conduct the games accordingly when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious, or public spirited uses, and when so licensed, may hold, operate, and conduct such games of chance exclusively by its members pursuant to this Chapter, except to the extent that the services of members of other bona fide licensed organizations as enumerated in this Section are volunteered by their organization for the sole purpose of selling shares, tickets, or rights in such games. Any such organization so licensed may sell shares, tickets, or rights to participate in such game or games of chance pursuant to rules and regulations for the supervision and conduct thereof, as prescribed by the office and the governing authority of the municipality or parish not inconsistent with the provisions of this Chapter. Further, any person or persons may participate in and play such games of chance conducted under any license.

C. In addition to the authority granted in Subsection A of this Section, the office and the governing authority of any parish or municipality may license the following organizations, as defined herein, to hold and operate the specific kind of game or games of chance enumerated in Subsection A of this Section without the requirement that any such organization qualify with the Internal Revenue Service for an exemption from federal income tax as specified by R.S. 4:703(1): Mardi Gras carnival organizations, civic or service associations, qualified associations of licensed charitable organizations, volunteer fire companies, booster clubs, and parent-teacher associations. In addition to the provisions of R.S. 4:703, the following definitions shall apply for the purposes of this Section:

(1) A Mardi Gras carnival organization shall mean an organization domiciled in this state which presents pre-Lenten festivities, including street parades, and which has received a permit to parade from a municipal or parish governing authority.

(2) A civic or service association shall mean an organization domiciled in this state which is operated for the purpose of promoting the social welfare or providing service to the community and which has derived five thousand dollars or less in gross receipts from its charitable games of chance during the prior calendar year.

(3) A volunteer fire company shall mean an organization which has been engaged by the governing authority of a parish, municipality, or fire protection district to provide fire protection services to the area of this state under its jurisdiction and which is comprised predominantly of individuals who provide such services voluntarily and without compensation.

(4) A booster club shall mean an organization which promotes and supports the activities, functions, or programs of a public or a private nonprofit elementary or secondary school in this state and which has been designated by the school board of the parish or city in which such school is located to collect funds in the name of that school. Only one such organization shall be designated for each school.

(5) A parent-teacher association shall mean an organization which is comprised of teachers and parents of children enrolled in a public or a private nonprofit elementary or secondary school in this state and which has been designated by the school board of the parish or city in which such school is located to collect funds in the name of that school. Only one such organization shall be designated for each school.

D.(1) A bona fide senior citizen recreation club, upon application to the municipality or parish, shall be exempt from the licensing and reporting procedure enumerated in R.S. 4:708 through 717 of this Chapter in a municipality or parish whose governing

authority has decided to permit raffles, bingo, and keno within its limits as provided in R.S. 4:706. A senior citizen recreation club for the purpose of this Chapter shall be defined as an organization which is sanctioned by the local council on aging and composed of a group of persons sixty years of age or older whose only function is to provide amusement and diversion for its members.

(2) Any club, organization, group, or association which has a membership comprised exclusively of children enrolled in a public or private nonprofit elementary or secondary school in this state and which is approved to conduct activities in such school by the principal of such school in accordance with school board policy, shall be exempt from the licensing and reporting procedures enumerated in R.S. 4:708 through 717 of this Chapter in a municipality or parish whose governing authority has decided to permit raffles, bingo, and keno within its limits as provided in R.S. 4:706. Such club, organization, group, or association shall be exempted from licensing and reporting procedures only for the conducting of raffles as a means of fund-raising.

(3) A charitable organization, upon application to the municipality or parish, shall be exempt from the licensing and reporting requirements provided in R.S. 4:708 through 717 of this Chapter for the purpose of conducting a raffle as defined in R.S. 4:707(A)(1) in any municipality or parish the governing authority of which has decided to permit raffles, bingo, and keno within its limits as provided in R.S. 4:706, provided the municipality or parish finds, upon such application, that the charitable organization is conducting such raffle for the purpose of providing support to any elementary or secondary school in the municipality or parish or for other purposes of community support.

E. Notwithstanding any other provision of this Chapter to the contrary, no municipal or parish governing authority shall license any organization as authorized in this Chapter unless that organization has first obtained a charitable gaming license from the office, as further provided in R.S. 4:705.

F.(1) No person or organization shall hold, operate, or conduct any game of chance enumerated in Subsection A of this Section without obtaining a charitable gaming license or a special charitable gaming license from the office, as further provided in R.S. 4:718.

(2) Organizations closely connected to one another shall not hold, operate, or conduct any game of chance enumerated in Subsection A of this Section under a single state charitable gaming license. Each organization shall be required to obtain a separate license from the office in order to conduct such games. Any otherwise eligible organization shall be deemed to be closely connected when:

(a) Membership in one organization automatically qualifies an individual as a member of another organization;

(b) Membership in one organization is dependent upon membership in another organization, including social membership; or

(c) The existence of an organization is dependent upon the existence of another organization.

(3) Notwithstanding the provisions of R.S. 4:707(F)(2), a chartered auxiliary group associated with a nonprofit, licensed organization shall not be required to obtain a separate license in order to assist in the holding, operating, or conducting of any game of chance being operated by the parent organization. The parent organization shall notify the office of charitable gaming annually of the names of members who will assist in the gaming operations.

Nothing in this Section shall prohibit a qualified chartered auxiliary group from receiving its own gaming license.

G. Nothing in this Chapter shall prohibit a charitable organization from contributing to a qualified association of licensed charitable organizations as defined by R.S. 4:703(9). Such an association shall not be subject to audit by the office except as otherwise provided by law.

§708. Application for license

A. Each applicant for such a license shall file with the office and the clerk of the municipality or with the governing body of any parish a written application therefor in the form prescribed in said rules and regulations, duly executed and verified, in which shall be stated:

(1) The name and address of the applicant together with sufficient facts relating to its incorporation and organization to enable the municipality or governing body of any parish to determine whether or not it is a bona fide organization or association;

(2) The names and addresses of its officers;

(3) The specific kind of game or games of chance intended to be held, operated, and conducted by the applicant, and the place or places where, and the date or dates and the time or times when, such game or games of chance are intended to be conducted, by the applicant, under the license applied for;

(4) The items of expense intended to be incurred or paid in connection with the holding, operating, and conducting of such game or games of chance and the names and addresses of the persons to whom, and the purposes for which they are to be paid;

(5) The purposes to which the entire net proceeds of such game or games of chance are to be devoted and in what manner;

(6) Except as provided for in R.S. 4:715, that no commission, salary, compensation, reward, or recompense will be paid to any person for holding, operating, or conducting such games of chance;

(7) A description of all prizes to be offered and given in all such games of chance to be held, operated, and conducted under such license; and

(8) Such other information as shall be prescribed by such rules and regulations.

B. In each application there shall be designated an active member or members of the applicant under whom the game or games of chance described in the application are to be held, operated, and conducted, and to the application shall be appended a statement executed by the applicant and by the member or members, so designated, that he or they will be responsible for the holding, operation, and conduct of such game or games of chance in accordance with the terms of the license and the provisions of said rules and regulations governing the holding, operation, and conduct of such game or games of chance and of this Chapter, if such license is granted.

§709. Investigation of qualifications of applicant; issuance of license; limitation on license fee; duration of license; report to central registry

A. The office and the governing authority of the municipality or parish shall investigate the qualifications of each applicant and the merits of the application, with due expedition after the filing of the application, and shall make the following determinations:

(1) That the applicant is duly qualified to hold, operate, and conduct games of chance under the provisions of this Chapter and the rules and regulations governing the holding, operation, and conduct thereof in the municipality or parish.

(2) That the member or members of the applicant designated in the application to hold, operate, or conduct or assist in holding, operating, or conducting the game or games of chance for which the license application is made are bona fide active members of the applicant and persons of good moral character who have never been convicted of certain related offenses as established by the office.

(3) That such game or games of chance are to be held, operated, and conducted in accordance with the provisions of this Chapter and in accordance with the rules and regulations governing the holding, operation, and conduct thereof and that the proceeds thereof are to be disposed of as provided by this Chapter.

B. If the municipal or parish governing authority is satisfied that, except as provided in R.S. 4:715, no commission, salary, compensation, reward, or recompense whatever will be paid or given to any person holding, operating, or conducting any such game of chance, it shall issue a license to the applicant for the holding, operation, and conducting of the specific kind of games of chance applied accordingly.

C. No license for holding, operating, or conducting of any game or games of chance shall be issued under this Chapter to be effective for a period of more than one year.

D. The name, address, and location of any such establishment licensed for operating, holding, or conducting any authorized game, gaming or wagering activity, or game of chance issued pursuant to this Chapter, including the names and addresses of every person who has or controls, directly or indirectly, more than five percent ownership, income, or profit interest, shall be submitted, and updated at least quarterly, to the Louisiana Gaming Control Board for inclusion in a central registry of licensed gaming operators pursuant to R.S. 27:15(B)(3)(c).

§710. Issuance of special licenses

A. Notwithstanding any other provision of this Chapter to the contrary, the office and a municipal or parish governing authority may provide by rule or ordinance for the issuance of a special license for the conduct of no more than two bingo sessions annually at which the total amount of prizes which may be awarded on any one calendar day under such a license shall not exceed twenty-five thousand dollars in cash or other thing or things of value. Except as otherwise provided in this Section, all other provisions of this Chapter shall apply to the issuance of such special licenses.

B. No municipal or parish governing authority shall issue a special license to any organization as provided herein unless that organization has first obtained a special charitable gaming license from the office as further provided in R.S. 4:718.

§711. Hearing; amendment of license

No application for the issuance of a license shall be refused by the office or the municipality or governing body of the parish until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

Any license issued under this Chapter may be amended, upon application made to the municipality or governing body of the parish which issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license.

§712. Form of license

Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the office or the municipality or governing body of the parish and shall contain a description of the kind or kinds of game or games of chance authorized to be held, operated, and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the member or members of the applicant under whom such game or games of chance will be held, operated, and conducted, of the number of times, or the hours during which such game or games of chance are authorized to be conducted and the place or places where and the date or dates and time or times when such game or games of chance are to be conducted and of the purposes to which the entire net proceeds of such game or games of chance are to be devoted; and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game of chance shall be conspicuously displayed at the place where any game is to be conducted thereunder at all times during the conduct thereof.

§713. Control and supervision over games

A. The office and the governing authority of any municipality or parish issuing any license under this Chapter shall control all games of chance held, operated, or conducted under such license, to assure that they are fairly held, operated, and conducted in accordance with the provisions of the license, the provisions of this Chapter, and the rules promulgated and adopted pursuant to the provisions of R.S. 4:705(10)(b). The governing authority may suspend or revoke any license for violation of any such provision, and its officers and agents may enter and inspect any premises where any such game of chance is being held, operated, and conducted or is intended to be held, operated, and conducted, or where any equipment is being used or intended to be used in the conduct thereof.

B. Each licensee shall be subject to the provisions of this Chapter, and all rules and regulations properly adopted by the office pursuant to the provisions of this Chapter.

C. Notwithstanding any other provision of law to the contrary, no governing authority of any municipality or parish shall require by ordinance, rule, or other regulation, that as a condition for granting a charitable gaming license, a charitable organization must be domiciled in that parish or municipality.

§714. Restrictions; requirements; transfers; prohibitions

A. No licensee shall hold, operate, or conduct any game of chance under this Chapter more often than on fifteen days in any one calendar month.

B. The total amount of prizes which may be awarded in any one session by a licensee shall not exceed four thousand five hundred dollars in cash or other thing or things of value, except as specifically provided in R.S. 4:707(A)(1) and (5), 710, 724, 725, and 732. The office shall establish by rule the method of calculating the value of any thing offered as a prize.

C. In addition to the requirement of R.S. 4:712 to display its local license, each licensee shall conspicuously display its charitable gaming license issued by the office at the premises where any game is conducted at all times during such conduct.

D. Each licensee shall designate an active member and a sufficient number of alternate members of the organization to be in charge of and primarily responsible for each session of a game of chance. Such individual, or alternates, who shall be designated as the

member-in-charge, shall supervise all activities of such session and be responsible for the conduct of all games of such session. The member-in-charge or alternate shall be present at all times on the premises during the session. In addition, each licensee shall designate an active member of the organization to be responsible for the documentation of receipts and disbursements as well as the maintenance of all financial records. Such individual designated shall have been a member in good standing of the organization and shall be familiar with the provisions of this Chapter, applicable local ordinances and regulations, and the rules and regulations of the office.

E. No licensee shall purchase or otherwise obtain any gaming supplies or equipment from any distributor or manufacturer until it has first determined that the individual selling or otherwise offering such supplies or equipment has a valid license issued by the office.

F. No licensee shall allow any person under eighteen years of age to assist in the holding, operation, or conduct of any game of chance. Charitable raffles as provided for in R.S. 4:707(D)(2) shall be exempted from requirements of this Subsection.

G.(1) All proceeds from each gaming session, other than that amount paid out as cash prizes and that amount retained as a cash bank, shall be deposited into a bank account, known as a charitable gaming account, maintained by the charitable organization solely for such deposits. Such deposits shall occur no later than the second banking day following the date the gaming session begins, but in no case more than five calendar days later.

(2) Any charitable organization may transfer gaming proceeds from its charitable gaming account to any other bank account controlled by the organization, subject to the administrative rules promulgated by the office pursuant to R.S. 4:705(10)(b).

§715. Personnel to hold games; commissions or salaries; equipment and supplies; expenses

A.(1) No person shall hold, operate, or conduct or assist in holding, operating, or conducting any game or games of chance under any license issued under this Chapter except an active member of an organization or association issued a charitable gaming license under the provisions of this Chapter. However, only an active bona fide member of an organization or association can act in a managerial capacity in accordance with the Louisiana Charitable Gaming laws, rules, and regulations. Bingo callers need not be managerial positions.

(2)(a) No commission, salary, compensation, reward, or recompense, including but not limited to granting or use of bingo cards without charge or at a reduced charge, shall be paid or given directly or indirectly to any person holding, operating, or conducting any licensed game or games of chance.

(b) Any person, association, or corporation licensed to hold, operate, or conduct any games of chance under any license issued pursuant to this Chapter may compensate, for services rendered, any fifteen employees, including a bingo caller, who assist in the holding, operating, or conducting of such games. The rate of compensation shall be no more than ten dollars per hour and in any event shall not exceed fifty dollars per session for any employee. Each employee or volunteer worker may also be provided meals and beverages to be eaten on the premises not to exceed a total value of fifteen dollars per person. Expenditures made under the provisions of this Subsection shall be subject to the reporting provisions of R.S. 4:716. Compensation provided for in this Paragraph shall not constitute a violation of the prohibition against the payment or giving of a commission, salary, compensation, reward, or recompense to any person holding, operating, or conducting any such game.

(3) No manufacturer, distributor, commercial lessor, or his agents or employees, who directly or indirectly leases premises or sells, leases, or otherwise distributes gaming supplies or equipment, or furnishes any commodities or services in relation to the conduct of any charitable game of chance shall take part in the holding, operation, or conduct of a game of chance. However, nothing in this Chapter shall prohibit the owner of a premises from having a representative present to protect his interests in the premises.

