

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

THIRTY-THIRD 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, May 13, 1999

The House of Representatives was called to order at 1:00 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	Pierre
Alario	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezairé
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	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson

Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Total—102		

ABSENT

Strain
 Total—1

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

Prayer

Prayer was offered by Rep. Salter.

Pledge of Allegiance

Rep. Hill led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

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

On motion of Rep. Walsworth, the Journal of May 12, 1999, was adopted.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Privileged Report of the Legislative Bureau

May 13, 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. 12
 Reported without amendments.

Senate Bill No. 30
 Reported without amendments.

Senate Bill No. 122
 Reported without amendments.

Senate Bill No. 210
 Reported without amendments.

Senate Bill No. 223
 Reported without amendments.

Senate Bill No. 227
 Reported without amendments.

Senate Bill No. 349
 Reported without amendments.

Senate Bill No. 489
Reported without amendments.

Senate Bill No. 492
Reported without amendments.

Senate Bill No. 501
Reported without amendments.

Senate Bill No. 558
Reported without amendments.

Senate Bill No. 701
Reported without amendments.

Senate Bill No. 937
Reported without amendments.

Senate Bill No. 974
Reported without amendments.

Senate Bill No. 1006
Reported without amendments.

Respectfully submitted,
JOE SALTER
Chairman

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 13, 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. 53, 85, 87, 88, 91, 92, and 101

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

Message from the Senate

SENATE BILLS

May 13, 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. 351, 440, 600, 698, 803, 1078, and 1098

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

Suspension of the Rules

On motion of Rep. Alario, 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. 351—
BY SENATORS ULLO AND CAIN
AN ACT

To amend and reenact R.S. 33:2218.2(C)(8)(c) relative to police departments; to provide that supplemental compensation be paid to certain elected law enforcement officials; to delete POST certification requirements of certain elected law enforcement officials; and to provide for related matters.

Read by title.

SENATE BILL NO. 440—
BY SENATOR COX
AN ACT

To amend and reenact the introductory paragraph of R.S. 24:933(B) and R.S. 24:933(B)(19) and (C)(2), 935(6), and 936(A) and to enact R.S. 24:933(C)(3) and (4), relative to the Interagency Council on the Prevention of Sex Offenses; to provide for three additional members; to provide for changes for the establishment and maintenance of a registry of authorized sex treatment professionals; and to provide for related matters.

Read by title.

SENATE BILL NO. 600—
BY SENATOR SCHEDLER
AN ACT

To enact R.S. 37:2160.1, relative to contractors; to provide for certain requirements in any emergency disaster; to provide for penalties; and to provide for related matters.

Read by title.

SENATE BILL NO. 698—
BY SENATORS DARDENNE AND JORDAN
AN ACT

To amend and reenact R.S. 24:51(5), 52, and 53 and to enact R.S. 24:58(D)(3), relative to lobbying; to provide for a definition of lobbyist; to provide for exceptions; to require notice to and review of certain unregistered persons prior to enforcement action or sanction; and to provide for related matters.

Read by title.

SENATE BILL NO. 803—
BY SENATOR LANDRY
AN ACT

To amend R.S. 32:387(C)(3)(f)(ii) and to enact R.S. 32:387.11 and 387.12, relative to special permits; to authorize the secretary of the Department of Transportation and Development to promulgate rules and regulations relative to a semi-annual (critical off-road equipment) permit; to authorize the secretary of the Department of Transportation and Development to promulgate rules and regulations relative to an annual (noncritical off-road equipment) permit; to provide for permit criteria; to provide for fees; to provide relative to equipment used for the transfer of certain recyclable products; and to provide for related matters.

Read by title.

SENATE BILL NO. 1078—
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R. S. 14:95.2(D) and to enact R.S. 14:54.3.1 and R.S. 17:416.12; relative to offenses affecting the public safety; to provide penalties for carrying a firearm, or dangerous weapon, by a student or nonstudent on school property, at a school sponsored function, or firearm-free zone; to provide for communicating of false information of planned bombing; to require schools to inform students of the consequences of violent acts committed on school property, at a school function or in a firearm-free school zone; and to provide for related matters.

Read by title.

SENATE BILL NO. 1098—BY SENATORS CRAVINS AND CAIN
AN ACT

To enact R.S. 17:416.12, relative to certain conduct by certain students in public schools; to require certain appropriate conduct by all students in public schools in certain circumstances; to provide relative to compliance; to provide for effectiveness; 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. 205—
BY REPRESENTATIVE WESTON AND SENATOR DARDENNE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend federal law relating to the compensation of retired military personnel to permit full, concurrent receipt of military longevity pay and service-connected disability compensation pay.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 206—
BY REPRESENTATIVE MCDONALD
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to direct efforts within the state Department of Education toward reducing the requirements for paperwork and other noninstructional tasks placed on teachers, including a revision of procedures and requirements aimed at streamlining paperwork, eliminating duplications, finding ways to more fully utilize teachers' talents during instructional time, eliminating the waste of teachers talents on noninstructional activities, and developing plans that include more volunteer parents and others as participants in extracurricular activities and to submit a written report on the progress of these efforts to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2000 Regular Session.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the commissioner of agriculture and forestry, with the advice of the Louisiana Forestry Commission, to proceed without delay in promulgating rules and regulations in accordance with the Administrative Procedure Act, provided that such promulgation is required by the passage of any legislation during the 1999 Regular Session of the legislature, which addresses the transportation and receipt of forest products and further to conduct a comprehensive study of all existing civil and criminal statutes as they relate to the sale and removal of forest products.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATOR MALONE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture and the House Committee on Agriculture to meet as a joint committee to study the state laws concerning the sale of jointly owned timber and issues related thereto.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 120—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend Martha Tribble on her outstanding twenty years of service and dedication to the state as a legislative assistant.

Read by title.

On motion of Rep. Hunter, and under a suspension of the rules, the resolution was concurred in.

**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. 4—
BY SENATOR BAJOE

AN ACT

To enact R.S. 22:215.16, relative to health insurance coverage; to provide for coverage for bone mass measurement; 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. 228—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 56:333(A) and to enact R.S. 56:333.1, relative to mullet; to provide for the commercial taking of mullet with hoop nets; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 278—
BY SENATOR COX

AN ACT

To enact Code of Civil Procedure Art. 971, relative to written motions; to provide a special motion to strike in certain civil proceedings; to provide for the duties of the Judicial Council relative thereto; 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. 289—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:702(10) and 707(I)(1), relative to motor vehicles; to provide relative to motor vehicle titles; to require salvage titles for certain vehicles; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 310—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 17:2047(B), 2048.31(B), and 2048.32(A) and to enact R.S. 17:2047(C), 2048.31(C) and R.S. 37:969(A)(6) and 969.1, relative to nurse and health occupations training programs and licensure; to provide relative to student admittance; to require the Board of Supervisors of Community and Technical Colleges to request and obtain criminal history record information on students making application to enroll in nursing and other health occupations training programs; to require the Louisiana State Board of Practical Nurse Examiners to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for a license or permit which the board is authorized to issue; to authorize the collection of a fee from any applicant for costs incurred in requesting and obtaining any criminal history record information; to provide for definitions; to provide for confidentiality of information; to provide for the release of such information upon written consent of the applicant or by court order; to provide for rules; 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. 386—
BY SENATOR GREENE

AN ACT

To enact R.S. 33:1236.25, relative to the powers of parish governing authorities; to authorize the governing authorities of the parishes of Pointe Coupee and St. Landry to serve notice once a year on

property owners to cut grass and obnoxious weeds on their property; to authorize the police juries to amend local ordinances to reflect the once a year notice requirement; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 449—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1157.3, relative to enforcement of violations and penalties by the Board of Ethics; to authorize the board to contract with outside counsel for the enforcement of certain judgments; 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. 497—
BY SENATORS THOMAS AND SCHEDLER

AN ACT

To enact R.S. 47:820.2(B)(1)(e), relative to highways; to provide relative to the TIMED program; to provide relative to construction of Louisiana Highway 3241 as included in such program; to require multi-lane construction of such highway; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 499—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1114(K)(2)(b)(i) and 1117(C)(1)(b), relative to the licensing of insurance agents, brokers and solicitors; to prohibit certain activities by the employees of 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. 505—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1071 through 1086, relative to check cashing and currency exchanges; to provide for the licensing of persons engaged in currency exchange; to provide for license fees; to provide for revocation of licenses; to provide for regulation of fees charged for currency exchange services; to provide for penalties; to provide that a violation of any provision or requirement of this Chapter is a misdemeanor and shall be punishable by a fine of not less than two hundred and fifty dollars but not more than five hundred dollars, imprisonment for a term of not more than six months, or both; to provide for rules; 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. 611—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:3881(A)(1)(a), relative to seizure; to exempt from seizure certain child support or Earned Income Tax Credit benefits received by an obligee; and to provide for related matters.

Read by title.

Motion

Rep. Bruneau moved that Senate Bill No. 611 be designated as a duplicate of House Bill No. 414.

Which motion was agreed to.

Motion

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

SENATE BILL NO. 620—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 36:259(E)(14) and Chapter 14 of Title 37, to be comprised of R.S. 37:1161 through 1249 and to repeal Chapter 14-A of Title 37, comprised of R.S. 37:1221 through 1229 and Chapter 44 of Title 51, comprised of R.S. 51:2701 through 2705, all in the Louisiana Revised Statutes of 1950, relative to the practice of pharmacy; to provide for legislative declaration; to provide for statement of purpose; to provide for definitions; to provide for the Louisiana Board of Pharmacy and its membership, qualification, appointment process and pharmacy districts, compensation, terms, officers, powers and duties, meetings, domicile, and records; to provide for fees; to provide for licensing, registration, and certification to practice pharmacy and qualifications thereof; to provide for licensure by examination and by reciprocity; to provide for certificates issued by the board and for duplicate certificates and silver certificates; to provide for renewal of a license, registration, and certification and for waivers of a license renewal; to provide for continuing education; to provide for pharmacy interns and pharmacy technicians; to provide for notification of change of certain addresses by a pharmacist, pharmacy intern, and pharmacy technician; to provide for display of licenses, certificates, and registrations; to prohibit the opening, establishing, operating, or maintaining of a pharmacy with a permit issued by the board; to provide qualifications for the issuance of a permit; to provide for classifications of permits; to prohibit the compounding and filling of prescriptions under certain circumstances; to provide for the labeling of drugs and prescriptions; to provide for the display of permits; to provide for the equipment required of a pharmacy; to provide for the records of prescriptions and inspections of such records; to provide for renewal of a permit; to authorize the board to enter into certain agreements; to provide for out-of-state pharmacies doing business in the state; to provide discipline of persons practicing pharmacy; to provide grounds for the refusal to issue or to suspend or revoke a license, permit, registration, or certificate to practice pharmacy; to provide for assessing a fine for violation; to provide for enforcement and for injunction, penalty, attorney's fees and costs; to provide for investigation and hearings, issuance of subpoenas and rehearings; to provide for reinstatement or reissuance of licenses, registrations, certificates, and permits; 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. 696—BY SENATOR CAIN AND REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 11:1316, relative to the continuation of benefits payable to a spouse of a state police officer killed in the line of duty; to provide with respect to the continuation of certain death benefits provided by the State Police Pension and Retirement system as an accessory retirement benefit; to specifically provide that such benefits continue until death of the surviving spouse; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 790—BY SENATOR THOMAS (BY REQUEST)
AN ACT

To enact R.S. 17:262, relative to required courses of study; to require instruction relative to the flag of the United States of America; to require such instruction to be incorporated in the social studies curriculum by the fifth grade in public elementary schools; to provide for the 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 Education.

SENATE BILL NO. 827—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 32:1314, relative to motor vehicle inspections; to provide for intermodal vehicle inspections; to provide for a definition; to provide for program criteria; to provide for roadside vehicle inspection data base; 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. 856 (Duplicate of House Bill No. 1304)—
BY SENATOR DARDENNE AND REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 15:587.2, relative to children; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; and to provide for related matters.

Read by title.

Motion

Rep. Diez moved that Senate Bill No. 856 be designated as a duplicate of House Bill No. 1304.

Which motion was agreed to.

Motion

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

SENATE BILL NO. 926—

BY SENATOR C. FIELDS

AN ACT

To amend and reenact Civil Code Art. 136(A), relative to child custody; to provide certain criteria for visitation rights of non-custodial parent; 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. 1061—
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 33:7571.1 and R.S. 34:1652(C)(21) and (D), relative to the Greater Lafourche Port Commission; to provide for rights and powers; to provide for formation of certain beachfront development districts; 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. 1069—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(b) and 4574.5, relative to recreational facilities; to increase the percentage of rent or fee charged for hotel occupancy to fund the Alexandria/Pineville Area Convention and Visitors Bureau; to increase membership on said bureau; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1072—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 40:4.11, relative to community-type sewage systems and public water systems; to provide relative to determinations on permits regarding community-type sewage systems and public water systems; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1074—
BY SENATORS HINES AND BAJOIE

AN ACT

To amend and reenact R.S. 40:2018.1(A), (B), and (G), relative to the Louisiana Commission on HIV and AIDS; to recreate the commission; to provide for its membership; 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. 1086—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 29:737, relative to the Louisiana Emergency Assistance and Disaster Act; to authorize the chief executive officer of a municipality to declare local disaster or emergency; to provide definitions; to provide exceptions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1089—
BY SENATORS HINES AND BAJOIE
AN ACT

To amend and reenact R.S. 46:1403(A)(4), (8), and (9) and to enact R.S. 46:1403(A)(10) and 1427, relative to day care facilities; to define "day care center" and "relative"; to provide exceptions; 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. 1097—
BY SENATORS CRAVINS, DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER AND HOLLIS AND REPRESENTATIVES KENNARD, DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE
AN ACT

To enact R.S. 23:1017, relative to right of access to employer's records; to provide for disclosure of employment information upon request of any law enforcement agency; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1108—
BY SENATORS THOMAS, SCHEDLER, AND HAINKEL
AN ACT

To amend and reenact R.S. 47:302.26, 322.37(A), and 332.13, relative to disposition of certain tax collections in St. Tammany Parish; to create the St. Tammany Parish Fund; to dedicate the state hotel sales tax from St. Tammany Parish to the St. Tammany Parish Fund; to allocate the St. Tammany Parish Fund between the St. Tammany Parish Tourist Commission and the St. Tammany Parish Economic and Development District Fund; 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 Appropriations.