(4) No such game of chance shall be conducted with any supplies or equipment except such as shall be owned absolutely, provided without payment of any compensation by the licensee, or purchased from a licensed manufacturer or distributor of such supplies or equipment, unless permitted by rules of the office.

(5) No item of expense shall be incurred or paid in connection with the holding, operating, or conducting of any game of chance held, operated, or conducted pursuant to any license issued under this Chapter, except such as are bona fide items of reasonable amount of goods, wares, equipment, and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating, or conducting thereof, under any circumstances whatever.

(6) No licensee shall pay any consulting fees to any person for any service performed in relation to the conduct of any charitable game of chance or concession fees to any person who provides refreshments to the participants in any such games.

(7) No lease providing for a rental arrangement for premises or equipment shall provide for payment in excess of the reasonable market rental rate for such premises or equipment and in no case shall any payment be based on a percentage of gross receipts or profits derived from a game of chance.

B.(1) No person shall hold, operate, or conduct or assist in holding, operating, or conducting of any game or games of chance under any license issued under this Chapter except an active member of an organization or association issued a charitable gaming license under the provisions of this Chapter. However, only an active bona fide member of an organization or association can act in a managerial capacity in accordance with the Louisiana Charitable Gaming laws, rules, and regulations. Bingo callers need not be managerial positions. No such game of chance shall be conducted with any equipment except such as shall be owned absolutely or used without payment of any compensation therefor by the licensee, and no item of expense shall be incurred or paid in connection with the holding, operating, or conducting of any game of chance, held, operated, or conducted pursuant to any license issued under this Chapter, except such as are bona fide items of reasonable amount of goods, wares, equipment, and merchandise furnished or services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating, or conducting thereof, under any circumstances whatever, and no commission, salary, compensation, reward, or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating, or conducting, or assisting in the holding, operation, or conduct, of any game of chance so held, operated, or conducted.

(2) Notwithstanding any provision of law to the contrary, any person, association, or corporation licensed to hold, operate, or conduct any games of chance that benefit the visually and/or hearing impaired, paraplegics, quadriplegics, mentally retarded, or persons sixty years of age or older, under any license issued pursuant to this Chapter, may compensate for services rendered, any fifteen employees who assist in the holding, operating, or conducting of such games. The rate of compensation shall be no more than ten dollars per hour and in any event shall not exceed fifty dollars per session for any employee. Each employee or volunteer worker may also be

provided meals and beverages to be eaten on the premises not to exceed a total value of fifteen dollars per person. Expenditures made under the provisions of this Subsection shall be subject to the reporting provisions of R.S. 4:716. Compensation provided for in this Subsection shall not constitute a violation of the prohibition against the payment or giving of a commission, salary, compensation, reward, or recompense to any person holding, operating, or conducting, or assisting in the holding, operation, or conduct of any such game.

§716. Statement of receipts; expenditures; books and records

A. The organization or association which held, operated, or conducted the game and its member or members who were in charge thereof, shall furnish to the clerk of the municipality or governing body of the parish and the office the following information not less than quarterly:

(1) A verified statement showing the amount of the gross receipts derived from each such game of chance, that shall include receipts from the sale of shares, tickets, or rights in any manner connected with participation in said game or the right to participate therein.

(2) Each item of expense incurred, or paid, and each item of expenditure made or to be made.

(3) Name and address of each person to whom each such item has been, or is to be paid, with a detailed description of the merchandise purchased or the service rendered therefor.

(4) The net profit derived from each such game of chance and the uses to which such net profit has been or is to be applied.

(5) A list of prizes offered or given, with the respective values thereof.

B. Each licensee shall maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

C. All licensees shall maintain records and submit reports as provided by rules of the office. Such rules may require that all income of a licensee derived from charitable gaming be recorded to the extent necessary to disclose gross and net income.

§717. Examination of books and records and personnel

The office and the municipality or governing body of the parish shall have power to examine or to cause to be examined the books, gaming account, and records of any organization or association to which such license is issued so far as they may relate to any transactions connected with the holding and conducting of any game of chance thereunder, and to examine the books and records of any entity for the purposes of determining if net gaming proceeds are devoted entirely to the purposes allowable under R.S. 4:707(B), and to examine any manager, officer, director, agent, member, or employee thereof under oath in relation to the conduct of any such game of chance under any such license, but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this Chapter.

§718. Licensure

A.(1) Any organization or person seeking licensure as a charitable gaming organization, as a manufacturer or distributor of gaming supplies or equipment, or as a commercial lessor shall submit an application to the office on forms provided for such purposes. Such application shall contain such information as may be reasonably

required by rules of the office. The application shall be accompanied by the fee established pursuant to R.S. 4:705(2).

(2) The office shall review all applications for licensure and, in addition to the information required on the application, may require the applicant to furnish such additional information reasonably necessary.

B. The office shall not issue a license of any type to:

(1) Any person who has been convicted of certain related offenses as established by the office within the last five years or who presently has such a charge pending in any state or federal court.

(2) Any person who has ever been convicted of a gambling-related offense in any state or federal court.

(3) Any person who is or has ever been a professional gambler.

(4) Any firm, organization, or corporation in which any person specified in Paragraphs (1) through (3) of this Subsection is an officer or director, whether compensated or not, or in which such person has a direct or indirect financial interest.

C. Except as otherwise provided in R.S. 4:720, the office may issue a license for a period not exceeding one year to applicants meeting the requirements of this Chapter, the Charitable Raffles, Bingo and Keno Licensing Law, and rules and regulations adopted pursuant to such laws.

D.(1) The office may deny an application for licensure, refuse to renew a license, or restrict, suspend, or revoke a license for any reason consistent with the purposes of this Chapter which it deems to be in the interest of the public. However, policies regarding such denial, suspension, revocation, restriction, or refusal to renew shall be established by rule, and all proceedings with regard to such actions shall be in accordance with the Administrative Procedure Act.

(2) Notwithstanding any other provision of this Chapter to the contrary, the office shall not deny a license to or suspend, revoke, or refuse to renew the license of any organization defined in R.S. 4:707(C) solely on the basis that such organization has not qualified with the Internal Revenue Service for an exemption from federal income tax as specified by R.S. 4:703(1), provided that the organization demonstrates or establishes, by a preponderance of the evidence, that it is a legitimate nonprofit organization eligible under R.S. 4:707 and is not otherwise eligible for tax-exempt status under Section 501(c)(3), (4), (7), (8), (10), or (19) of the Internal Revenue Code.

E. Any significant change in the information submitted on its application for licensure shall be filed by a licensee with the office within ten days of the change. A significant change shall include but not be limited to any change in the officers, directors, managers, proprietors, or persons having a direct or indirect financial interest in any licensed organization or entity.

F. Any license, permit, approval, or thing obtained or issued pursuant to the provisions of this Chapter is expressly declared by the legislature to be a pure and absolute revocable privilege and not a right, property or otherwise, under the constitution of the United States or of the state of Louisiana. The legislature declares that no holder of any license or permit acquires any vested interest or right therein or thereunder.

G. Consent agreements or other agreements executed after the effective date of this Act with the office by which a license applicant is bound by certain rules, mandates, or other restrictions as a condition for licensing shall be absolutely null.

§719. Commercial lessor license

A. Any person leasing any premises for the conducting of charitable gaming activities shall obtain a commercial lessor's license for each premises to be licensed. A commercial lessor's license shall authorize a person to lease specific premises to licensees for the conducting of charitable gaming activities. The office, upon application and compliance with other provisions for licensure contained in this Chapter, shall issue a commercial lessor's license to qualified persons.

B. No lease of any premises by a commercial lessor to any charitable organization for any charitable gaming session shall provide for payment in excess of the reasonable market rental rate for such premises as provided in the local licensing ordinance. No lease shall provide for rental for less than a two-hour session.

C. No commercial lessor shall require the payment of any other cost or fee from a charitable organization other than the rental amount provided for by the rental agreement or contract or charge admission fees to persons entering the premises to participate in the charitable gaming activities.

D. No commercial lessor leasing premises for authorized charitable gaming activities shall enter into any agreement with a distributor of gaming supplies for the use, purchase, promotion, or sale of charitable gaming supplies.

§720. Qualifications for distributor license; additional requirements; bond; license term

A. No person shall be granted or issued a distributor license unless the applicant demonstrates to the office that the applicant is domiciled in and resides in the state of Louisiana at the time of application. If the applicant is a corporation, the applicant must demonstrate to the office that a majority of the stock of the applicant corporation is owned or controlled by individuals who are domiciled in and reside in the state of Louisiana at the time of application. The provisions of this Subsection shall apply to all applications for a distributor license.

B. The office shall require all distributors, as a condition of their license and doing business in the state, to post a bond with the office in the amount of fifteen thousand dollars to insure and guarantee the timely and prompt payment of the fees provided for in R.S. 4:705(3), other fees, fines, and penalties, and any other amount due and payable to the office and any sales or use taxes due the state or any parish or municipality. The bond shall consist of cash, cash equivalents, commercial surety, or such other instruments as the office allows by rule.

C. The bond required by Subsection B of this Section may be used by the office to complete payment of fines, fees, penalties, and amounts payable to the office by a distributor in accordance with the provisions of this Chapter or the Charitable Raffles, Bingo and Keno Licensing Law and payment of any sales or use taxes due the state or any parish or municipality.

D. The office may revoke, suspend, or condition the license of any licensed charitable organization, distributor, or manufacturer who fails to comply with any office rule, state law, or municipal or parish ordinance providing for the levy, assessment, collection, or remission of sales and use taxes.

E. The term for a license issued pursuant to the provisions of this Subsection shall be for three years. Any fees associated with the awarding of this license shall be paid annually as otherwise provided by this Chapter.

§721. Enforcement responsibilities

A. The office shall monitor the conduct or business of licensees, both on a routine scheduled and an unscheduled basis, to the extent necessary to ensure compliance with the provisions of charitable gaming laws and regulations of the state, particularly the Charitable Raffles, Bingo and Keno Licensing Law.

B. In carrying out its enforcement responsibilities, the office may:

(1) Inspect and examine all premises in which charitable games of chance are conducted or supplies or equipment for such games are manufactured or distributed.

(2) Inspect all such supplies and equipment in, upon, or about such premises.

(3) Seize and remove from such premises and impound such supplies and equipment for the purpose of examination and inspection pursuant to an appropriate court order.

(4) Demand access to and audit and inspect books and records of licensees for the purpose of determining compliance with laws and regulations relative to charitable gaming.

(5) Conduct in-depth audits and investigations when warranted.

C. The office may require licensees to maintain records and submit reports as further provided in R.S. 4:716(C) and 726(D).

D. In addition to license revocation or suspension or any criminal penalty imposed pursuant to R.S. 4:735(B), the office may assess a fine against any person who violates any law or regulation relative to gambling or charitable gaming. Such a fine shall only be assessed after notice and opportunity for a hearing held in accordance with the Administrative Procedure Act.

E. All departments, commissions, boards, agencies, officers, and institutions of the state and all subdivisions thereof, in particular local law enforcement entities, shall cooperate with the office in carrying out its enforcement responsibilities.

§722. Educational responsibilities

A. The office shall provide assistance to local law enforcement agencies in carrying out their responsibilities relative to enforcement of charitable gaming laws and regulations. Such assistance may include but shall not be limited to specialized training programs on such enforcement for local law enforcement personnel.

B. The office shall be responsible for educating the general public, particularly members of organizations which conduct charitable games of chance, with regard to the provisions of an interpretation of laws and regulations relative to charitable gaming. Such education may include but shall not be limited to training programs for licensees on such laws and regulations for the purpose of increasing their understanding of and compliance with statutory and regulatory requirements and restrictions.

§723. Immunity

No persons, association, or corporation

(1) Possessing, selling or in any manner disposing of, in any municipality or parish, any shares, tickets, or rights to participate in any game or games of chance conducted or to be conducted under any license lawfully issued pursuant to this Chapter,

(2) Lawfully conducting or participating in the conduct of any such game of chance, or

(3) Permitting the conduct of any such game of chance upon premises owned by him or it, of any game of chance conducted or to be conducted under any license lawfully issued pursuant to this Chapter, shall be liable to prosecution or conviction for violation of any provision of R.S. 14:90, however, this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling, or disposing of shares, tickets, or rights to participate in, or permitting the conduct upon any premises owned by him or it of any game of chance conducted under any license known to him or it to have been obtained by any such false or fraudulent pretense or statement."

AMENDMENT NO. 9

On page 7, delete lines 1 though 4 in their entirety and insert in lieu thereof the following:

"§724. Use of electronic or video bingo games

A. Electronic or video machines, hereafter termed "electronic bingo machines", for public playing of bingo may be made available at any location licensed under this Chapter for charitable bingo, provided that all requirements of this Chapter not in conflict with the provisions of this Section are met.

B. Any such electronic bingo machine shall be subject to the following requirements and restrictions concerning its operation and use:

(1) The cost of each game play shall be not less than one quarter nor more than four quarters.

(2) Payout shall be not less than eighty percent and not more than ninety percent of the total amount wagered.

(3) The maximum prize awarded shall be not more than one thousand dollars.

(4) A machine shall dispense no cash, only tickets verifiable as valid indicating the prize amount.

(5) A machine shall play the game of bingo as described in R.S. 4:707, except that a random number generator in the machine shall replace the drawing of numbered objects from a receptacle, and may play "cover-all bingo" in which all numbers of the card must be covered.

(6) A machine shall allow the player a choice of cards on which to play and must show a "BINGO" at the end of play.

(7) A machine shall allow only a linear-based payout in which the amount of the payout follows a straight line progression in direct proportion to the amount wagered.

(8) A machine shall provide for an electronic readout giving, at a minimum, a summary of total wagers, total plays, total payout, and current prize allotment since the last date of summary or the last date of reset of the machine."

AMENDMENT NO. 10

On page 7, delete lines 7 through 24 in their entirety and insert in lieu thereof the following:

"C. An electronic bingo machine may be leased by any holder of a bingo license issued pursuant to this Chapter. However, in no case shall any lease agreement entered into authorize the lessor to receive a percentage of the receipts from the machine.

D. Only cash prizes may be awarded winners of games on an electronic bingo machine.

E. At least forty-five percent of the net win from the machine must be paid to the licensee owning or leasing it.

F. The office may adopt, pursuant to the provisions of R.S. 4:705(10)(b), additional rules and regulations governing the use of electronic bingo machines and may establish a list of manufacturers, distributors, suppliers, and lessors authorized to provide electronic bingo machines or a list of acceptable models of the machines, or acceptable serial numbers on such models or manufacturers, distributors, suppliers, or lessors.

G. The office may assess whatever fees may be necessary to carry out the purposes of this Section and the rules and regulations adopted pursuant to R.S. 4:724(F).