**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. 38—
BY REPRESENTATIVE HEBERT
A CONCURRENT RESOLUTION

To urge and request the legislature and its agencies to use plain language to the extent possible in the drafting of laws, rules, and regulations and in all communications with the public and to urge and request the governor and the statewide elected officials to request all executive branch agencies to use plain language to the extent possible in the drafting of rules and regulations and in all communications with the public.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 38 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "direct" and insert "urge and request"

AMENDMENT NO. 2

On page 1, line 5, after "officials to" and before "all executive" delete "direct" and insert "request"

AMENDMENT NO. 3

On page 2, line 8, after "hereby" delete "directs" and insert "urges and requests"

AMENDMENT NO. 4

On page 2, line 11, after "officials to" and before "all executive" delete "direct" and insert "request"

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

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

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the federal government not to attempt to recover any of the tobacco settlement money granted to the state of Louisiana.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 114—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and to function as a joint committee to study whether insurers, health maintenance organizations, and other entities offering managed care plans have a conflict of interest in providing health care services to their insureds or enrollees.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 114 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 2, delete "Louisiana State Law Institute" and insert "House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and to function as a joint committee"

AMENDMENT NO. 2

On page 2, line 17, delete "Louisiana State Law Institute" and insert "House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and to function as a joint committee"

AMENDMENT NO. 3

On page 2, delete lines 21 and 22

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

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

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVES HOLDEN, DANIEL, SCHWEGMANN, AND SENATOR IRONS

A CONCURRENT RESOLUTION

To direct the office of public health of the Department of Health and Hospitals to cease implementation of the Louisiana Uniform Consent Form For School-Based Health Centers, developed pursuant to Executive Order MJF 96-74; to continue using the consent form in effect before implementation of the Louisiana Uniform Consent Form For School-Based Health Centers, to create the School-Based Health Center Work Committee; to direct the committee to develop a template for a uniform consent form for school-based health centers; and to promulgate rules pursuant to the provisions of the Louisiana Administrative Procedure Act to provide for and implement the uniform consent form developed by the School-Based Health Center Work Committee during the 1999-2000 school year.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 115 by Representative Holden

AMENDMENT NO. 1

On page 2, line 16, between "health centers" and the semicolon ";" insert a comma "," and "who shall be nonvoting members of the committee"

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

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

HOUSE CONCURRENT RESOLUTION NO. 139—

BY REPRESENTATIVES DANIEL AND LEBLANC AND SENATORS HAINKEL AND DARDENNE

A CONCURRENT RESOLUTION

To request the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A to meet and to function as a joint committee to study and make recommendations with respect to the practices of state departments, boards, and commissions relative to contracting for outside legal counsel for general counsel duties in lieu of utilizing the attorney general as counsel.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 139 by Representative Daniel, et al.

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert the following:

"request the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A to meet and to function as a joint committee to study and make"

AMENDMENT NO. 2

On page 1, line 20, delete "create a special committee" and insert "request the House Committee on Civil Law and Procedure and the Senate Committee on Judiciary A to meet and to function as a joint committee"

AMENDMENT NO. 3

On page 2, delete lines 4 through 8

AMENDMENT NO. 4

On page 2, line 9, after "that the" and before "attorney general" insert "joint committee shall invite the"

AMENDMENT NO. 5

On page 2, line 10, after "their designees," delete the remainder of the line and insert "to participate and to provide information and testimony to"

AMENDMENT NO. 6

On page 2, line 11, change "study" to "joint"

AMENDMENT NO. 7

On page 2, delete lines 12 through 16

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

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

HOUSE CONCURRENT RESOLUTION NO. 180—
BY REPRESENTATIVES MCDONALD, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, KENNEY, NEVERS, POWELL, PRATT, SHAW, SNEED, AND WRIGHT

A CONCURRENT RESOLUTION

To create the Task Force on School Discipline and Safety, hereinafter referred to as the "task force", to be in existence for the period from its first meeting not later than July 15, 1999, through December 15, 1999, to study and review current policies, procedures, programs, and laws in place in Louisiana as well as in other select states as the task force deems appropriate relative to providing disciplined, safe, and productive learning environments for all children, including effective measures for assisting students who engage in or who are at risk of engaging

in disruptive and disorderly behavior, and to report its findings and recommendations to the House Committee on Education and the Senate Committee on Education by not later than January 15, 2000.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 180 by Representative McDonald

AMENDMENT NO. 1

On page 4, line 5, after "of" and before "members" change "twenty-four" to "twenty-five"

AMENDMENT NO. 2

On page 4, after line 28, add the following:

"(h) The Louisiana Association of School Executives."

AMENDMENT NO. 3

On page 5, line 7, after "high" and before "school" insert "or middle"

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

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

HOUSE CONCURRENT RESOLUTION NO. 192—
BY REPRESENTATIVES WILLARD, BAUDOIN, CURTIS, FARVE, KENNEY, NEVERS, POWELL, AND PRATT
A CONCURRENT RESOLUTION

To urge and request each city and parish school board to adopt policies to prohibit students from wearing pants too loosely on the hips.

Read by title.

Reported favorably by the Committee on Education.

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

**Senate Concurrent Resolutions
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR DEAN
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pursue viable alternatives to the current Turtle Excluder Device regulations currently in vogue.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize and to urge the governor of the state of Louisiana to support the development of the "Comprehensive Hurricane Protection Plan for Coastal Louisiana" by the U. S. Army Corps of Engineers to provide continuous hurricane protection from Morgan City to the Mississippi border.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR ULLO

A CONCURRENT RESOLUTION

To create the Seafood Standards of Identity Task Force to review current legal, and commonly used, but not legally mandated standards of identity for Louisiana commercial fisheries and seafood products and to make recommendations for more universal and efficient standards.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to institute a public awareness campaign highlighting Louisiana's "Personal Watercraft Safety Act."

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To request additional funding for a fisheries data collection program and a detailed, historical study on price trends in the shrimping industry.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to conduct workshops for the "Coast Watchers" program.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 73—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries not to release any confidential information contained in commercial "trip tickets".

Read by title.

Reported favorably by the Committee on Natural Resources.

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

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATORS HINES AND DEAN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Wildlife and Fisheries to develop a repellent to protect oyster beds from black drum predation.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 381—

BY REPRESENTATIVE CRANE

AN ACT

To enact Code of Criminal Procedure Article 914(C), relative to appeals from criminal convictions; to provide with regard to time period for appeal; to provide with regard to method for making untimely appeals; 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. 421—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 14:95(A)(5)(b)(i), relative to the crime of illegal carrying of weapons; to provide for certain exceptions; 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. 604—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 17:416.12, relative to student codes of conduct; to require city and parish school boards to adopt student codes of conduct; to require compliance with existing rules, regulations, policies, and laws; 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. 717—
BY REPRESENTATIVES CRANE AND HEBERT
AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(A)(1), relative to the exceptions to the time limit for the filing of applications for post-conviction relief; to require that the defendant and the defense attorney had to have used reasonable diligence in attempting to discover new evidence in order for an application for post-conviction relief based upon new evidence to be considered 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. 717 by Representative Crane

AMENDMENT NO. 1

On page 2, line 2, after "admits" delete the comma ","

AMENDMENT NO. 2

On page 2, line 3, after "attorney" delete the comma " , "

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. 743—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(A)(introductory paragraph) and (3), relative to the time limit for filing applications for post-conviction relief; to require the filing of those applications within one year after the judgment of conviction and sentence has become final; to provide with respect to certain applications for post-conviction relief filed on or before October 1, 2000; 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. 785—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact Code of Criminal Procedure Article 598(B), relative to jury verdicts in capital cases; to provide for sentences which may be imposed; 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. 785 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 12, after "imprisonment," and before "the" insert "or if at the sentencing hearing the jury fails to reach a unanimous determination pursuant to Louisiana Code of Criminal Procedure Article 905.6."