§725. Pull-tabs

A. No organization, distributor, or manufacturer, or any representative thereof, either with knowledge or in circumstances whereunder he reasonably should have known, shall possess, display, put out for play, sell, or otherwise furnish to any person any deal of pull-tabs:

(1) In which the winning pull-tabs have not been completely and randomly distributed and mixed among all other pull-tabs in the deal;

(2) In which the location or approximate location of any of the winning pull-tabs can be determined in advance of opening the pull-tabs in any manner or by any device, including but not limited to any pattern in the manufacture, assembly, or packaging of pull-tabs by the manufacturer, by any markings on the pull-tabs or container, or by the use of a light; or

(3) Which does not conform in any respect to these requirements as to manufacturer, assembly, or packaging.

B. Effective January 1, 1986, a distributor shall not purchase or be furnished any deal of pull-tabs from a manufacturer of pull-tabs unless all of the following conditions are met:

(1) The manufacturer's label or trademark has been registered with the office of charitable gaming.

(2) Each individual pull-tab manufactured has conspicuously set forth on it the name of the manufacturer or a label or trademark which identifies its manufacturer.

(3) The pull-tab is of a type approved by the office of charitable gaming for use in Louisiana.

§726. License for manufacturers or distributors of gaming supplies or equipment; prohibitions; requirement

A.(1) No person or other entity shall fabricate, concoct, or manufacture any supplies or equipment for use in the conduct of any game of chance authorized under this Chapter, including but not limited to bingo equipment and pull-tabs, within this state or for use within this state without having obtained a manufacturer's license from the office, as further provided in R.S. 4:718.

(2) No person or other entity shall sell, offer for sale, or otherwise furnish any other person any supplies or equipment for use in the conduct of any game of chance authorized under this Chapter, including but not limited to bingo equipment and pull tabs without having obtained a distributor's license from the office, as further provided in R.S. 4:718.

B. No person licensed as a manufacturer or distributor shall sell or otherwise make available any such gaming supplies or equipment to any individual unless he has first determined that the individual is a licensed distributor or is acting as an agent of an organization which has a valid license issued by the office.

C. No manufacturer or distributor of gaming supplies or equipment shall directly or indirectly give gifts, trips, prizes, premiums, or other such gratuities to any charitable gaming organization, its employees, or commercial lessors other than nominal promotional items used in the conduct of charitable gaming as provided by law.

D. Each manufacturer or distributor of gaming supplies or equipment shall maintain records and submit reports as required by rules of the office. The rules may require maintenance of purchase and sale invoices of all gaming supplies and equipment manufactured or distributed, whether by sale, lease, rental, loan, or donation, to any charitable gaming organization.

E. Each distributor or manufacturer shall purchase state identification stamps from the office for supplies or equipment as required by rules of the office. Each distributor or manufacturer shall be responsible for affixing such a stamp to each such item sold or otherwise disposed of at the point of such sale or disposal.

F. Each manufacturer or distributor of gaming supplies or equipment shall be subject to the provisions of this Chapter, and all rules and regulations adopted by the office pursuant to the provisions of this Chapter.

§727. Combination of interests prohibited

A. No organization which conducts charitable games of chance shall be a manufacturer or distributor of supplies or equipment for such games. This prohibition shall not apply to a charitable organization which distributes electronic video bingo machines or electronic pull-tab devices in a building used, leased, or owned by the licensed charitable organization in which it conducts games authorized in this Chapter in a parish or incorporated municipality where an ordinance has been adopted allowing gaming by means of electronic video bingo.

B. No officer, director, or manager of an organization which conducts charitable games of chance shall:

(1) Have a direct or indirect financial interest in any entity which manufactures or distributes supplies or equipment for charitable games of chance or which leases space for charitable games of chance; or

(2) Serve as an officer, director, shareholder of more than two percent of the shares, proprietor, or employee of an entity which manufactures or distributes supplies or equipment for charitable games of chance.

C. No entity which manufactures or distributes supplies or equipment for charitable games of chance; any officer, director, owner of more than two percent of the business, proprietor, or employee of such an entity; or any person having a direct or indirect financial interest in such an entity shall lease premises, directly or

indirectly, to an organization for purposes of conducting charitable games of chance.

D. No entity or person described in R.S. 4:727(A), (B), or (C) shall serve as a commercial lessor.

E.(1) No person licensed as a commercial lessor or his immediate family shall:

(a) Have a direct or indirect financial interest in any entity which manufactures or distributes supplies or equipment for charitable games of chance; or

(b) Serve as a proprietor, employee, officer, director, shareholder, or owner of more than two percent ownership interest, of any entity which manufactures or distributes supplies or equipment for charitable games of chance.

(2) No person licensed as a commercial lessor or his spouse shall:

(a) Serve as an officer or director of any charitable organization which rents, leases, or uses the commercial premises for conducting games of chance; or

(b) Hold, operate, conduct, or assist in the holding, operating, or conducting of a charitable game of chance at the commercial premises.

§728. Use of monies derived from enforcement of bingo regulations by the governing authority of Livingston Parish

Notwithstanding any other provision of law to the contrary, any monies collected by the governing authority of Livingston Parish from charitable organizations conducting bingo games in that parish pursuant to the rules and regulations of said governing authority which are in excess of the amount of monies necessary to pay the cost of adequate enforcement of such rules and regulations may be expended by said governing authority for purposes other than paying the cost of such enforcement, including but not limited to defraying the cost of operation of parish government.

§729. Fund-raising events

A. Notwithstanding any provisions of this Chapter to the contrary, a charitable organization licensed to operate, hold, or conduct any game or games of chance may enter into a contract with a private contractor who meets the qualifications prescribed by the office to conduct the operation and management of fund-raising events generally known as "casino night" or "Las Vegas night".

B. Each private contractor shall possess the skills and have the personnel and equipment available to conduct such games.

C. The contract shall stipulate that the contract price is a professional service fee based upon the equipment and personnel to be used as well as the types of games to be played. The office shall promulgate rules and regulations providing for the reasonable compensation of the contractor. The private contractor may use his own personnel only for the actual operation of the leased equipment.

D. For the purpose of this Section, "casino night" and "Las Vegas night" shall mean a charitable fund-raising event sponsored by a licensed charitable organization as defined pursuant to the provisions of R.S. 4:703. The office shall promulgate rules which specify the kinds of casino games that may be conducted and the manner in which such games shall be operated.

E. The sponsors shall sell tickets to the charitable event and each individual shall receive for each ticket purchased, in connection with the event, an equal number of chips to be used in playing the various authorized games. The sponsor may award prizes at such events.

F. The office of charitable gaming within the Department of Revenue may adopt additional rules and regulations governing such events pursuant to the provisions of R.S. 4:705(10)(b).

§730. Use of monies derived from enforcement of bingo regulations by a municipal or parish governing authority

Notwithstanding any other provision of law to the contrary, any monies collected by the governing authority of a municipality or parish from charitable organizations conducting bingo games in that municipality or parish pursuant to the rules and regulations of said governing authority which are in excess of the amount of monies necessary to pay the cost of adequate enforcement of such rules and regulations may be expended by said governing authority for purposes other than paying the cost of such enforcement, including but not limited to defraying the cost of operation of municipal or parish government.

§731. City of New Orleans; cable television bingo; licensing; restrictions; prohibitions

A.(1) The governing authority of the city of New Orleans may license bona fide veterans, charitable, educational, religious, or fraternal organizations and civic and service clubs, which possess the appropriate nonprofit designation issued by the federal Internal Revenue Service, to hold and operate the game of chance commonly known as cable television bingo played for prizes with cards and as defined in this Subsection.

(2) For the purposes of this Section, "cable television bingo" shall mean a charitable game of chance transmitted by a cable television channel and played for prizes with cards bearing numbers or other designations, five or more in one line, the holder covering numbers as eight or more similarly numbered objects are displayed, and the game being won by any player who covers a previously designated arrangement of numbers of such a card with any four or five numbers and a free spot.

B. Cable television bingo shall only be transmitted to the area within the jurisdiction of the city of New Orleans. Transmission of such games to any area outside the city of New Orleans shall be expressly prohibited.

C. Licensees to hold, operate, or conduct cable television bingo shall not be subject to the provisions of R.S. 4:714(A) and (B).

D. Notwithstanding any provision of this Chapter to the contrary, in particular R.S. 4:715, a charitable organization licensed to conduct cable television bingo may enter into a contract with a private contractor possessing demonstrated skills in the conduct and administration of charitable games of chance to provide for the operation and management of its games. Any such contract shall stipulate that payment to the contractor for professional services shall be in accordance with an estimated fee schedule based upon the number of cards sold and shall require the use of volunteer members of charitable organizations in the actual conduct of and assisting in the conduct of such games.

E. The office may adopt additional rules and regulations governing the operation of cable television bingo pursuant to the provisions of R.S. 4:705(10)(b). The office may also assess whatever fees may be necessary to implement this Section and the rules and regulations adopted pursuant to this Subsection.

§732. Progressive bingo

A. Notwithstanding any provision of law to the contrary, the governing authority of any parish or municipality may permit any charitable licensed organization to conduct progressive mega jackpot bingo games. For the purpose of conducting a progressive bingo game, such organizations shall:

(1) Establish links or networks, electronic or otherwise, between locations, commercial or noncommercial, where licensed charitable bingo games are being conducted.

(2) Deposit a predetermined amount of money not to exceed one hundred dollars per organization into a special account before each licensed call bingo gaming session. Every one-hundred-dollar contribution shall constitute part of the total amount of prizes awarded during that session.

B. The mega jackpot for a progressive bingo game played pursuant to and in accordance with the provisions of this Section may exceed the limit established in R.S. 4:714 but shall not exceed fifty thousand dollars.

C. Such game shall be offered in accordance with rules and regulations adopted by the governing authority of each municipality or the parish which issued a license to any respective organization which participates in a progressive mega jackpot bingo game, in accordance with the rules and regulations adopted by the office in Subsection D of this Section.

D. The office shall adopt rules and regulations governing progressive mega jackpot bingo games to insure compliance with the provisions of this Chapter and any additional regulations of the state relative to charitable gaming laws.

E. Any licensed charitable organization or organizations playing at the same location may conduct progressive blackout bingo games in accordance with rules established by the office in effect on August 15, 1995, and as follows:

(1) Any such organization or organizations which conduct progressive bingo games in accordance with this Subsection may offer a second progressive bingo game, in addition to the game authorized in this Subsection.

(2) Any such organization or organizations which conduct progressive bingo games in accordance with this Subsection may establish a maximum jackpot or cap for each progressive bingo game offered by the organization. After either such cap is reached, the participating organizations may continue contributions to the Charitable Gaming Progressive Jackpot Account to accumulate a backup jackpot which may be applied to either or both progressive games.

(3) The dollar amount of each jackpot cap shall be continuously and conspicuously displayed along with the current dollar amount of the progressive jackpot.

(4) The second progressive jackpot game may be added to any call bingo game played during a bingo session.

(5) During the course of a progressive jackpot, the participating organizations may, prior to a jackpot win, raise but not lower the jackpot cap. In the event that the jackpot cap is raised, contributions in the amount of one hundred dollars per game shall recommence.

F. Participation in the progressive bingo jackpot games permitted by Subsections A and E of this Section shall be mutually exclusive.

G. Parishes with populations of less than four hundred thousand may network or link together to conduct progressive mega jackpot bingo games, as provided in Paragraph A(1) of this Section provided the local governing authority of each parish has authorized the conducting of such games in the parish, and further provided that the combined populations of the parishes networking or linking together as authorized by this Subsection do not exceed four hundred thousand.

§733. Electronic pull-tab devices

A.(1) Electronic or video machines, hereafter termed "electronic pull-tab devices", and defined in Paragraph (2) of this Subsection, for public playing of pull-tabs may be made available at any locations licensed under this Chapter for charitable gaming, provided that all requirements of this Chapter not in conflict with the provisions of this Section are met.

(2) "Electronic pull-tab device" means any unit, mechanism, or device authorized pursuant to the provisions of this Chapter, that, upon insertion of cash, produces electronic facsimiles of pull-tab tickets or cards and is available to play or simulate the play of the game of pull-tabs as described in R.S. 4:725(3), utilizing a cathode ray tube or video display screen and microprocessors in which the player may win games or credits that can be redeemed for cash only. The term does not include a device that directly dispenses coins, cash, tokens, or anything else of value, except the ticket voucher required in accordance with the provisions of this Chapter.

B. Each device shall:

(1) Be inspected by the office or its designee for certification and compliance.

(2) Be connected with a system consisting of player operated terminals and a self-contained control computer.

(3) Not have any device or program that will alter the reading of the values or amounts of play to reflect values or amounts other than actually played or any switches, jumpers, wire posts, or any other means of manipulation that could affect the operation or outcome of a game.

(4) Not have any device, switch, program, or function that can alter the readings of the actual amounts or values relating to any function or occurrence of the device.

(5) The device must have separate secure areas with locking doors for the game logic board and software, the cash compartment, and the mechanical meters as required by the rules and regulations of the office. These areas must be locking and separated. Access to one from the other must not be allowed at any time.

(a) The device must be capable of printing a ticket voucher for the player at the completion of each game. If credits are owed the player, the ticket must contain each of the following:

(i) The name of the location licensed to conduct charitable gaming.

(ii) The name of the municipality or parish in which the location licensed to conduct charitable gaming is located.

(iii) The value of the prize in numbers.

(iv) The value of the prize in words.

(v) The time of day, in hours and minutes in a twenty-four-hour format.

(vi) The date.

(vii) The device license number or serial number up to eight digits.

(viii) The sequential number of the ticket voucher.

(ix) An encrypted validation number from which the validity of the prize can be determined.

(b) The device may have a mechanism that accepts cash in the form of bills with a denomination not to exceed ten dollars.

(c) An exact copy of each printed ticket voucher must be printed and retained within the device.

(d) The device must have non-resettable mechanical meters housed in a secure compartment that keep a permanent record of all of the following:

(i) Total coins accepted.

(ii) Total credits generated by the bill acceptor if the device has a bill acceptor.

(iii) Total credits played by players.

(iv) Total credits won by players.

(v) Total credits printed out by the ticket voucher printer.

(e) The device must contain electronic metering using meters that record all of the following:

(i) Total coins in the coin acceptor or acceptors and, if the device has a bill acceptor, the total credits generated by the bill acceptor.

(ii) Total credits in, total credits played, total credits won, and total credits paid.

(iii) Total errors from the logic board random access memory.

(iv) Total examination of electronic meters.

(f) The device may not have any functions or parameters adjustable by or through any separate video display or input codes, except for the adjustment of features that are wholly cosmetic.

(g) The device must issue, by activation of an external switch, an accounting ticket containing a performance synopsis of the device. The ticket must contain:

(i) The name of the location licensed to conduct charitable gaming.

(ii) The name of the city, town, or parish in which the location licensed to conduct charitable gaming is located.

(iii) The license number of the device.

(iv) The time of day, in hours and minutes in a twenty-four-hour format.

(v) The date.

(vi) A circuit-interrupting device, method, or capability which will disable the machine if the office-approved program is accessed or altered.

(h) The device must be linked by telecommunication to a central computer for purposes of polling or reading device activities and for central computer remote shutdown of device operations.

(6) Each electronic pull-tab device shall have a serial number or other identification number permanently affixed to the device by the manufacturer.

C. The office may provide for additional specifications for devices to be approved and authorized pursuant to the provisions of this Chapter as it deems necessary to maintain the integrity of electronic pull-tab devices and operations. The office shall not provide for any additional specifications which would have the effect of reducing to fewer than four the number of manufacturers who make devices that meet the specifications of this Chapter.

D. A device may not allow more than two dollars to be placed on a game or award won games or credits in excess of the value of five hundred dollars.

E. The office shall prescribe the expected payback value of one credit played to be at least eighty percent of the value of a credit. Each electronic pull-tab device must have an electronic accounting device that the office may use to verify the winning percentage. The office may not publish or otherwise disseminate income figures and other statistics obtained in the payback verification process or contained in payback verification reports in a manner that allows or helps a person to identify a particular device or to match a particular device with a particular income or statistic except as is required for enforcement of the provisions of this Chapter.

F. An electronic pull-tab device may be leased by any charitable organization licensed by the office.

G. At least sixty percent of the net win from the device must be paid to the charitable organization leasing it. No more than ten percent of the net win from the device may be paid to the commercial leasing the premises at which the devices are located.

H. The office shall adopt any additional rules and regulations necessary to govern the specification, use, and operation of electronic pull-tab devices and shall establish a list of manufacturers, distributors, suppliers, and lessors authorized to provide electronic pull-tab devices or a list of acceptable models of the devices, acceptable serial numbers on such models or manufacturers, distributors, suppliers, or lessors. All rules shall be adopted pursuant to the Administrative Procedure Act except that all rules shall also require the affirmative approval of the House Committee on Administration of Criminal Justice and the Senate Committee on the Judiciary, Section B.

I. Notwithstanding any provision of law to the contrary, a facility licensed to conduct charitable gaming may not place more than thirty-five electronic machines or devices licensed to conduct charitable gaming at the facility.

J. Any licensed charitable organization operating more than fifteen electronic pull-tab devices as provided by this Section shall not offer for play pull-tabs as provided in R.S. 4:725.

§734. Sale of tickets at fund raising event

Notwithstanding any provision of this Chapter to the contrary, a candidate for public office, as provided for in R.S. 18:1483(3), or his principal campaign committee, as provided for in R.S. 18:1483(15), may conduct a fund raising activity involving the sale of tickets which afford the purchaser an opportunity to win a door prize, raffle, or similar gift or prize.

§735. Violations; penalties

A. Any person, association, or corporation which violates any provision of this Chapter including the specifically enumerated acts contained in Subsection B of this Section or any rule or regulation of the office shall be subject to a civil penalty imposed by the office as further provided in R.S. 4:721 and to suspension or revocation of its license as further provided in R.S. 4:705.

B. Any person, association, or corporation which commits any of the following acts shall, upon conviction, be subject to a criminal penalty, and be fined not more than five thousand dollars or imprisoned for one year, or both:

(1) Making any false statement in any application for a license under this Chapter or a license issued pursuant to R.S. 4:718.

(2) Holding, operating, or conducting any game of chance either without a license issued by a parish or municipal governing authority or without a license issued by the office.

(3) Knowingly falsifying or making any false entry in any books or records with respect to any transaction connected with the holding, operating, and conducting of any game of chance.

(4) Refusing to allow the licensing parish or municipal governing authority or the office access to any premises where a game of chance is being conducted or to any record or book relative to gaming activity.

(5) Intentionally causing, aiding, abetting, or conspiring with another to cause any person to violate any provision of this Subsection. In addition to suffering any such penalty which may be imposed, a licensee shall forfeit any license issued to it under this Chapter.

(6) Offering for sale, lease, rental, or furnishing in any other manner whatsoever, any electronic video bingo machine, or part, component, or supply, intended for use therewith except an authorized manufacturer, supplier, or distributor pursuant to R.S. 4:724(F) and R.S. 4:733(H).

(7) Possessing any electronic video machine or component, parts, or supplies intended for use therewith except manufacturers, distributors, or lessors and organizations licensed by a municipality or parish to conduct electronic video bingo who are in possession of such machines under the provisions of R.S. 4:724 and R.S. 4:733 and the rules and regulations adopted pursuant to R.S. 4:724(F) and R.S. 4:733(H).

(8) Possessing, displaying, selling, or otherwise furnishing to any person any deal pull-tabs except as provided for in R.S. 4:725.

(9) Using net gaming proceeds in whole or in part for any uses other than educational, charitable, patriotic, religious, or public spirited purposes. For purposes of this Section "net gaming proceeds" shall not include accounting or other professional services not otherwise prohibited by R.S. 4:715(A)(6).

C. Any person, association, or corporation which violates any other provision of this Chapter not listed in Subsection B may be imprisoned for not more than six months or fined not more than five hundred dollars, or both.

§736. Legal representation of the office, attorney general

Notwithstanding any other provision of law to the contrary, the attorney general shall be the legal advisor to the office and, except as otherwise provided by law, shall counsel and advise the office, shall

represent it in all legal proceedings, and shall prosecute any civil action for a violation of the provisions of this Chapter or the rules and regulations of the office. The office shall compensate the attorney general for representation of the office.

§737. Venue; trial de novo; appeals

Notwithstanding any other provision of law to the contrary, the venue for judicial review or appeal from any administrative proceeding involving a charitable gaming licensee or license applicant or a petition for a stay as provided for in R.S. 49:964(C) or for recovery under R.S. 49:965.1 or other injunctive relief shall be the domicile of the licensee or applicant. The petition for judicial review or appeal from an administrative proceeding involving a licensee or license applicant under this Chapter shall be filed in the district court of the parish of the domicile of the licensee or applicant within sixty days of the mailing of the notice of the adverse administrative decision. Upon timely filing of the petition of the charitable organization, judicial review shall be by trial de novo and conducted by summary procedure. Evidence of warnings issued by the division to a charitable organization on matters which are not the subject of the administrative proceeding under review shall not be admissible in the trial de novo. The provisions of this Section shall be procedural in nature.

§738. Toll-free telephone assistance for compulsive gamblers; posting of signs on premises

The office shall require the posting of one or more signs on licensed premises at points of entry into the areas where organizations licensed under this Chapter are conducting games of chance authorized under the provisions of R.S. 4:707(A)(2), (3), and (4), 732, and 733 to inform patrons of a toll-free telephone number available to provide information and referral services regarding compulsive or problem gambling. Failure by the owner of the licensed premises to post and maintain such a sign or signs shall be cause for the imposition of a fine not to exceed one thousand dollars per day.

§739. Use of electronic bingo card dabber devices

A.(1) Electronic bingo card dabber devices, hereafter referred to as electronic dabber devices, and defined in Paragraph (2) of this Subsection, for the public playing of bingo may be made available at any location licensed under the provisions of this Chapter and shall be licensed by the office provided that all requirements of this Section and all requirements of this Chapter not in conflict with this Section are met.

(2) "Electronic Bingo Card Dabber Device", or "Electronic Dabber Device", or "EBCDD" means an electronic device used by a bingo player to monitor bingo cards purchased and then input into the device, at the time and place of the licensed charitable bingo session, and which:

(a) Provides a means to bingo players to input numbers announced by the bingo caller.

(b) Compares numbers called to the numbers contained on bingo cards for that session previously stored in the data base of the device.

(c) Identifies winning bingo patterns.

(d) Signals the bingo player when a winning bingo pattern is waiting or received.

(e) Will not accept coins, currency, or tokens to activate play.

(3)(a) The electronic dabber device shall be capable of use with disposable bingo paper which shall be downloaded into the device prior to the start of each game. Only disposable bingo paper produced by licensed manufacturers shall be used with electronic dabber devices. Such disposable bingo paper shall be unique and for use exclusively with an electronic dabber device so that such paper cannot be used in play without the device. No more than seventy-two faces shall be entered for play of any one game at a session.

(b) Each electronic dabber device shall be capable of clearing all disposable bingo card faces downloaded into the device for a specific session upon turning the device off after the last game of the session has been played.

(c) No electronic dabber device shall allow a player to design or redesign bingo cards by generating, arranging, rearranging, or otherwise place numbers on a card.

B.(1) A manufacturer shall sell, rent, lease, or otherwise supply or provide any electronic dabber device only to a licensed distributor. Devices shall be delivered directly to the distributor's facility. Contracts for sale, rent, lease, or other provision of electronic dabbing device shall be negotiated by a licensed distributor.

(2) No manufacturer shall sell, rent, lease, or otherwise supply or provide any electronic dabber device to any commercial lessor or his immediate family.

C.(1) A distributor shall sell, rent, lease, or otherwise supply or provide any electronic dabber device only to a licensed charitable organization, qualified association of licensed charitable organizations, or licensed distributor.

(2) No distributor shall sell, rent, lease, or otherwise supply or provide any electronic dabber device to any commercial lessor or his immediate family.

(3) Each distributor shall have at least one employee on site during use of its devices. The licensed distributor shall request payment from the licensed organization immediately after each session in an amount equal to the rental price multiplied by the number of devices used, rented, leased, or otherwise supplied or provided at the session, plus applicable taxes and fees. Payment shall be made by check payable only from the licensed organization's gaming account and made payable only to the licensed distributor immediately after each session. The check shall be deposited into the distributor's bank within five working days after the session.

D.(1) No commercial lessor or his immediate family shall own or offer for sale, rent, lease, or otherwise supply or provide to anyone any electronic dabber device.

(2) No entity, any officer, director, or owner of more than two percent of such enterprise which serves as a commercial lessor or the immediate family of any individual referred to in this sentence shall own, sell, rent, lease, or otherwise supply or provide to anyone any electronic dabber device or accept remuneration for storage thereof.

E.(1) No more than two electronic dabbing devices may be issued to any one patron who has purchased disposable bingo paper packs for use with the device.

(2) There shall be at least one electronic dabber device to be used as a back up in the event that a device in play malfunctions.

(3) Each device shall be returned at the conclusion of each session and all cards or faces downloaded for play for the concluded session shall be cleared."

AMENDMENT NO. 11

Delete page 8 in its entirety and on page 9 delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"Section 4. R.S. 33:4861.1 through 4861.28 and R.S. 40:1485.1 through 1485.11 are hereby repealed in their entirety.

Section 5. To the extent that the provisions of other bills introduced in this 1999 Regular Session conflict with the substantive provisions of this Act and are enacted into law, the provisions of this Act shall prevail.

Section 6. 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 by 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."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1386—

BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1231, to enact R.S. 40:1235.2 through 1235.4, and to repeal R.S. 40:1236.4(A)(4), relative to emergency medical services; to provide for the licensure of ambulance services; to provide definitions; to provide for license renewal, fees, fines, violations, and penalties; to provide for vehicle inspections; to provide for appeals; to remove certain exemptions from insurance requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1386 by Representative Alexander

AMENDMENT NO. 1

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

"Ambulance" shall not mean a hearse or other funeral home vehicle utilized for the transportation of the dead."

AMENDMENT NO. 2

On page 2, line 5, after "service which" delete the comma "," and the remainder of the line and at the beginning of line 6, delete "business" and the comma ",".

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1397—

BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:2104(B), 2106, and 2138, relative to information received pursuant to licensing of certain health care facilities; to provide for confidentiality of financial information received by the Department of Health and Hospitals pursuant to licensing of hospitals and ambulatory surgical centers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1397 by Representative Alexander

AMENDMENT NO. 1

On page 2, at the end of line 2, insert "Such information shall be shared with the Louisiana Hospital Association, which shall be subject to the same confidentiality requirements provided for in this Subpart."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1444—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 14:98(B)(introductory paragraph), relative to the crime of operating a motor vehicle while intoxicated; to provide with regard to penalties for persons convicted of first offenses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1555—

BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:3904(A)(6), relative to the school personnel evaluation program; to provide program requirements relative to the evaluation of school principals; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1555 by Representative Pratt

AMENDMENT NO. 1

On page 1, line 13, after "method" and before "each" change "permitting" to "requiring"

AMENDMENT NO. 2

On page 1, at the beginning of line 15, change "evaluate" to "participate in the evaluation process relative to"

AMENDMENT NO. 3

On page 1, at the end of line 16, add the following:

"The local board shall establish the procedures for the participation of teachers in the evaluation process and shall determine the degree to which any evaluation provided by a teacher shall count toward the total evaluation of the principal. The name of the teacher providing such evaluation shall be kept confidential and any person who violates such confidentiality shall be subject to disciplinary action by the local board."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1556—

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:3911(B)(introductory paragraph) and (12), relative to public school progress profiles; to provide for the collection of certain data; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1556 by Representative Pratt

AMENDMENT NO. 1

On page 1, delete lines 17 and 18 and on page 2, at the beginning of line 1, delete "the number"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1618—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 15:587.1(A) and R.S. 46:51.2(E) and (F)(1) and to enact R.S. 46:1441.13, relative to registered family child day care homes; to require care providers at said homes to have current cardiopulmonary resuscitation (CPR) training; to prohibit persons convicted of certain crimes from working or living in registered family child day care homes; to provide for violations; to authorize criminal background checks; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1618 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 7, between "homes;" and "to provide" insert "to provide for exceptions;"

AMENDMENT NO. 2

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

"The cost of any criminal background check which may be required by the department as proof of compliance with this Subsection shall be the responsibility of the family child day care home."

AMENDMENT NO. 3

On page 3, after line 20, add the following:

"D. The provisions of this Section shall not apply to a family child day care home in which the primary child care provider at such home is a grandparent, aunt, or uncle of all the children receiving child care at such home.

E. The provisions of this Section shall only apply to family child day care homes registered with the Department of Social Services and shall not apply to family child day care homes registered with the Department of Education for participation in the federal Child and Adult Care Food Program."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1674—

BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 22:658.1(E), relative to failure to satisfy a claim under a criminal bond contract; to require commercial sureties to pay fines for certain hearings to show cause; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1725—

BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(introductory paragraph), (2), (3), (4)(introductory paragraph), (a) and (c), (B)(2)(introductory paragraph), (3)(introductory paragraph) and (a), (C)(2)(f), (D)(introductory paragraph), and (R) and to repeal R.S. 17:3048.1(C)(2)(d), relative to the Tuition Opportunity Program for Students; to provide for eligibility requirements, including residency and attainment of certain academic standards for continued program participation; to provide for award payments, including purposes and use; to provide for program administration; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 1725 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 2, after "paragraph)," and before "(2)," insert "(b), (c), and (d),"

AMENDMENT NO. 2

On page 1, line 3, after "paragraph)" and before "(B)(2)(introductory)" delete the comma "," and change "(a) and (c)," to "and (a),"

AMENDMENT NO. 3

On page 1, line 5, after "paragraph)," and before "and (R)" insert "(E),"

AMENDMENT NO. 4

On page 1, line 10, after "use;" and before "to provide for program" insert "to provide limitations on certain award payments and for their effectiveness;"

AMENDMENT NO. 5

On page 1, line 13, after "paragraph)," and before "(2)," insert "(b), (c), and (d),"

AMENDMENT NO. 6

On page 1, line 14, after "paragraph)" and before "(B)(2)(introductory)" delete the comma "," and change "(a) and (c)," to "and (a),"

AMENDMENT NO. 7

On page 1, at the end of line 15, insert "(E),"

AMENDMENT NO. 8

On page 2, line 12, after "(a)" and before "an" change "If" to "Is a citizen of the United States and if"

AMENDMENT NO. 9

On page 2, line 14, after "student" and before "has" insert a comma "," and add "as defined by the administering agency."