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. 787—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact Code of Criminal Procedure Article 413(B), relative to the selection of grand jury foremen; to provide for method of selection; 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. 787 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 16, after "The" delete the remainder of the line and insert "grand jury shall select"

AMENDMENT NO. 2

On page 1, line 17, after "serve as" delete the remainder of the line and insert "its foreman."

AMENDMENT NO. 3

On page 1, delete line 18

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. 871—

BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 14:68.6, relative to the crime of unauthorized ordering of goods or services; to provide for the creation of the crime; to provide for penalties; to provide for exceptions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 871 by Representative Theriot

AMENDMENT NO. 1

On page 1, line 10, after "when" and before "the" insert "all of"

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. 872—

BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 14:63(H), relative to criminal trespassing; to provide for penalties; 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. 873—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact Code of Criminal Procedure Article 66, relative to service of subpoenas in certain matters; to provide for method of service; 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. 881—

BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 17:416(I), relative to student discipline; to provide for the authority of school administrators and certain others to discipline pupils in specified circumstances; to provide limitations; to provide alternatives; to provide for effectiveness; to provide definitions; 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. 902—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 433(A)(1)(b), relative to persons present at grand jury sessions; to allow more than one assistant attorney general to be present at grand jury sessions; 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. 1106—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 51:2605(C)(1)(a), relative to the Louisiana Open Housing Act; to revise the definition of "housing for older persons"; 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. 1164—

BY REPRESENTATIVE PRATT
AN ACT

To amend and reenact R.S. 17:416.8(A)(2) and (B), relative to pupil discipline; to provide for school board and school discipline policies, including policy content, policy review, policy distribution, and dissemination of policy information to employees, students, and certain others; 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. 1165—
BY REPRESENTATIVE PRATT
AN ACT

To enact R.S. 17:422.7 and 3203; to provide a salary increase for certain educational personnel, including certain public school teachers, school support personnel, and faculty at public postsecondary educational institutions; to provide definitions; to provide limitations; to provide for effectiveness; to provide relative to other monies used for salary and benefits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education with recommendation that the bill be recommitted to the Committee on Appropriations.

On motion of Rep. McDonald, the bill was ordered engrossed and recommitted to the Committee on Appropriations, under the rules.

HOUSE BILL NO. 1293—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact Code of Criminal Procedure Article 646, relative to examination of criminal defendants by experts; to provide for an independent examination by a physician or mental health expert; 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. 1293 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 4, after "a" and before "mental" insert "physician or"

AMENDMENT NO. 2

On page 1, line 13, after "by a" and before "mental health expert" insert "physician or"

AMENDMENT NO. 3

On page 1, at the beginning of line 14, insert "physician or"

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. 1327—
BY REPRESENTATIVE CARTER
AN ACT

To authorize and provide for the lease of certain state property in East Feliciana Parish to the F.T. Baptist Church from the Department of Health and Hospitals; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1327 by Representative Carter

AMENDMENT NO. 1

On page 1, delete lines 12 through 19 in their entirety and insert:

"A certain piece or parcel of land in Section 62, T2S, R1W, East Feliciana Parish, LA. containing .791 acres, being more particularly described as:

From a P.O.B. being the N.E. corner of Sec. 60, thence S. 27 deg. 15' W. 808 feet; thence S. 62 deg. 49' 55" E. 208.42 feet; thence S. 27 deg. 10' 31" W. 80 feet; thence S. 62 deg. 49' 29" E. 75 feet to Starting point of Tract "D", thence S. 62 deg. 49' 29" E. 92.64 feet and corner; thence S. 27 deg. 10' 31" W. 353.09 feet and corner; thence N. 84 deg. 56' 19" W. 100 feet and corner; thence N. 27 deg. 10' 31" E. 390.74 feet to starting point, all as per survey of Wallace Hargrave, C.E. dated April 17, 1999."

AMENDMENT NO. 2

On page 2, delete lines 1 through 6 in their entirety

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

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

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

HOUSE BILL NO. 1378—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 44:9(E) and (F) and to enact R.S. 44:9(G), relative to expungement or destruction of criminal records; to provide for the procedure for the expungement of records; to provide for maintenance of records for certain purposes; 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. HB 1378 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 44:9" delete the comma "," and insert "(E) and (F) and to enact R.S. 44:9(G),"

AMENDMENT NO.2

On page 1, line 2, after "expungement" insert "or destruction"

AMENDMENT NO.3

On page 1, line 3, after "records;" delete the remainder of the line and the beginning of line 4, delete "for definitions;"

AMENDMENT NO.4

On page 1, line 5, delete "to provide for penalties;"

AMENDMENT NO. 5

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 44:9(E) and (F) are hereby amended and reenacted and R.S. 44:9(G) is hereby enacted to read as"

AMENDMENT NO.6

On page 1, delete lines 11 through 17, delete pages 2 through 6 and on page 7, delete lines 1 through 5 in their entirety

AMENDMENT NO. 7

On page 7, between lines 5 and 6, insert:

"* * *

E.(1) No court shall order the destruction of any record of the arrest and prosecution of any person convicted of a felony, including a conviction dismissed pursuant to Article 893 of the Code of Criminal Procedure, ~~except after~~ After a contradictory hearing with the district attorney and the arresting law enforcement agency, the court may order expungement of the record of a felony conviction dismissed pursuant to Article 893 of the Code of Criminal Procedure.

(2) No court shall order the expungement or destruction of any record of the arrest and prosecution of any person convicted of a sex offense as defined by R.S. 15:542(E), involving a child under the age of seventeen years, ~~except after a contradictory hearing with the district attorney and the arresting law enforcement agency.~~ The provisions of this Paragraph shall apply to all records of any proceedings, order, judgment, or other action under Code of Criminal Procedure Article 893.

(3) No court shall order the destruction, but may order expungement of the record of a misdemeanor conviction dismissed pursuant to Article 894 of the Code of Criminal Procedure.

AMENDMENT NO. 8

On page 7, at the beginning of line 6, change "D." to "F."

AMENDMENT NO. 9

On page 7, line 8, after "disposition" insert a period "." and delete the remainder of the line and at the beginning of line 9 delete "expungement has been granted."

AMENDMENT NO. 10

On page 7, delete lines 13 through 26 in their entirety and insert the following:

"G. Expungement means removal of a record from public access but does not mean destruction of the record. An expunged record is

confidential, but remains available for use by law enforcement and criminal justice agencies."

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. 1453—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 33:1563(I) and (J), relative to public records; to provide for access to and copies of autopsy reports; to provide for a copy of the autopsy report for the next of kin free of charge; to establish a fee for copies of an autopsy report; to provide for the contents of such reports; to limit the public availability of the autopsy report in certain instances; 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. 1453 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:1536(I)" delete the comma "," and insert "and (J),"

AMENDMENT NO.2

On page 1, line 3, after "reports;" delete the remainder of the line delete line 4 in its entirety and insert "to provide for"

AMENDMENT NO.3

On page 1, line 6, after "report;" and before "and" insert "to provide for the contents of such reports; to limit the public availability of the autopsy report in certain instances;"

AMENDMENT NO. 4

On page 1, line 9, after "R.S. 33:1536(I)" delete "is" and insert "and (J) are"

AMENDMENT NO.5

On page 1, delete lines 12 though 17 in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert the following:

"I. Autopsy reports prepared by the coroner or his designee are public records. The coroner shall provide one copy of the autopsy report upon request by the next of kin at no charge to the next of kin. The coroner shall provide copies of the autopsy report at no charge to the appropriate law enforcement agencies as requested. The public records fee for any other copy of an autopsy report shall be seventy-five dollars per autopsy report.

J.(1) For the purposes of this Section, an autopsy report is the work product of the coroner or his designee. When a coroner investigates a death, the office of the coroner is required to make available for public inspection and copying the autopsy report which shall contain the following:

(a) Name, age, sex, race, and address of the deceased.

(b) Date and reported time of death.

(c) Physical location, including address if available, where the deceased was found.

(d) Date, time, and place of autopsy, and the name of the doctor performing the autopsy and the names of all persons present at the autopsy.

(e) Information regarding the autopsy, including whether the autopsy was requested or performed by operation of law, a listing of the physical findings of the autopsy, a summary in narrative form of the medical findings and conclusions, the cause of death, the manner and mechanism of death, and the classification of death as homicide, accidental, suicide, undetermined, or under investigation.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, in a non-coroner case, no autopsy report shall be made available for public inspection or copying if the classification of death is that of natural causes except upon request by the next of kin or upon request in compliance with R.S. 13:3715.1.

(3) Notwithstanding the provisions of Paragraph (1) of this Subsection, no autopsy report pertaining to criminal litigation as defined in and in accordance with R.S. 44:3(A) shall be required to be made available for public inspection or copying except as otherwise provided by law."

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. 1458—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide with respect to sums disputed by health insurance issuers on the basis of usual and customary charges for medical care provided to an insured, enrollee, or subscriber; to provide for definitions; 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. 2268 (Substitute for House Bill No. 1458 by Representative Hebert)—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide relative to billing insureds, enrollees, or subscribers for certain balances for medical care not paid or covered by health benefits; and to provide for related matters.

Read by title.

On motion of Rep. Donelon, the substitute was adopted and became House Bill No. 2268 by Rep. Hebert, on behalf of the Committee on Insurance, as a substitute for House Bill No. 1458 by Rep. Hebert.

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

HOUSE BILL NO. 1570—
BY REPRESENTATIVE DOWNER
AN ACT

To authorize and provide for the joint occupancy, management, and use of certain state property; to provide for joint occupancy, management, and use of certain property by the Department of Public Safety and Corrections and the Military Department; to provide for use of the property by the Military Department, office of emergency preparedness, as an office of emergency preparedness operations center; to provide for the use of the property by the Department of Public Safety and Corrections, office of state police, for the purpose of emergency preparation and response; to require a Memorandum of Understanding to be entered into by the departments regarding joint occupancy, management, and use of the property; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1570 by Representative Downer

AMENDMENT NO. 1

On page 1, delete lines 2 through 9 in their entirety and insert:

"To authorize and provide for the joint occupancy, management and use of certain state property; to provide for joint occupancy, management, and use of certain property by the Department of Public Safety and Corrections and the Military Department; to provide for use of the property by the Military Department, office of emergency preparedness, as an office of emergency preparedness operations center; to provide for the use of the property by the Department of Public Safety and Corrections, office of state police, for the purpose of emergency preparation and response; to require a Memorandum of Understanding to be entered into by the departments regarding joint occupancy, management, and use of the property; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 11, after "Section 1." delete the remainder of the line and delete lines 12 and 13 in their entirety and insert the following:

"Notwithstanding any other provision of law to the contrary, the joint occupancy, management, and use by the Department of Public Safety and Corrections and Military Department as set forth in this Act is hereby authorized for the following described property:"

AMENDMENT NO. 3

On page 3, delete lines 1 through 4 in their entirety and insert in lieu thereof the following:

"Section 2. The property described in this Act is to be occupied, used, and managed jointly by the Department of Public Safety and Corrections and the Military Department. The Military Department shall use the property to establish an office of emergency preparedness operations center. The Department of Public Safety and Corrections shall use the property for the purpose of emergency preparation and response by the office of state police.

Section 3. The Department of Public Safety and Corrections and the Military Department shall enter into a Memorandum of Understanding prior to the use by either department of the property described in this Act. The Memorandum of Understanding shall set forth the respective joint management duties and uses of the property by each department and shall include but not be limited to authorizing access by each department to the property as may be necessary to perform departmental duties and functions; procedures regarding uses of the property in the event of an emergency; management and allocation of property areas, costs, and expenses; and use of adjoining property for the purpose of access and other purposes as may be necessary.

Section 4. The departments through their duly authorized representatives may perform all acts and enter into other agreements and execute other documents as are necessary to properly effectuate the provisions of this Act and the Memorandum of Understanding."

AMENDMENT NO. 4

On page 3, line 5, change "Section 3." to "Section 5."

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

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

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

HOUSE BILL NO. 1632—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 22:636.2(E), relative to property, casualty, and liability insurance; to provide for premiums; to provide for losses; to provide for refunds; 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. 1632 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 12, after "policy" and before "such" insert "and the insured is not at fault in causing the loss"

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. 1754—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 46:1906(B)(1), relative to children adjudicated delinquent; to provide for care; to provide for costs; to provide for reimbursements; and to provide for related matters.

Read by title.

Reported without action by the Committee on Health and Welfare with recommendation that the bill be recommitted to the Committee on Appropriations.

On motion of Rep. Alexander, the bill was recommitted to the Committee on Appropriations, under the rules.

HOUSE BILL NO. 1804—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 17:170(C) and R.S. 22:215.14(A) and (B) and to enact R.S. 17:170(A)(4), all relative to immunizations; to provide for spacing of certain immunizations; to provide for changes in age range of certain immunizations; to provide for changes in booster shot protocol for certain immunizations; to provide relative to health coverage for immunizations; 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. 1804 by Representative Holden

AMENDMENT NO. 1

On page 1, line 16, after "provide" insert a comma ","

AMENDMENT NO. 2

On page 2, line 1, after "regulation," insert "or would result in any loss of federal financial or direct assistance support, funding, or reimbursement for immunizations provided."

AMENDMENT NO. 3

On page 2, line 2, after "Act" insert a comma ","

AMENDMENT NO. 4

On page 2, line 5, after "intervals" delete the remainder of the line and delete line 6, and insert "as provided herein. The schedule shall"

AMENDMENT NO. 5

On page 2, line 8, at the end of the line delete "between" and on line 9, delete "the ages of three and four years." and insert "with the measles immunization at fifteen months of age, followed by the mumps immunization one year later, and the rubella immunization the following year."

AMENDMENT NO. 6

On page 2, line 13, delete "manner" and insert "order"

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AMENDMENT NO. 7

On page 2, line 14, after "three diseases," delete the remainder of the line and delete lines 15 and 16 in their entirety, and insert "and shall be administered at time intervals at least six months apart from one another."

AMENDMENT NO. 8

On page 2, line 20, after "Paragraph" insert a period "." and delete the remainder of line 20 and delete lines 21 through 23 in their entirety.

AMENDMENT NO. 9

On page 3, after line 25, add the following:

"Section 3. Prior to the implementation of a revised immunization schedule pursuant to this Act, the state health officer shall seek and receive a determination from the secretary of the United States Department of Health and Human Services that implementation of the recommended schedule would not result in any loss of federal financial or direct assistance support, funding, or reimbursement for immunizations provided in the state."