AMENDMENT NO. 10

On page 2, line 21, after "years." and before "For" insert the following:

"A student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subparagraph if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application."

AMENDMENT NO. 11

On page 2, after line 25, insert the following:

"(b)(i) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or a nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, has a minimum cumulative grade point average of 2.50 calculated on a 4.00 scale, has a composite score on the 1990 version of the American College Test which is at least equal to or higher than the state's average composite score, rounded to the nearest whole number, reported for the prior year but never less than nineteen or an equivalent concordant value on an enhanced or revised version of such test or on the Scholastic Aptitude Test, and, unless granted an exception for cause by the administering agency, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall be the recipient of an "Opportunity Award" for the purposes of this program.

(ii) Beginning with the 2000-2001 school year and thereafter, the minimum cumulative grade point average specified in Item (i) of this Subparagraph shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

(c)(i) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, has enrolled, unless granted an exception for cause by the administering agency, in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions,

immediately following the fifth anniversary of the date that the student graduated from high school, has achieved a minimum cumulative grade point average of 3.50 calculated on a 4.00 scale, and has a composite score on the 1990 version of the American College Test of twenty-three or higher or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall receive and be recognized as the recipient of a "Performance Award" for the purposes of this program.

(ii) Beginning with the 2000-2001 school year and thereafter, the minimum cumulative grade point average specified in Item (i) of this Subparagraph shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

(d)(i) Has been certified as provided in Subsection D of this Section to have graduated from a public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education with a minimum cumulative grade point average of 3.50 on a 4.00 scale and a score of twenty-seven or higher on the 1990 version of the American College Test or an equivalent concordant value on any enhanced or revised version of such test or on the Scholastic Aptitude Test, and, unless granted an exception for cause by the administering agency, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school or, if the student joins the United States Armed Forces within one year after graduating from high school, has enrolled in an eligible college or university as a first-time freshman not later than the semester, excluding summer semesters or sessions, immediately following the fifth anniversary of the date that the student graduated from high school. As distinguished from all other students qualifying for this program, a student who meets the requirements of this Subparagraph shall receive and be recognized as the recipient of an "Honors Award" for the purposes of this program.

(ii) Beginning with the 2000-2001 school year and thereafter, the minimum cumulative grade point average specified in Item (i) of this Subparagraph shall be calculated by using only the grades obtained by the student in completing the core curriculum requirements established by this Section.

* * *

AMENDMENT NO. 12

On page 3 delete lines 1 through 16 and insert in lieu thereof the following:

"(2) Any student who applies for an Opportunity Award in accordance with Subparagraph A(1)(b), who enrolled in any public college or university in the state to pursue an academic undergraduate degree, and who meets the qualifications enumerated in Subparagraphs A(1)(a), (e), and (f), shall ~~have tuition paid be awarded~~ by the state an amount determined by the administering agency to equal the tuition charged by the public college or university attended in the state and for any student who meets such qualifications and who has enrolled at any regionally accredited independent college or university in the state which is a member of the Louisiana Association of Independent Colleges and Universities, the state shall ~~pay award an amount to be determined by the administering agency to equal~~ the weighted average of ~~tuition amounts~~ paid under this Section for students attending public colleges and universities that offer academic undergraduate degrees at the baccalaureate level."

AMENDMENT NO. 13

On page 3, line 25, after "award" and before "an amount" delete "the student"

AMENDMENT NO. 14

On page 4, line 8, after "award" and before "an amount" delete "the student"

AMENDMENT NO. 15

On page 4, line 18, after "award" and before "an amount" delete "the student"

AMENDMENT NO. 16

On page 5, line 1, after "award" and before "an amount" delete "the student"

AMENDMENT NO. 17

On page 5, at the end of line 14 and at the beginning of line 15, change "thirty credit hours" to "the minimum number of hours of credit required for full-time standing"

AMENDMENT NO. 18

On page 6 delete lines 7 through 14

AMENDMENT NO. 19

On page 6, line 18, after "shall" and before "an amount" change "pay" to "award"

AMENDMENT NO. 20

On page 8, between lines 16 and 17, insert the following:

"E.(1) The legislature annually shall appropriate to the administering agency funds which, together with any other funds available, are sufficient to cover the costs required to be paid, both initial and continuing, for the coming academic year. All such payments shall be made by the administering agency directly to the institution to which such payment is due after notice to the institution that the state shall pay, on behalf of the qualifying student, the applicable amount stipulated in this Section and after notice from the institution that the student has actually enrolled.

(2) Effective beginning with the 1999-2000 academic year and thereafter, no state payments made on behalf of any student receiving an award pursuant to the provisions of this Chapter shall be used by an institution of higher education to supplant the granting of free tuition for such student pursuant to a scholarship given in accordance with the provisions of Act No. 43 of the 1884 Regular Session of the Legislature, as amended.

* * *

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1788—
BY REPRESENTATIVES ANSARDI AND MURRAY
AN ACT

To amend and reenact R.S. 22:2021 and to enact Chapter 7 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3070 through 3092, relative to health insurance; to require authorization or licensure of entities making medical necessity determinations as medical necessity review organizations; to provide for standards for such organizations; to provide for appeals from adverse determinations and for internal and external reviews; to provide for expedited appeals and reviews; to provide for standards for independent review organizations; to hold harmless certain organizations or persons making medical necessity determinations; to provide for enforcement, including assessments, fines, and grounds for revocation or suspension of licensure; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Insurance.

The substitute was read by title as follows:

HOUSE BILL NO. 2083 (Substitute for House Bill No. 1788 by Rep. Ansardi)—
BY REPRESENTATIVES ANSARDI AND MURRAY
AN ACT

To amend and reenact R.S. 22:2021 and to enact Chapter 7 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3070 through 3092, relative to health insurance; to require authorization or licensure of entities making medical necessity determinations as medical necessity review organizations; to provide for standards for such organizations; to provide for appeals from adverse determinations and for internal and external reviews; to provide for expedited appeals and reviews; to provide for standards for independent review organizations; to provide relative to the liability of organizations making medical necessity determinations; to provide for enforcement, including assessments, fines, and grounds for revocation or suspension of licensure; and to provide for related matters.

Read by title.

On motion of Rep. Donelon, the substitute was adopted and became House Bill No. 2083 by Rep. Ansardi, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1788 by Rep. Ansardi.

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

HOUSE BILL NO. 1824—
BY REPRESENTATIVES DONELON AND MARTINY
AN ACT

To amend and reenact R.S. 22:2092.1(B), 2092.2(8), (10), (11), (15), (16), (17)(a) and (b)(introductory paragraph), (18)(introductory paragraph), (19), 2092.3, 2092.4(3), 2092.5(B) and (C)(2), 2092.6 through 2092.9, 2092.10(C) and (D), 2092.11(A) (introductory paragraph), (1)(introductory paragraph) and (a), (2), (3)(b) and (4), and (B), 2092.13, and 2092.14, to enact R.S. 22:2092.2(4.1), 2092.2(17)(b)(vii) and (viii), (18)(h), 2092.6.1, 2092.8.1 through 2092.8.5, and 2092.9.1 through 2092.9.4, and to repeal R.S. 22:2092.11(C), relative to title insurance; to provide for the Louisiana Title Insurance Act; to provide for agents; to provide for title insurers; to provide for examinations; to provide for underwriting contracts; to provide for terminations; to provide for restrictions; to provide for audits; to provide for escrows; to provide for funds; to provide for rules; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 1824 by Representatives Donelon and Martiny

AMENDMENT NO. 1

On page 1, line 2, after "2092.2" and before "(8)" insert "(1)"; and after "(11)," and before "(15)" insert "(13)."

AMENDMENT NO. 2

On page 1, line 3, after ""(b)(introductory paragraph)" and before ", (18)" insert "and (vi)"

AMENDMENT NO. 3

On page 1, line 3, at the end of the line after the comma "," insert "(c), and (e)."

AMENDMENT NO. 4

On page 1, line 5, after "2092.10" and before ", 2092.11" delete "(C) and (D)"

AMENDMENT NO. 5

On page 1, line 17, after "2092.2" and before "(8)" insert "(1)"; and after "(11)," and before "(15)" insert "(13)."

AMENDMENT NO. 6

On page 1, line 18, after ""(b)(introductory paragraph)" and before ", (18)" insert "and (vi)"

AMENDMENT NO. 7

On page 1, line 18, after ""(18)(introductory paragraph)" and before ", (19)" insert ", (c), and (e)"

AMENDMENT NO. 8

On page 2, line 1, after "2092.10" and before the comma "," at the end of the line delete "(C) and (D)"

AMENDMENT NO. 9

On page 2, on line 17, delete the asterisks "* * *" and between lines 17 and 18 insert the following:

"(1) "Abstract of title" or "abstract" shall mean a written history, synopsis, or summary of the recorded instruments affecting the title to movable or immovable property.

* * *

AMENDMENT NO. 10

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

"(13) "Risks" shall mean the danger or hazards of a loss of title to movable or immovable property by the insured under a title insurance policy.

* * *

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AMENDMENT NO. 11

On page 3, line 15, after "involving" and before "immovable" insert "either movable or"

AMENDMENT NO. 12

On page 4, between lines 11 and 12, insert the following:

"(vi) Examining titles ~~but only through~~ ; however, any title insurance report or title insurance policy relating to immovable property shall be based upon an examination of title conducted only by attorneys duly licensed and authorized to practice law in Louisiana."

AMENDMENT NO. 13

On page 4, line 19, after "in," and before "immovable" insert "movable or"

AMENDMENT NO. 14

On page 4, between lines 23 and 24, insert the following:

"(c) Invalidity or unenforceability of liens or encumbrances on the insured title of the movable, where a title search is required for the purpose of registration, or immovable property.

* * *

(e) Lack of a legal right of access to the land which is part of the insured title in a policy relating to immovable property.

* * *

AMENDMENT NO. 15

On page 5, line 7, delete "insurer;" and insert "insurers and agents;"

AMENDMENT NO. 16

On page 5, line 13, at the end of the line add the following:

"Notwithstanding any other law to the contrary, all title insurance policies and reports covering any insurable interest in title to immovable property located in this state shall be signed by an agent licensed in this state under this Part or by an employee of a title insurer issuing the title insurance policies and reports when such employee is an agent licensed in this state under this Part."

AMENDMENT NO. 17

On page 5, line 20, delete "real property" and insert "movable or immovable property"

AMENDMENT NO. 18

On page 6, line 24, after "omissions policy" and before "for the benefit of" insert ", which includes coverage for their acts or omissions as a title insurance agent,"

AMENDMENT NO. 19

On page 7, line 23, after "Maximum" and before "limits" insert "authority or"

AMENDMENT NO. 20

On page 11, line 20, after "agent under" and before "the following" insert "any of"

AMENDMENT NO. 21

On page 12, line 3, after "(3)" delete the remainder of the line and delete line 4 and insert in lieu thereof "In accordance with any other termination provision of the contract."

AMENDMENT NO. 22

On page 12, line 6, after "title insurer", and before "the agent" insert "unless otherwise agreed to in writing by the title insurer,"

AMENDMENT NO. 23

On page 13, line 2, at the end of the line after "of all" insert "numbered"

AMENDMENT NO. 24

On page 13, line 11, before "policy inventory" delete "blank"

AMENDMENT NO. 25

On page 14, line 24, after "notices of appointment" and before "of a title" insert "and termination"

AMENDMENT NO. 26

On page 15, line 16, after "inventory of all" and before "policy forms" insert "numbered"

AMENDMENT NO. 27

On page 15, delete line 24 and insert in lieu thereof the following:

"A. A title insurer or a title insurance agent issuing a title insurance policy to a lender in conjunction with a mortgage loan involving immovable property made simultaneously with the purchase of all or part of the immovable estate securing the loan, when no owner's title insurance policy has been requested, shall give written notice, on a form prescribed or approved by the department, to the purchaser-mortgagor at the closing.

B. The notice shall explain that a title insurance policy for the lender involving immovable property is issued for the protection of the mortgage lender, and that the policy does not provide title insurance protection to the purchaser-mortgagor as the owner of the immovable property being purchased."

AMENDMENT NO. 28

On page 15, line 25, after "policy" and before "'insurers" insert "relating to immovable property"

AMENDMENT NO. 29

On page 15, line 26, after "mortgagor" and before "that" insert "of immovable property"

AMENDMENT NO. 30

On page 16, line 1, after "owner's" at the end of the line delete "policy." and insert in lieu thereof "title policy involving immovable property."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1987—

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 46:237, relative to unpaid child support; to authorize the Department of Social Services, office of family support, to enter into cooperative endeavors with private attorneys for the purpose of collecting unpaid child support; to provide for the release of certain information; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 1987 by Representative Riddle

AMENDMENT NO. 1

On page 2, line 4, after "Section" change the period "." to a comma "," and insert "without any requirement of a court order."

AMENDMENT NO. 2

On page 2, line 7, after "OFS" insert "or the obligee."

AMENDMENT NO. 3

On page 2, line 8, after "parish" delete the remainder of the line and insert "where the order is being enforced for an ex parte order on"

AMENDMENT NO. 4

On page 2, line 16, after "provide" insert a comma "," and "or pursuant to a court order, OFS shall provide by cooperative agreement."

AMENDMENT NO. 5

On page 2, line 18, after "information" insert "that they may have"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2025—

BY REPRESENTATIVE WADDELL

AN ACT

To amend and reenact R.S. 18:1505.2(F), relative to campaign finance; to provide that campaign contributions and expenditures of a corporation may be authorized by any person designated by resolution of the board of directors of the corporation to authorize campaign contributions and expenditures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the local and consent calendar.

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

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

SENATE BILL NO. 766—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:843(D), 864(A), and 865, relative to tobacco products; to provide for tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for certain violations of the Unfair Trade and Consumer Protection Law; to provide for penalties; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 768—

BY SENATORS HOLLIS AND HEITMEIER

AN ACT

To amend and reenact R.S. 37:3171, 3172, 3173(A)(2), 3176(A)(1), (3), and (B), 3177(A)(1) introductory paragraph, 3179, 3179.2, 3180, 3181(A) introductory paragraph, (A) (6), (7), (10), (11), (12)(a)(i), and (14), (B), (E), (F), (G), (H), (I), and (J), 3183, and 3184, to enact 3173(A)(3), 3178, and 3185, and to repeal R.S. 37:3176(C), relative to the Interior Designer Licensing Law; to provide for the practice of interior design; to change the terms of the Board of Examiners of Interior Designers; to provide for enforcement; and to provide for related matters.