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. 1807—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 553(B) and 556.1(B), relative to methods of pleading at arraignment; to provide that persons charged with misdemeanors or nonviolent felonies may plead by affidavit; to provide for establishment of rules by the appropriate courts; to provide for contents of the affidavit; 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. 1807 by Representative Hunter

AMENDMENT NO. 1

On page 2, line 5, after "defendant" delete the remainder of the line and delete line 6 in its entirety and insert in lieu thereof:

"in misdemeanor cases, excluding offenses for which the penalty on a second or subsequent offense may be enhanced, and with consent of the prosecutor, waives formal arraignment and"

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. 1808—

BY REPRESENTATIVE DURAND
AN ACT

To enact Code of Criminal Procedure Article 162.1(D), relative to the issuance of search warrants; to provide for methods for issuance by judges; 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. 1901—

BY REPRESENTATIVES WESTON, DURAND, GLOVER, GUILLORY,
MITCHELL, AND WILKERSON
AN ACT

To enact R.S. 46:237, relative to grandparent and kinship care; to establish the Grandparent Subsidy Program in the office of family support of the Department of Social Services; to establish eligibility requirements for the program; to authorize the office of family support to promulgate rules to implement the program; 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. 1901 by Representative Weston

AMENDMENT NO. 1

On page 1, delete lines 3 through 7 in their entirety and insert the following:

"To enact R.S. 46:237, relative to grandparent and kinship care; to establish the Grandparent Subsidy Program" in the office of family support of the Department of Social Services; to establish eligibility requirements for the program; to authorize the office of family support to promulgate rules to implement the program; and to provide for related matters"

AMENDMENT NO. 2

On page 1, line 9, change "R.S. 46:939" to "R.S. 46:237" and on line 10, change "939" to "237"

AMENDMENT NO. 3

On page 1, line 12 after "the" delete the remainder of the line and insert:

"office of family support of the Department of Social Services, for the purpose of assisting eligible grandparents and step-grandparents who have legal custody or guardianship of their grandchildren or step-grandchildren."

AMENDMENT NO. 4

On page 1, line 14, change "eighteen" to "nineteen" and after "age" delete the remainder of the line and delete line 15 and insert "and

who meets the definition of "dependent child" specified in R.S. 46:231(3)(a)."

AMENDMENT NO. 5

On page 2, line 3, after "subsidy" delete the comma "," and insert a period "." and delete the remainder of line 3, and delete lines 4 and 5 in their entirety.

AMENDMENT NO. 6

On page 2, delete lines 8 through 10 in their entirety

AMENDMENT NO. 7

On page 2, line 11, delete lines 11 and 12 and insert in lieu thereof:

"(4) Have neither of the grandchild's or step-grandchild's parents residing in applicant's household."

AMENDMENT NO. 8

On page 2, line 13, change "(6)" to "(5)"

AMENDMENT NO. 9

On page 2, delete lines 17 through 20 and insert the following:

"D. Any grandparent or step-grandparent convicted of a felony of possession, use, or distribution of a controlled substance as defined in 21 U.S.C. 802(6) of the Controlled Substances Act shall be disqualified from applying for a subsidy under this Section for one year from the date of conviction, or if incarcerated, for one year from the date of release from incarceration."

AMENDMENT NO. 10

On page 2, line 21, after "The" and before "shall" delete "Office of Elderly Affairs" and insert in lieu thereof "office of family support", and on line 22, after "to establish" delete "a method of determining"

AMENDMENT NO. 11

On page 2, line 24, after "The" and before "shall" delete "Office of Elderly Affairs" and insert in lieu thereof "office of family support"

AMENDMENT NO. 12

On page 2, line 26, after "necessary to" insert "administer the Grandparent Subsidy Program in accordance with this Section and any federal requirements and to"

AMENDMENT NO. 13

On page 3, delete lines 4 and 5 in their entirety and insert the following:

"G. The subsidy provided for in this Section shall be administered by the office of family support and funded through the TANF block grant."

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. 1980—

BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 34:851.15(A), relative to waterskiing; to provide for an exception to the requirement of having two persons in a motorboat which is towing a water-skier; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 1980 by Representative Wilkerson

AMENDMENT NO. 1

On page 2, at the end of line 2, add "being operated by a person sixteen years old or older."

AMENDMENT NO. 2

On page 2, line 3, after "mirror" insert "of a minimum size of seven inches by fourteen inches"

AMENDMENT NO. 3

On page 2, at the end of line 4, add the following:

"The provisions of this Subsection shall not apply to operation of personal watercraft."

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

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

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

HOUSE BILL NO. 1981—

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

AN ACT

To amend and reenact R.S. 15:574.2(A)(3), relative to the Board of Parole; to provide for salaries of board members; to provide that salaries are set by executive order of the governor; 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. 2019—

BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 22:1114(B)(2)(c), relative to insurance agents; to provide for appointment of agents; to provide for contracts; to provide for fees; 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. 2269 (Substitute for House Bill No. 2019 by Representative Donelon)—
BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 22:1078(F), relative to domestic insurers; to provide for exemption from fees; and to provide for related matters.

Read by title.

On motion of Rep. Donelon, the substitute was adopted and became House Bill No. 2269 by Rep. Donelon, on behalf of the Committee on Insurance, as a substitute for House Bill No. 2019 by Rep. Donelon.

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

HOUSE BILL NO. 2050—
BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 17:497.4, relative to training and certification of school bus operators; to provide for the development and implementation of a program for training and certification of such operators; to provide for program purpose; to provide relative to training sessions and dissemination of information by the state Department of Education; 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 local and consent calendar.

HOUSE BILL NO. 2114—
BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 44:3(A)(4)(e), relative to public records; to provide with respect to the identification of certain juvenile victims of crime; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on House and Governmental Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 2270 (Substitute for House Bill No. 2114 by Representative Montgomery)—
BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 44:3(A)(4)(b)(i), relative to public records; to provide with respect to the contents of initial reports of investigations of complaints; and to provide for related matters.

Read by title.

On motion of Rep. Lancaster, the substitute was adopted and became House Bill No. 2270 by Rep. Montgomery, on behalf of the Committee on House and Governmental Affairs, as a substitute for House Bill No. 2114 by Rep. Montgomery.

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

HOUSE BILL NO. 2178—
BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact Code of Criminal Procedure Article 222, relative to arrest; to provide for procedures for the arrest of persons with medical conditions; to provide for certain tests; to provide for immunity from liability; to provide for refusal to submit to tests; 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. 2178 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 10, after "arrests" and before "a person" insert "and takes into custody" and at the end of the line delete "or"

AMENDMENT NO. 2

On page 1, at the beginning of line 11, delete "otherwise has possession of"

AMENDMENT NO. 3

On page 1, line 14, after "action" and before "to" insert ", if necessary,"

AMENDMENT NO. 4

On page 2, line 17, after "person" delete the remainder of the line

AMENDMENT NO. 5

On page 2, at the beginning of line 18, delete "decision, and"

AMENDMENT NO. 6

On page 2, line 20, after "shall" delete the remainder of the line and delete lines 21 and 22 and insert "be provided with a copy of the medical facility's refusal of treatment"

AMENDMENT NO. 7

On page 3, delete lines 1 through 8

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. 2216—
BY REPRESENTATIVES ALARIO AND CLARKSON

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(introductory paragraph), relative to the Tuition Opportunity Program for Students; to provide for eligibility for the dependent child of a nonresident on active duty with the United States Armed Forces

who is stationed in Louisiana under permanent change of station orders; to provide conditions; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 2216 by Representatives Alario and Clarkson

AMENDMENT NO. 1

On page 1, line 3, after "Students;" delete the remainder of the line and delete line 4 in its entirety and at the beginning of line 5 delete "Armed Forces who is stationed in Louisiana;" and insert in lieu thereof the following:

"to provide eligibility for the dependent child of a nonresident on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders; to provide conditions;"

AMENDMENT NO. 2

On page 2, line 11, after "years," delete the remainder of the line and on line 12 delete "States Armed Forces who is stationed in Louisiana." and insert in lieu thereof the following:

"or is the dependent child of a nonresident on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders and who not later than sixty days after reporting to such station changes his military personnel records to establish Louisiana as his official home of record and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana."