Read by title.

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. 768 by Senator Hollis

AMENDMENT NO. 1

In Conforming House Floor Amendments by Representative Travis to Reengrossed Senate Bill No. 768 by Senator Hollis, in House Floor Amendment No. 54, on line 5, following "delete" and before "and" change "or seal" to "seal,"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 988—

BY SENATORS DYESS AND CAIN

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(c), relative to the Department of Agriculture and Forestry including provisions to provide for the re-creation of the Department of Agriculture and Forestry and the statutory entities made a part

of the department by law; to provide for the effective termination date of all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 1070—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 37:1263, 1264, and 1265, relative to the Louisiana State Board of Medical Examiners; to change the membership of the board; to change the terms of board members; to provide for initial terms of new members; and to provide for related matters.

Read by title.

Motion

Rep. Alexander moved that House Bill No. 1070 be designated as a duplicate of Senate Bill No. 807.

Which motion was agreed to.

Motion

On motion of Rep. Alexander, the bill was returned to the calendar.

HOUSE BILL NO. 1297—
BY REPRESENTATIVES DONELON AND MARTINY
AN ACT

To amend and reenact R.S. 22:1078(B)(3), (8) through (11), and (17) and to enact R.S. 22:1078(F), relative to fees collected by the commissioner of insurance; to increase certain license, company appointment, renewal, filing, and approval fees; to create the Agents' Market Conduct Fund of the Department of Insurance as a special fund in the state treasury and provide for deposit of a portion of these fees to that fund; to provide for the use of monies in the fund; to redesignate approval fees as filing fees; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Donelon, the bill was returned to the calendar.

HOUSE BILL NO. 1620—

BY REPRESENTATIVES KENNARD, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:964 Schedule III (B)(9), relative to controlled dangerous substances; to provide that salts of Ketamine are Schedule III depressants; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Kennard, the bill was returned to the calendar.

HOUSE BILL NO. 1691—

BY REPRESENTATIVES LANCASTER, FONTENOT, SCALISE, MONTGOMERY, WADDELL, AND WALSWORTH AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 44:31, 32(D), and 35(E)(2) and to enact R.S. 44:31.2 and 35(F), relative to public records; to declare the responsibility of a custodian to provide access to public records; to provide that the burden of proving a record cannot be disclosed rests with the custodian; to require the attorney general to establish a public records awareness program; to provide for the requirement of written notification to a requester; to limit the amount of attorney fees in certain actions involving access to records; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Engrossed House Bill No. 1691 by Representative Lancaster

AMENDMENT NO. 1

On page 3, line 1, delete "legal" and after "under" insert "law"

AMENDMENT NO. 2

On page 3, line 2, delete "that" and insert "exempts" and delete "may not be" and insert "from"

AMENDMENT NO. 3

On page 3, delete line 3 and insert "inspection, copying, or reproduction."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero

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

Total—99

NAYS

Total—0

ABSENT

Dimos	Strain
Frith	Vitter

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lancaster 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. 1716—

BY REPRESENTATIVES LANCASTER, FONTENOT, WADDELL, AND WALSWORTH

AN ACT

To amend and reenact R.S. 24:522(H) and to repeal Part XIV of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:366.1 through 366.6, relative to incentive plans for state employees; to repeal the Incentive Plans for Economy in State Government program; to provide for the incentive program to be used to encourage involvement in the Louisiana Performance Audit Program; and to provide for related matters.

Read by title.

Rep. Lancaster moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire

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

Total—99

NAYS

Total—0

ABSENT

Dimos	Strain
Frith	Vitter

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lancaster 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. 1297—

BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To amend and reenact R.S. 22:1078(B)(3), (8) through (11), and (17) and to enact R.S. 22:1078(F), relative to fees collected by the commissioner of insurance; to increase certain license, company appointment, renewal, filing, and approval fees; to create the Agents' Market Conduct Fund of the Department of Insurance as a special fund in the state treasury and provide for deposit of a portion of these fees to that fund; to provide for the use of monies in the fund; to redesignate approval fees as filing fees; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 1297 by Representative Donelon

AMENDMENT NO. 1

On page 4, line 4, after "Insurance for" insert "complaint-driven"

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

Point of Order

Rep. Bowler asked for a ruling from the Chair as to whether House Bill No. 1297 increases an existing fee or levies a tax in violation of Article III, Sec. 2(A)(2) of the Constitution of 1974.

Ruling of the Chair

The Chair ruled the bill did increase a fee and therefore requires the favorable vote of two-thirds of the elected members.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Kenney	Salter
Ansardi	Landrieu	Schneider
Bruce	LeBlanc	Schwegmann
Carter	Long	Shaw
Chaisson	Martiny	Smith, J.R.—30th
Diez	McCallum	Stelly
Donelon	McDonald	Theriot
Dupre	Michot	Thompson
Durand	Morrish	Thornhill
Flavin	Murray	Triche
Fontenot	Perkins	Wiggins
Fruge	Pinac	Windhorst
Hammett	Powell	Wright
Iles	Riddle	
Johns	Romero	
Total—43		

NAYS

Alario	Glover	Pierre
Barton	Green	Pratt
Baudoin	Guillory	Quezaire
Baylor	Heaton	Scalise
Bowler	Hebert	Smith, J.D.—50th
Clarkson	Holden	Waddell
Copelin	Hopkins	Walsworth
Crane	Hudson	Warner
Curtis	Hunter	Welch
Damico	Jenkins	Weston
Daniel	Lancaster	Wilkerson
Deville	McCain	Willard
Farve	McMains	Winston
Faucheux	Montgomery	Wooton
Frith	Morrell	
Gautreaux	Odinet	
Total—46		

ABSENT

Alexander	Hill	Strain
Bruneau	Jetson	Toomy
DeWitt	Kennard	Travis
Dimos	Marionneaux	Vitter
Doerge	Mitchell	
Total—14		

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

Rep. Copelin 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. 1735—

BY REPRESENTATIVES JETSON AND MCMAINS
AN ACT

To amend and reenact Children's Code Arts. 615(B)(4) and (5) and (E) and 616(A)(2) and to enact Children's Code Art. 615(B)(6) and (F), relative to disposition of reports in child abuse investigations; to provide for inconclusive reports; to provide relative to the disposition of inconclusive reports in child abuse investigations; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Powell
Ansardi	Heaton	Pratt
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Crane	Kenney	Theriot
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Waddell
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Fontenot	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Dimos	Shaw	Vitter
Kennard	Strain	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1812—
BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 15:824.2, relative to state juvenile correctional institutions; to provide for commitment to the Department of Public Safety and Corrections; to provide for assignment to a facility; to provide for payment by the state to parish detention facilities; to provide for reimbursement of certain medical expenses; to provide for monthly reports; to provide for priority transfers; 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. 1812 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 17, change "inmate" to "juvenile"

AMENDMENT NO. 2

On page 1, line 18, change "an inmate" to "a juvenile"

AMENDMENT NO. 3

On page 2, line 5, after "jurisdiction" delete the remainder of the line and insert a period "."

AMENDMENT NO. 4

On page 2, line 24, change "inmate" to "juvenile"

AMENDMENT NO. 5

On page 2, line 25, change "a detainee" to "the juvenile"

AMENDMENT NO. 6

On page 3, line 4, after "department" and before "to be paid" insert "in order"

AMENDMENT NO. 7

On page 3, line 10, change "prisoners" to "juveniles"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fauchaux to Engrossed House Bill No. 1812 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 18, between "facility" and "keeping" delete the word "for" and insert "the actual cost of"

AMENDMENT NO. 2

On page 2, line 19, after "detention" delete the remainder of the line and insert "facility, not to exceed the sum of eighty dollars per day, from"

AMENDMENT NO. 3

On page 2, at the end of line 21, insert "The secretary of the Department of Public Safety and Corrections shall develop a formula specifying the cost elements to be included in the calculation of the actual cost of keeping and feeding an individual."

AMENDMENT NO. 4

On page 3, delete line 4 in its entirety and insert "department, to be paid on a monthly basis, which shall include an accounting of the actual cost of the keeping and feeding of the individuals in its care, and any"

AMENDMENT NO. 5

On page 3, at the end of line 5, delete "and" and insert a period.

AMENDMENT NO. 6

On page 3, at the beginning of line 6, insert "Requests for reimbursement of such medical expenses shall be accompanied by an"

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

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

Rep. Martiny objected.

By a vote of 73 yeas and 19 nays, the House agreed to recommit the bill to the Committee on Appropriations.

HOUSE BILL NO. 1822—
BY REPRESENTATIVES TOOMY AND BRUCE
AN ACT

To enact R.S. 14:93.2.3, relative to the crime of second degree cruelty to juveniles; to provide for creation of the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

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. 1822 by Representative Toomy

AMENDMENT NO. 1

On page 2, line 5, after "not" and before "more" insert "less than two nor"

AMENDMENT NO. 2

On page 2, at the end of line 6, insert "The two year minimum sentence shall be served without benefit of parole, probation, or suspension of sentence."

Rep. Toomy moved the adoption of the amendments.

Rep. Morrell objected.

By a vote of 36 yeas and 59 nays, the amendments were rejected.

Rep. Toomy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dimos	Strain	Vitter
Total—3		

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. 1873—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN
AN ACT

To amend and reenact Children's Code Arts. 728(1), 732(A), 733(A), (C), and (D), 734(C), 735(A), 736(A), (B), and (D)(4), 737, 738(A) and (D), 739, 740(A)(3) and (4), and (B), 741, 742, 745(B) and (C), 746, 791(B), (C), (D), and (E), and 1509, to enact Children's Code Arts. 728(3.1), 729.1, 733(E), 735(D), 740(A)(5) and (C), 791(F), and 1509.1, and to repeal Children's Code Art. 730(9), all relative to the continuous revision of the Louisiana Children's Code; to amend Title VII of the Children's Code, Families in Need of Services, and to provide for sanctions for contempt in Title XV, Special Proceedings; to provide for definitions, venue and grounds for Families in Need of Services; to provide for the duties of intake officers, instanter orders of custody, taking a child into custody, prehearing placement, release, and continued custody; to provide for advice of rights of the parents, the grounds and place of continued custody of the child, confidentiality of the informal family services plan agreement, the authority to file a Family in Need of Services petition, and prehearing contempt; to provide penalties for contempt in general for children and adults; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Engrossed House Bill No. 1873 by Representative McMains

AMENDMENT NO. 1

On page 15, lines 29 and 30, delete "pursuant to Article 1508(D)" and insert "Article 1509.1(C)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hill	Quezairé
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche

Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner
Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Green	Pierre	

Total—98

NAYS

Total—0

ABSENT

Crane	Hebert	Vitter
Dimos	Strain	

Total—5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1889—
BY REPRESENTATIVES JETSON AND MCMAINS
AN ACT

To amend and reenact Children's Code Arts. 606(A)(1) and 610(A) and (E), relative to Child In Need Of Care proceedings; to provide relative to grounds in Child In Need of Care proceedings; to provide relative to child abuse reporting procedures; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Theriot
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Waddell

Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Fontenot	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Green	Pierre	

Total—100

NAYS

Total—0

ABSENT

Dimos	Strain	Vitter
-------	--------	--------

Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1920—
BY REPRESENTATIVE ALARIO
AN ACT

To authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified tuition increase at the university laboratory school; and to provide for related matters.

Read by title.

Motion

Rep. Alario moved that House Bill No. 1920 be designated as a duplicate of Senate Bill Nos. 644 and 652.

Which motion was agreed to.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Engrossed House Bill No. 1920 by Representative Alario

AMENDMENT NO. 1

On page 1, line 3, after "to" delete the remainder of the line and at the beginning of line 4 delete "increase" and insert "increase tuition, within specified limits,"

AMENDMENT NO. 2

On page 1, at the beginning of line 11, change "impose an increase in" to "increase"

AMENDMENT NO. 3

On page 1, line 12, after "school" delete the remainder of the line and delete lines 13 and 14 and insert the following:

"by the following amounts:

(1) For the 1999-2000 school year, by an amount not to exceed five hundred dollars.

(2) For the 2000-2001 school year, by an additional amount not to exceed five hundred dollars.

(3) For the 2001-2002 school year, by an additional amount not to exceed two hundred sixty-five dollars."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Salter
Alario	Heaton	Scalise
Alexander	Holden	Schneider
Ansardi	Hopkins	Schwegmann
Barton	Hudson	Shaw
Baudoin	Iles	Smith, J.D.—50th
Bruce	Jenkins	Smith, J.R.—30th
Bruneau	Johns	Stelly
Carter	Kennard	Theriot
Chaisson	Kenney	Thompson
Clarkson	Lancaster	Thornhill
Crane	Landrieu	Toomy
Damico	LeBlanc	Travis
Daniel	Long	Triche
DeWitt	McCallum	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Montgomery	Welch
Durand	Morrish	Weston
Faucheux	Murray	Wiggins
Flavin	Odinet	Willard
Fontenot	Perkins	Windhorst
Frith	Pinac	Winston
Fruge	Powell	Wooton
Gautreaux	Quezaire	Wright
Glover	Riddle	
Green	Romero	
Total—79		

NAYS

Baylor	Guillory	Morrell
Bowler	Hunter	Pierre
Copelin	Marionneaux	Pratt
Curtis	Martiny	Wilkerson
Deville	McCain	
Farve	Michot	
Total—16		

ABSENT

Diez	Hill	Strain
Dimos	Jetson	Vitter
Hebert	Mitchell	
Total—8		

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

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1923—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN
AN ACT

To amend and reenact Children's Code Arts. 116(25), 622, 627, 631, 666(A) and (B), 683(B), (C), (D), and (E), 740, and 884(B) and to enact Children's Code Art. 683(F), relative to the continuous revision of the Children's Code; to change the definition of "shelter care facility"; to provide for placement of children pending a continued custody hearing, placement after hearing, appointment of counsel, curators and special advocates, petitions for provisional and permanent custody of the child pending proceedings, adjudication orders and dispositions, all in child in need of care proceedings; to provide relative to the adjudication order in delinquency proceedings, and to provide for related matters.

Read by title.

Motion

On motion of Rep. McCain, the bill was returned to the calendar.

HOUSE BILL NO. 1942—

BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 49:153.2, relative to the display of flags at the state capitol; to provide for the flying of the flags at half-mast after the death of a current or former legislator or statewide elected official; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed House Bill No. 1942 by Representative Holden

AMENDMENT NO. 1

On page 1, line 12, after "flags", insert "other than the flag of the United States of America"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann

Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Theriot
Curtis	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Waddell
Doerge	McCain	Walsworth
Donelon	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Weston
Farve	Michot	Wiggins
Faucheux	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Fontenot	Morrell	Windhorst
Frith	Morrish	Winston
Fruge	Murray	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Green	Pierre	

Total—100

NAYS

Total—0

ABSENT

Dimos	Strain	Vitter
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Holden 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. 1070—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 37:1263, 1264, and 1265, relative to the Louisiana State Board of Medical Examiners; to change the membership of the board; to change the terms of board members; to provide for initial terms of new members; and to provide for related matters.