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. 2217—

BY REPRESENTATIVES HUDSON, BAUDOIN, DOERGE, KENNEY, LONG, NEVERS, POWELL, SALTER, THOMPSON, AND SNEED
AN ACT

To enact R.S. 17:416.12, relative to certain conduct by students in public schools; to require certain appropriate conduct by all students in public schools in certain circumstances; to provide relative to compliance; to provide for effectiveness; 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. 2267 (Substitute for House Bill No. 983 by Representative Kennard)—

BY REPRESENTATIVES KENNARD AND DUPRE
AN ACT

To amend and reenact R.S. 32:42(B) and to enact R.S. 32:41(E), relative to the regulation of traffic; to authorize the governing authority of a municipality or parish to adopt certain traffic-related ordinances on private roads in residential subdivisions when requested to do so; to provide for the form of the request; to provide for traffic signs and enforcement; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 345—

BY SENATORS ELLINGTON, BRANCH, DEAN, GREENE, MALONE AND THEUNISSEN

AN ACT

To enact R.S. 30:2063(K), relative to the chemical accident prevention program; to provide certain exemptions from fees charged pursuant to the chemical accident prevention program administered by the Louisiana Department of Environmental Quality; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Alario, 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. McMains, 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:

Local and Consent Calendar

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.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Barton	Heaton	Quezaire
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider

Carter	Hunter	Schwegmann
Chaisson	Iles	Shaw
Clarkson	Jenkins	Smith, J.D.—50th
Copelin	Jetson	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	Lancaster	Stelly
Damico	Landriou	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	

Total—95

NAYS

Total—0

ABSENT

Alexander	Kennard	Strain
Anardi	Martiny	Toomy
Johns	Morrish	
Total—8		

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. 1943—
BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 13:1899(C)(7), (8), (9), (10), (11), (12)(a), (13), and (14) and to repeal R.S. 13:1899(C)(15), relative to the City Court of Bossier City; to specify a certain amount in court costs to fund the office of marshal; and to provide for related matters.

Read by title.

Rep. Barton moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander	Hammett	Pratt
Barton	Heaton	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann

Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Fauchoux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Total—96		

NAYS

Total—0

ABSENT

Ansardi	Lancaster	Strain
Hebert	Martiny	
Jetson	Scalise	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Barton 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. 2127—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Section 2 of Act No. 614 of the 1972 Regular Session of the Louisiana Legislature, as amended by Act No. 85 of the 1985 Regular Session of the Louisiana Legislature, relative to the Southwest Louisiana Convention and Visitors Bureau; to provide relative to the directors who govern the district; to provide relative to the nomination, qualifications, and appointment of directors; to limit the number of consecutive terms a director may serve; to provide requirements for retaining a directorship and relative to vacancies; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Engrossed House Bill No. 2127 by Representative Johns

AMENDMENT NO. 1

On page 2, line 26, after "hotel" and before "industry" delete "and motel" and insert in lieu thereof a comma "," and "motel, and recreational vehicle park"

AMENDMENT NO. 2

On page 3, line 2, after "hotel" and before "operations" delete "or motel" and insert in lieu thereof a comma "," and "motel, or recreational vehicle park"

AMENDMENT NO. 3

On page 3, line 3, after "hotel" and before "operating" delete "or motel" and insert in lieu thereof a comma "," and "motel, or recreational vehicle park"

AMENDMENT NO. 4

On page 3, line 23, after "hotel" and before "industry" delete "and motel" and insert in lieu thereof a comma "," and "motel, and recreational vehicle park"

AMENDMENT NO. 5

On page 3, line 25, after "hotel" and before "operations" delete "or motel" and insert in lieu thereof a comma "," and "motel, or recreational vehicle park"

AMENDMENT NO. 6

On page 4, line 1, after "hotel" and before "operating" delete "or motel" and insert in lieu thereof a comma "," and "motel, or recreational vehicle park"

AMENDMENT NO. 7

On page 4, line 6, after "hotel" and before "industry" delete "and motel" and insert in lieu thereof a comma "," and "motel, and recreational vehicle park"

AMENDMENT NO. 8

On page 4, line 8, after "hotel" and before "operations" delete "or motel" and insert in lieu thereof a comma "," and "motel, or recreational vehicle park"

AMENDMENT NO. 9

On page 4, line 9, after "hotel" and before "operating" delete "or motel" and insert in lieu thereof a comma "," and "motel, or recreational vehicle park"

AMENDMENT NO. 10

On page 4, line 14, after "motel," and before "or restaurant" insert "recreational vehicle park."

AMENDMENT NO. 11

On page 4, line 15, after "motel," and before "or restaurant" insert "recreational vehicle park."

AMENDMENT NO. 12

On page 5, line 23, after "motel," and before "or restaurant" insert "recreational vehicle park."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Jetson	Smith, J.R.—30th
Copelin	Johns	Sneed
Crane	Kennard	Stelly
Curtis	Kenney	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Ansardi	Martiny	Strain
Lancaster	McCain	
Total—5		

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. 2136—
BY REPRESENTATIVE DOWNER**

AN ACT

To amend and reenact R.S. 11:471(B), (D), and (E)(1), 701(25), 1151(D), and 1318, relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the State Police Pension and Retirement System; to provide with respect to benefits and the classification of certain benefit recipients; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Stelly 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
Barton	Hebert	Quezaire
Baudoin	Hill	Riddle
Baylor	Holden	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Jetson	Smith, J.D.—50th
Copelin	Johns	Smith, J.R.—30th
Crane	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Total—99		

NAYS

Total—0

ABSENT

Ansardi	Martiny
Lancaster	Strain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Stelly 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. 2242—
BY REPRESENTATIVE CURTIS**

AN ACT

To enact R.S. 33:2740.46, relative to the city of Alexandria; to create the Alexandria Central Economic Development District in Alexandria; to provide relative to the governance of such district; to provide for the authority of the district, including the preparation of redevelopment plans and the execution of redevelopment programs; to provide relative to funds for the district including funds from taxes, contributions, and the issuance of bonds; and to provide for related matters.

Read by title.

Rep. Curtis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jenkins
Total—1

ABSENT

Perkins Strain
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Curtis 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. 213—
BY REPRESENTATIVES HOLDEN AND DANIEL
AN ACT

To repeal Section 2 of Act No. 1027 of the 1991 Regular Session of the Legislature, relative to the dedication of a portion of the state sales and use tax in East Baton Rouge Parish for deposit in the East Baton Rouge Parish Centroplex Fund for capital improvements at the Riverside Centroplex, Louisiana Arts and Science Center, Riverfront Promenade, and related projects in the Riverfront Development Plan; to extend the dedication; and to provide for related matters.

Read by title.