Called from the calendar.

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. 1070 by Representative Alexander

AMENDMENT NO. 1

On page 2, line 7, after "(a)" change "Three" to "Four"

AMENDMENT NO. 2

On page 2, delete lines 11 and 12 in their entirety

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 2, at the beginning of line 15, change "(d)" to "(c)"

Rep. Copelin moved the adoption of the amendments.

Rep. Alexander objected.

By a vote of 67 yeas and 27 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1070 by Representative Alexander

AMENDMENT NO. 1

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

"To amend and reenact R.S. 37:914(B)(1), 1263, 1264, and 1265, and to repeal R.S. 37:914(C)(1)(e), all relative to the regulation of certain medical professionals; to change the membership of the Louisiana State Board of Medical Examiners and the Louisiana State Board of Nursing; to change the terms of certain board members; to provide for initial "

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 37:" and before "1263" insert "914(B)(1)"

AMENDMENT NO. 3

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

"B.(1) The board shall be composed of nine registered nurses appointed by the governor from a list of names submitted by the Louisiana State Nurses Association, and two physicians appointed by the governor from a list of names submitted by the Louisiana State Medical Society, who shall serve as ex officio members of the board and shall serve only as advisors to the board and shall not vote."

AMENDMENT NO. 4

On page 2, delete lines 19 through 24 in their entirety

AMENDMENT NO. 5

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

"Section 2. R.S. 37:914(C)(1)(e) is hereby repealed in its entirety."

Point of Order

Rep. Jenkins asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that Amendment Nos. 1, 2, 3, and 5 were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Copelin, Amendment Nos. 1, 2, 3, and 5 were withdrawn.

Rep. Copelin moved the adoption of Amendment No. 4.

Rep. Alexander objected.

By a vote of 59 yeas and 37 nays, the amendment was adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alexander to Engrossed House Bill No. 1070 by Representative Alexander

AMENDMENT NO. 1

On page 2, between lines 16 and 17 insert the following:

"(e) One member who shall represent the interests of consumers of medical services and who shall not be a licensed health care provider and who shall not have an ownership interest in any medical or other health care facility."

Rep. Alexander moved the adoption of the amendments.

Rep. Copelin objected.

By a vote of 42 yeas and 51 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1070 by Representative Alexander

AMENDMENT NO. 1

On page 1, line 13, delete "January 1, 2000." and insert "noon, January 10, 2000."

AMENDMENT NO. 2

On page 2, line 4, delete "January 1, 2000." and insert "noon, January 10, 2000."

AMENDMENT NO. 3

On page 3, line 16, after "until" delete the remainder of the line and delete lines 17 through 26 and on page 4, delete lines 1 through 4 and insert the following:

"noon, January 10, 2000. Subsequent members shall serve four year terms concurrent with the governor."

Rep. Copelin moved the adoption of the amendments.

Rep. Alexander objected.

By a vote of 20 yeas and 75 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1070 by Representative R. Alexander

AMENDMENT NO. 1

On page 3, at the end of line 18, insert "four-year"

AMENDMENT NO. 2

On page 3, at the end of line 19, add the following:

"Any term which a member began serving prior to January 1, 2000, shall not be considered in determining that member's maximum permissible years of service."

Rep. Copelin moved the adoption of the amendments.

Rep. Alexander objected.

By a vote of 42 yeas and 53 nays, the amendments were rejected.

Motion

On motion of Rep. Alexander, the vote by which the fourth set of amendments proposed by Rep. Copelin were rejected was reconsidered.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 1070 by Representative R. Alexander

AMENDMENT NO. 1

On page 3, at the end of line 18, insert "four-year"

AMENDMENT NO. 2

On page 3, at the end of line 19, add the following:

"Any term which a member began serving prior to January 1, 2000, shall not be considered in determining that member's maximum permissible years of service."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Heaton	Quezaire
Alexander	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Salter
Baudoin	Hopkins	Scalise
Baylor	Hudson	Schneider
Bowler	Hunter	Schwegmann

Bruce	Iles	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Chaisson	Kennard	Stelly
Copelin	Kenney	Theriot
Curtis	Lancaster	Thompson
DeWitt	Landrieu	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Farve	McMains	Warner
Fauchoux	Michot	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Glover	Perkins	Winston
Green	Pierre	Wooton
Guillory	Pinac	
Hammett	Pratt	
Total—79		

NAYS

Bruneau	Gautreaux	Shaw
Clarkson	Jenkins	Triche
Crane	LeBlanc	Windhorst
Damico	Long	Wright
Daniel	Odinot	
Deville	Powell	
Total—16		

ABSENT

Mr. Speaker	Jetson	Strain
Dimos	McCain	Vitter
Durand	Mitchell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alexander 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.

Motion

On motion of Rep. Holden, the motion to reconsider the vote by which House Bill No. 1942 finally passed was called from the table.

Suspension of the Rules

On motion of Rep. Holden, the rules were suspended to reconsider the vote by which House Bill No. 1942 finally passed on the same legislative day.

Reconsideration

HOUSE BILL NO. 1942—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 49:153.2, relative to the display of flags at the state capitol; to provide for the flying of the flags at half-mast after the death of a current or former legislator or statewide elected official; and to provide for related matters.

Read by title.

On motion of Rep. Holden, the vote by which the above House Bill finally passed was reconsidered.

Returned to the calendar, under the rules.

HOUSE BILL NO. 1942—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 49:153.2, relative to the display of flags at the state capitol; to provide for the flying of the flags at half-mast after the death of a current or former legislator or statewide elected official; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Holden, the vote by which amendments proposed by Rep. Holden were adopted was reconsidered.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed House Bill No. 1942 by Representative Holden

AMENDMENT NO. 1

On page 1, line 12, after "flags", insert "other than the flag of the United States of America"

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

Rep. Holden moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Doerge	McCain	Waddell
Donelon	McCallum	Walsworth
Dupre	McDonald	Warner

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Durand	McMains	Welch
Farve	Michot	Weston
Faucheux	Mitchell	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Dimos	Strain
Heaton	Vitter
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 1620—

BY REPRESENTATIVES KENNARD, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:964 Schedule III (B)(9), relative to controlled dangerous substances; to provide that salts of Ketamine are Schedule III depressants; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Stelly
Damico	Lancaster	Theriot
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Doerge	Martiny	Triche
Donelon	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	McDonald	Warner

Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morrell	Willard
Fruge	Morrish	Windhorst
Gautreaux	Murray	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—99		

NAYS

Total—0

ABSENT

Curtis	Strain
Dimos	Vitter
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns 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. 1951—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 22:620(F), relative to insurance policy forms; to provide for approval; to provide for exceptions; to provide for regulations; to provide for commercial entities; and to provide for related matters.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Theriot
Damico	Lancaster	Thompson
Daniel	Landrieu	Thornhill
Deville	LeBlanc	Toomy
DeWitt	Long	Travis
Diez	Marionneaux	Triche
Doerge	Martiny	Waddell
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch

Farve	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	
Green	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Curtis	Mitchell	Vitter
Dimos	Strain	Wright
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1959—
BY REPRESENTATIVE COPELIN
AN ACT

To enact R.S. 17:1817, relative to offices of minority health; to authorize the Southern University board of supervisors to create and operate an office or offices of minority health; to provide relative to purposes and staffing of such office or offices; 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. 1959 by Representative Copelin

AMENDMENT NO. 1

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

"D. Funding for any such office shall be subject to legislative appropriation."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pratt
Barton	Hammett	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Salter
Bruce	Holden	Schwegmann
Carter	Hudson	Shaw

Chaisson	Hunter	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Stelly
Curtis	Kenney	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Warner
Doerge	McCain	Welch
Dupre	McCallum	Weston
Durand	McDonald	Wiggins
Farve	Montgomery	Wilkerson
Faucheux	Morrell	Willard
Flavin	Murray	Wooton
Frith	Odinet	Wright
Total—72		

NAYS

Bowler	Jenkins	Scalise
Bruneau	Kennard	Waddell
Crane	Lancaster	Walsworth
Donelon	Michot	Windhorst
Fontenot	Morrish	Winston
Hopkins	Perkins	
Iles	Powell	
Total—19		

ABSENT

Mr. Speaker	Heaton	Schneider
Dimos	McMains	Strain
Fruge	Mitchell	Toomy
Gautreaux	Romero	Vitter
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Copelin 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. 2052 (Substitute for House Bill No. 1185 by Rep. Thornhill)—
BY REPRESENTATIVES THORNHILL, BRUCE, ANSARDI, MARTINY, MURRAY, AND PINAC
AN ACT

To amend and reenact R.S. 22:2027(F), to enact Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.31 through 250.37, and to repeal R.S. 22:657(G), relative to health insurance; to establish claim submission standards for health insurance coverage; to provide for late payment adjustments for claimants; to establish requirements for the payment of medical care under health insurance coverage; to provide relative to timely payment of health insurance claims and enrollee claims; to provide relative to coordination of benefits; to provide for enforcement, including cease and desist orders, penalties, and suspension or revocation of a certificate of authority; and to provide for related matters.

Read by title.

Motion

Rep. Thornhill moved that House Bill No. 2052 be designated as a duplicate of Senate Bill No. 655.

Which motion was agreed to.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 2052 by Representative Thornhill

AMENDMENT NO. 1

On page 4, line 2, following "of" and before "claims" change "nonelectric" to "nonelectronic"

AMENDMENT NO. 2

On page 8, line 23, following "hearing" and before "and" delete "under R.S. 22:1351"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thornhill to Engrossed House Bill No. 2052 by Representative Thornhill, et al.

AMENDMENT NO. 1

On page 2, at the end of line 18, insert the following:

"However, "health insurance coverage" shall not include benefits due under Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 2

On page 7, line 25, after "issuer" delete the remainder of the line, delete line 26 in its entirety, and on page 8, delete lines 1 and 2 in their entirety and insert the following:

"and, after notice and opportunity for hearing pursuant to Part XXIX of this Chapter, subject to Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, the commissioner shall"

AMENDMENT NO. 3

On page 8, line 4, after "any" delete "such"

AMENDMENT NO. 4

On page 8, line 23, after "notice and" delete the remainder of the line and at the beginning of line 24, delete "upon offer of the commissioner." and insert "opportunity for hearing."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Heaton	Pratt
Barton	Hill	Quezaire

Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Jetson	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Travis
Diez	Marionneau	Triche
Doerge	Martiny	Warner
Donelon	McCain	Welch
Dupre	McCallum	Weston
Durand	McDonald	Wilkerson
Farve	Michot	Willard
Faucheux	Montgomery	Windhorst
Fontenot	Morrell	Winston
Frige	Morrish	Wooton
Gautreaux	Murray	Wright
Glover	Odinot	
Green	Perkins	
Total—85		

NAYS

Crane	Johns	Toomy
Daniel	McMains	Waddell
Flavin	Powell	Walsworth
Hebert	Stelly	
Total—11		

ABSENT

Mr. Speaker	Mitchell	Wiggins
Dimos	Strain	
Frith	Vitter	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 22, 1999

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

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

House Concurrent Resolution No. 151
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

April 22, 1999

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

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

Senate Concurrent Resolution Nos. 62, 77, 78, 79, and 81

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 22, 1999

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. 151, 163, 329, 335, 410, 469, 627, 628, 629, 630, 690, 692, 697, 775, 833, 834, 888, 889, 897, 908, 919, 990, 993, 1006, 1021, and 1024

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Hopkins, 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. 151—

BY SENATOR BEAN

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:41(B)(2), relative to search warrants; to provide for the disposition of property seized in connection with criminal proceedings; to reduce the time a court is required to hold property after seizure; and to provide for related matters.

Read by title.

SENATE BILL NO. 163—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:2304(B), relative to use value assessment of immovable property; to authorize the permanent filing of applications for use value assessment in certain parishes; and to provide for related matters.

Read by title.

SENATE BILL NO. 329—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:582(A)(4) and (B) and to enact R.S. 11:582(C), relative to the Louisiana State Employees' Retirement System; to provide for a benefit accrual rate for certain members who continue employment following participation in the Deferred Retirement Option Plan; to provide for service credit and eligibility for retirement; to provide for benefit accrual rate; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 335—

BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 14:95(G), relative to weapons; to allow certain retired auxiliary law enforcement officers the right to carry weapons; to define a reserve or auxiliary law enforcement officer; and to provide for related matters.

Read by title.

SENATE BILL NO. 410—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:62(5)(b) and 450(B), relative to the Louisiana State Employees' Retirement System; to provide for employee contributions of correctional officers, probation and parole officers, and security officers of the Department of Public Safety and Corrections after participation in the deferred retirement option program; and to provide for related matters.

Read by title.

SENATE BILL NO. 469—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:441(D)(3) and 444(A) and to enact R.S. 11:441(D)(4), relative to the Louisiana State Employees' Retirement System; to provide for benefit accrual rates and retirement eligibility of correctional officers, probation and parole officers, and security personnel employed by the Department of Public Safety and Corrections; and to provide for related matters.

Read by title.

SENATE BILL NO. 627—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 13:841.2, relative to civil fees of district court; to authorize the clerk of court of Tangipahoa Parish for the Twenty-First Judicial District Court to establish increased fees for filing civil suits and for recordation of documents; to provide that such funds shall be used to fund the Internet-based Document Electronic Access System; and to provide for related matters.

Read by title.

SENATE BILL NO. 628—

BY SENATORS HAINKEL, DARDENNE, EWING, BARHAM AND SCHEDLER AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact Children's Code Art. 672(A), 675(A) and 681(A)(2), relative to children in need of care; to provide that the court shall not restrict or limit the Department of Social Services' authority in regards to placement, treatment, and case plan determinations of children in the department's custody; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 629—

BY SENATORS HAINKEL, DARDENNE, EWING, BARHAM AND SCHEDLER AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND MCMAINS

AN ACT

To enact Children's Code Art. 625(C), relative to children in need of care; to require the court to order a child's parents to disclose certain information pertaining to any parent not present at the hearing and to any suitable relative who is willing to assume custody of the child; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 630—

BY SENATORS HAINKEL, DARDENNE, EWING, BARHAM AND SCHEDLER AND REPRESENTATIVES WINSTON, DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact Children's Code Art. 683(A), relative to children in need of care; to provide relative to disposition hearings; to clarify the meaning of "least restrictive disposition"; and to provide for related matters.

Read by title.

SENATE BILL NO. 690—

BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Criminal Procedure Art. 340, relative to the amount of bail in felony cases and schedules of bail in noncapital cases; to increase the population census; and to provide for related matters.

Read by title.

SENATE BILL NO. 692—

BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:220(B), relative to roads and highways; to authorize placement of fences within the rights-of-way in Wards 1 and 5 in Beauregard Parish; and to provide for related matters.

Read by title.

SENATE BILL NO. 697—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1310.1(B), relative to workers' compensation; to provide with respect to requirements for ad hoc officers who preside over workers' compensation adjudicatory hearings; and to provide for related matters.

Read by title.

SENATE BILL NO. 775—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:30(A)(5), relative to first degree murder; to clarify certain definitions; and to provide for related matters.

Read by title.

SENATE BILL NO. 833—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 39:1410.60(C)(1), relative to local government finances; to provide with respect to the definition of debt for purposes of State Bond Commission approval; and to provide for related matters.

Read by title.

SENATE BILL NO. 834—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 39:1410.66, relative to local government finances; to require bond counsel to transmit bond transcripts regarding political subdivision bond or debt issues within six months of the issuance; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 888—

BY SENATOR JONES

AN ACT

To enact R.S. 33:1428(C), relative to sheriffs' fees in civil matters; to allow certain fees to be taxed as costs of court in civil matters; and to provide for related matters.

Read by title.

SENATE BILL NO. 889—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:381.2(C)(4), relative to utilities and facilities; to provide relative to the secretary of the Department of Transportation and Development authority to promulgate rules and regulations concerning the permitting of rights-of-ways for fiber-optic cable and wireless telecommunications providers; to provide for safety regulations and maintenance standards; and to provide for related matters.

Read by title.

SENATE BILL NO. 897—

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 47:473(H), relative to the authorized use of motor vehicle dealer inventory plates; to provide that a transaction treated as a taxable fringe benefit under federal tax provisions shall not be considered renting or leasing; and to provide for related matters.

Read by title.

SENATE BILL NO. 908—
BY SENATOR W. FIELDS

AN ACT

To enact R.S. 13:965, relative to court reporters for the Nineteenth Judicial District Court; to provide for fees for the preparation of criminal transcripts; to require the establishment of a fund for payment of transcription fees in indigent cases; to provide for administration of the fund; and to provide for related matters.

Read by title.

SENATE BILL NO. 919—
BY SENATOR EWING

AN ACT

To enact Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1231 through 1236, and R.S. 36:744(O) and 919.6, relative to museums; to establish the Eddie G. Robinson Museum Commission; to provide for its domicile; to provide for membership; to provide for the powers and duties of the commission; to provide relative to funding; and to provide for related matters.

Read by title.

SENATE BILL NO. 990—
BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 13:985, 985.1, and 996.58, relative to the Thirty-first Judicial District Court; to provide for a court reporter, an indigent transcript fund, and a judicial expense fund; and to provide for related matters.

Read by title.

SENATE BILL NO. 993—
BY SENATOR HEITMEIER

AN ACT

To amend R.S. 11:441(F), relative to Louisiana State Employees' Retirement System; to provide for retirement eligibility at any age after twenty-five years of service for employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; and to provide for related matters.

Read by title.

SENATE BILL NO. 1006—
BY SENATOR BARHAM

AN ACT

To authorize and provide for the transfer of certain state property, located in Morehouse Parish, from the state land office to the Morehouse Parish Police Jury; and to provide for related matters.

Read by title.

SENATE BILL NO. 1021 (Substitute for Senate Bill No. 729 by Senator Jones)—
BY SENATOR JONES

AN ACT

To enact R.S. 42:874(B)(9), relative to the powers of the Board of Trustees of the State Employees Group Benefits Program; to authorize the board to direct and supervise an internal audit program; and to provide for related matters.

Read by title.

SENATE BILL NO. 1024 (Substitute for Senate Bill No. 248 by Senator Dardenne)—

BY SENATORS DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 17:7(22), 3911(B), and 3912, and to repeal R.S. 17:3911(C)(5), relative to annual data collection and reporting requirements of the state Department of Education; to provide relative to the indicators contained in the progress profiles; to provide relative to the information collected in the data collection and analysis; to delete the required inclusion of certain inventory reporting requirements in the data collection system; to provide relative to first-time freshman performance reporting requirements; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 22, 1999

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 No. 74

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.

**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. 34—
BY REPRESENTATIVE HEBERT

A RESOLUTION

To express the condolences of the House of Representatives of the Legislature of Louisiana upon the death of Brigadier General Wiltz Paul Segura of New Iberia and to recognize and record the remarkable contributions of this distinguished Louisianian to his state and nation.

Read by title.

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

HOUSE RESOLUTION NO. 35—

BY REPRESENTATIVE WILLARD
A RESOLUTION

To commend and congratulate the pastor and members of St. Mark Baptist Church on its 127th Anniversary.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 153—

BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To establish the Louisiana Alligator Task Force and to provide for its membership, powers, duties, and responsibilities, and to provide for submission of a report.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 154—

BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request the Department of Agriculture and Forestry to continue its excellent efforts encouraging merchants to aggressively promote Louisiana products.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 155—

BY REPRESENTATIVE LONG AND SENATOR SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to include the Natchitoches By-Pass project in the proper priority in the Highway Priority Program for FY 2000-2001 and to include an appropriate level of funding in the Capital Outlay Bill for FY 2001-2002.

Read by title.

Lies over under the rules.

**Introduction of House Bills
and Joint Resolutions**

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

HOUSE BILL NO. 2084—

BY REPRESENTATIVE WINDHORST
AN ACT

To enact Part V-B of Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3541.23 through 3541.25, relative to credit card solicitations; to provide relative to telephone solicitation of cardholders; to provide relative to the transmission of preprinted checks to cardholders; to provide for violations and penalties; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2085—

BY REPRESENTATIVES JACK SMITH AND THERIOT
AN ACT

To enact Subpart E of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:97.11, relative to the Outer Continental Shelf Revenue Sharing Fund; to establish the fund; to provide for deposit of revenues into the fund; to provide for appropriations out of the fund; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2086—

BY REPRESENTATIVE DEVILLE
AN ACT

To enact R.S. 47:302.48, 322.39, and 332.45, all relative to the proceeds derived from sales and use taxes on hotel occupancy in Evangeline Parish; to create the Evangeline Visitor Enterprise Fund; to provide for deposit of monies into the fund and for the use of such monies; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2087—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 11:2180.4, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to benefits and the payment thereof through electronic funds transfer; to provide for certain exceptions thereto; to provide an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2088—

BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 33:102.1, relative to the regulation of amateur radio antennas; to provide that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission or other regulations related to amateur radio service adopted under federal law; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2089—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To amend and reenact R.S. 9:4331.1(A)(introductory paragraph) and (B) and 4332(A) and to enact R.S. 9:4331.1(E), relative to the sale of promissory notes and other nonnegotiable notes; to require prior debtor notice; to provide relative to debtor purchase; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2090—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 11:153(B) and (D)(1), relative to all state and statewide public retirement systems; to provide with respect to the purchase of credit for certain military service; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2091—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 47:462(C), relative to motor vehicles; to authorize the use of prestige license plates on certain trucks; to provide relative to fees; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2092—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To direct the Department of Transportation and Development to post signs indicating the location of the community of Wallace, Louisiana; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2093—
BY REPRESENTATIVE STRAIN
AN ACT

To amend and reenact R.S. 23:332(A)(1) and (2), (B), (C)(1) and (2), (D), (E), (F)(1) and (2) and (H)(1), (3), and (4), relative to discrimination based on race, color, religion, gender, or national origin; to clarify that disparity in pay based on gender is prohibited; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2094—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 11:1671.1, relative to the District Attorneys' Retirement System; to provide with respect to investment of fund assets; to further provide regarding retirement eligibility criteria, benefits, service, and service credit; and to provide for related matters.

Read by title.

HOUSE BILL NO. 2095—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 11:2256(A)(2) and 2257(K)(1) and (3)(introductory paragraph), relative to the Firefighters' Retirement System; to provide with respect to reemployment of retirees; to further provide with respect to the payment of employee and employer contributions upon reemployment of retirees; to further provide with respect to service credit accrued upon reemployment; to further provide with respect to refunds of contributions upon termination of reemployment; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

April 22, 1999

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 24, by Willard
Reported favorably. (7-0-1)

House Bill No. 259, by Perkins
Reported favorably. (7-0) (Regular)

House Bill No. 792, by McCain
Reported with amendments. (8-0) (Regular)

House Bill No. 957, by Perkins
Reported with amendments. (7-0-1) (Regular)

House Bill No. 1091, by Martiny
Reported with amendments. (11-0) (Regular)

House Bill No. 1357, by DeWitt
Reported favorably. (8-0) (Regular)

House Bill No. 1412, by DeWitt
Reported with amendments. (8-0) (Regular)

House Bill No. 1414, by DeWitt
Reported favorably. (9-0) (Regular)

House Bill No. 1417, by DeWitt
Reported with amendments. (9-0) (Regular)

House Bill No. 1821, by Hebert
Reported with amendments. (6-4) (Regular)

House Bill No. 2024, by Perkins
Reported with amendments. (4-3-1) (Regular)

STEPHEN J. WINDHORST
Chairman

Report of the Committee on Education

April 22, 1999

To the Speaker and Members of the House of Representatives:

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

House Resolution No. 23, by Weston
Reported favorably. (12-0)

House Concurrent Resolution No. 126, by Farve
Reported favorably. (12-0)

House Bill No. 457, by McCain
Reported favorably. (12-0) (Regular)

House Bill No. 904, by McDonald
Reported favorably. (14-0) (Regular)

House Bill No. 1235, by McDonald
Reported with amendments. (10-0) (Regular)

House Bill No. 1236, by McDonald
Reported favorably. (12-0) (Regular)

House Bill No. 1500, by Jetson
Reported favorably. (11-0) (Regular)

House Bill No. 1753, by McDonald
Reported with amendments. (13-0) (Regular)

House Bill No. 1792, by McDonald
Reported with amendments. (10-4) (Regular)

House Bill No. 1948, by Baylor
Reported favorably. (12-0) (Regular)

CHARLES MCDONALD
Chairman

Report of the Committee on Health and Welfare

April 22, 1999

To the Speaker and Members of the House of Representatives:

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

House Bill No. 442, by Schwegmann
Reported favorably. (9-0) (Regular)

House Bill No. 925, by Hammett
Reported favorably. (9-0) (Regular)

House Bill No. 1143, by Wiggins
Reported favorably. (9-3) (Regular)

House Bill No. 1144, by Wiggins
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 1291, by Michot
Reported favorably. (9-0) (Regular)

House Bill No. 1443, by Riddle
Reported favorably. (9-0) (Regular)

House Bill No. 1677, by Riddle
Reported favorably. (9-0) (Regular)

House Bill No. 1848, by Weston
Reported with amendments. (13-0) (Regular)

RODNEY ALEXANDER
Chairman

**Report of the Committee on
House and Governmental Affairs**

April 22, 1999

To the Speaker and Members of the House of Representatives:

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

House Bill No. 471, by Copelin
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 774, by McCain
Reported favorably. (8-0) (Regular)

House Bill No. 806, by Fruge
Reported with amendments. (8-0) (Regular)

House Bill No. 967, by Farve
Reported with amendments. (9-0) (Regular)

House Bill No. 1141, by Waddell
Reported with amendments. (9-0) (Local and Consent)

House Bill No. 1992, by Quezairé
Reported with amendments. (10-0) (Local and Consent)

Senate Bill No. 448, by Dardenne
Reported with amendments. (9-0) (Regular)

Senate Bill No. 450, by Dardenne
Reported with amendments. (10-0) (Major State)

Senate Bill No. 451, by Dardenne
Reported with amendments. (9-0) (Regular)

Senate Bill No. 452, by Dardenne
Reported with amendments. (8-0) (Regular)

CHARLES LANCASTER
Chairman

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

Report of the Committee on Insurance

April 22, 1999

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1149, by Ansardi
Reported favorably. (10-0) (Local and Consent)

House Bill No. 1182, by Stelly
Reported with amendments. (9-0) (Regular)

House Bill No. 1300, by Donelon
Reported with amendments. (8-3) (Regular)

House Bill No. 1823, by Johns
Reported favorably. (8-0) (Local and Consent)

House Bill No. 2015, by Pinac
Reported favorably. (9-0) (Local and Consent)

House Bill No. 2022, by Ansardi
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 2040, by Bowler
Reported with amendments. (8-2) (Regular)

JAMES DONELON
Chairman

Report of the Committee on Natural Resources

April 22, 1999

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 13, by John Smith
Reported favorably. (10-0)

House Concurrent Resolution No. 46, by Wright
Reported favorably. (10-0)

House Concurrent Resolution No. 75, by Hebert
Reported favorably. (10-0)

House Concurrent Resolution No. 107, by Daniel
Reported favorably. (10-0)

House Bill No. 513, by Gautreaux
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 1083, by Hammett
Reported favorably. (10-0) (Local and Consent)

House Bill No. 1140, by John Smith
Reported with amendments. (15-0) (Regular)

House Bill No. 1207, by Hammett
Reported with amendments. (10-0) (Regular)

House Bill No. 1262, by Gautreaux
Reported favorably with recommendation to recommit the bill to the
Committee on Appropriations. (11-0)

House Bill No. 1270, by Hebert (Duplicate of SB 548)
Reported with amendments. (14-0) (Local and Consent)

House Bill No. 1622, by McCallum
Reported favorably. (11-0) (Local and Consent)

House Bill No. 1623, by McCallum
Reported favorably. (11-0) (Local and Consent)

House Bill No. 1983, by Hopkins
Reported with amendments. (10-0) (Regular)

Senate Bill No. 548, by Romero (Duplicate of HB 1270)
Reported with amendments. (15-0) (Local and Consent)

JOHN R. SMITH
Chairman

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

**House Bills and Joint Resolutions on
Second Reading to be Referred**

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

Motion

On motion of Rep. Triche, the Committee on Administration of
Criminal Justice was discharged from further consideration of House
Bill No. 478.

HOUSE BILL NO. 478—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 14:63.13, relative to criminal trespass; to create the
crime of criminal trespass on public housing authority property;
to provide for penalties; to provide exceptions; and to provide
for related matters.

Read by title.

Motion

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

Motion

On motion of Rep. Triche, the Committee on House and
Governmental Affairs was discharged from further consideration of
House Bill No. 633.

HOUSE BILL NO. 633—
BY REPRESENTATIVE TRICHE
A JOINT RESOLUTION

Proposing to amend Article X, Section 10(C) of the Constitution of
Louisiana, to provide relative to the compensation and salary of
certain civil service employees; to provide relative to the
authority of the legislature in relation to such compensation and
salary; to provide for submission of the proposed amendment to
the electors; and to provide for related matters.

Read by title.

Motion

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

Leave of Absence

Rep. Strain - 1 day

Rep. Vitter - 1 day

Adjournment

On motion of Rep. Fauchaux, at 6:20 P.M., the House agreed to
adjourn until Friday, April 23, 1999, at 1:00 P.M.

The Speaker of the House declared the House adjourned until
1:00 P.M., Friday, April 23, 1999.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