Rep. Holden 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	Sneed
Curtis	Lancaster	Stelly
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—102		

NAYS

Total—0

ABSENT

Strain
Total—1

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.

HOUSE BILL NO. 799—
BY REPRESENTATIVES TRICHE, DUPRE, AND DOWNER
AN ACT

To amend and reenact R.S. 9:306(B)(1) and (C), relative to seminars for divorcing parents; to provide for an expanded definition of "instructor"; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed House Bill No. 799 by Representatives Triche, et al.

AMENDMENT NO. 1

On page 2, line 3, after "or" and before "person" insert "in any parish other than Orleans, means a"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander	Hammett	Pratt
Ansardi	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Salter
Bowler	Hudson	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Lancaster	Sneed
Crane	Landrieu	Stelly
Curtis	LeBlanc	Theriot
Damico	Long	Thompson
Daniel	Marionneaux	Thornhill
Deville	Martiny	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Total—99		

NAYS

Total—0

ABSENT

Hopkins	Kennard
Hunter	Strain
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 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.

Rep. Deville moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jetson	Mitchell	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Deville 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. 2137—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:31(F), R.S. 51:2380(D), 2381(A), and 2382(B)(6) and to enact R.S. 39:31(A)(3) and R.S. 51:2383(A)(12), relative to executive branch strategic and operational plans; to provide for information used by departments to develop strategic and operational plans for budget development purposes; to provide for reporting requirements and submission deadlines of certain master plans; and to provide for related matters.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
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	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Green	Pierre	
Guillory	Pinac	
Total—100		

NAYS

Total—0

ABSENT

Carter	Mitchell	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc 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. 2182—

BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 47:322.35(B) and to enact R.S. 47:302.48 and 332.45, all relative to the distribution of the proceeds of the state sales tax on hotel occupancy in LaSalle Parish; to dedicate a portion of the tax in LaSalle Parish; to provide for the allocation of monies in the LaSalle Economic Development District Fund; and to provide for related matters.

Read by title.

Rep. Wright moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jetson	Mitchell	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Regular Calendar

HOUSE BILL NO. 741—

BY REPRESENTATIVE WILLARD
AN ACT

To amend and reenact R.S. 42:5.1, relative to meetings of school boards; to require persons commenting on agenda items during school board meetings to comply with certain requirements under certain circumstances; to require that a participant in a school board meeting conduct himself in a decorous manner; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 359—

BY REPRESENTATIVES PRATT, BRUNEAU, JOHNS, MICHOT, PINAC, STELLY, CLARKSON, FLAVIN, AND WALSWORTH
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 9(B) of the Constitution of Louisiana, to provide that each parish school board shall fix the qualifications and prescribe the duties of the parish superintendent of schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Suspension of the Rules

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

Read by title.

Rep. Pratt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander	Hammett	Pratt
Ansardi	Heaton	Quezairé
Barton	Hill	Romero
Baudoin	Holden	Schneider
Baylor	Hopkins	Schwegmann
Bruneau	Hudson	Smith, J.D.—50th
Carter	Hunter	Smith, J.R.—30th
Chaisson	Iles	Stelly
Clarkson	Jenkins	Theriot
Copelin	Jetson	Thornhill
Curtis	Johns	Toomy
Damico	Kenney	Travis
Daniel	Landrieu	Triche
Deville	Long	Waddell

DeWitt	Marionneau	Warner
Diez	Martiny	Welch
Doerge	McCain	Weston
Dupre	Michot	Wiggins
Farve	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Fontenot	Morrell	Windhorst
Frith	Murray	Wooton
Fruge	Odinot	Wright
Gautreaux	Perkins	
Glover	Pierre	
Total—79		

NAYS

Bowler	LeBlanc	Scalise
Bruce	McCallum	Shaw
Crane	McDonald	Thompson
Durand	McMains	Walsworth
Faucheux	Nevers	Winston
Kennard	Riddle	
Lancaster	Salter	
Total—19		

ABSENT

Donelon	Morrish	Strain
Hebert	Sneed	
Total—5		

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

HOUSE BILL NO. 360—

BY REPRESENTATIVES PRATT, BRUNEAU, JOHNS, MICHOT, PINAC, AND STELLY
AN ACT

To amend and reenact R.S. 17:54(B), to provide that each city and parish school board shall fix the qualifications and duties of the superintendent of schools; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pratt to Engrossed House Bill No. 360 by Representatives Pratt, et al.

AMENDMENT NO. 1

On page 1, line 4, after "schools;" and before "to provide for effectiveness;" insert "to require certain minimum qualifications;"

AMENDMENT NO. 2

On page 2, at the end of line 5, add the following:

"Qualifications fixed by the school board shall include but need not be limited to a requirement that the superintendent have an earned masters degree from an accredited college or university."

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

Rep. Pratt 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	Hill	Quezaire
Barton	Holden	Romero
Baudoin	Hopkins	Schneider
Baylor	Hudson	Schwegmann
Bowler	Iles	Smith, J.D.—50th
Bruce	Jenkins	Smith, J.R.—30th
Bruneau	Jetson	Sneed
Carter	Johns	Stelly
Chaisson	Kenney	Theriot
Clarkson	Lancaster	Thornhill
Copelin	Landrieu	Toomy
Curtis	Long	Travis
Damico	Marionneaux	Triche
Daniel	Martiny	Waddell
DeWitt	McCain	Warner
Diez	McMains	Welch
Doerge	Michot	Weston
Dupre	Mitchell	Wiggins
Farve	Montgomery	Wilkerson
Flavin	Morrell	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Wooton
Gautreaux	Odinet	Wright
Glover	Perkins	
Green	Pierre	
Total—82		

NAYS

Crane	Kennard	Salter
Deville	LeBlanc	Scalise
Durand	McCallum	Shaw
Faucheux	McDonald	Thompson
Fontenot	Nevers	Walsworth
Hebert	Riddle	Winston
Total—18		

ABSENT

Donelon	Hunter	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 530—

BY REPRESENTATIVES MORRELL, COPELIN, PIERRE, WELCH, BAYLOR, WILKERSON, CURTIS, GUILLORY, HUDSON, HUNTER, AND WILLARD AND SENATOR IRONS

AN ACT

To name that part of Claiborne Avenue lying within the incorporated city limits of the city of New Orleans, Orleans Parish, the Reverend Avery C. Alexander Avenue; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Diez to Engrossed House Bill No. 530 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, after "part of" delete the remainder of the line and insert "Interstate 10 lying within Orleans Parish between the Jefferson Parish line and the St. Bernard Parish line"

AMENDMENT NO. 2

On page 1, line 3, delete "limits of the city of New Orleans, Orleans Parish,"

AMENDMENT NO. 3

On page 1, line 4, after "Alexander" delete "Avenue" and insert "Freeway"

AMENDMENT NO. 4

On page 1, line 6, after "part of" delete the remainder of the line and insert "Interstate 10 lying within Orleans Parish between the Jefferson Parish line and the St. Bernard Parish line"

AMENDMENT NO. 5

On page 1, line 7, delete "limits of the city of New Orleans, Orleans Parish,"

AMENDMENT NO. 6

On page 1, line 8, after "Alexander" delete "Avenue" and insert "Freeway"

Rep. Diez moved the adoption of the amendments.

Rep. Morrell objected.

By a vote of 68 yeas and 28 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pierre
Alario	Heaton	Pinac
Alexander	Holden	Powell
Ansardi	Hopkins	Pratt
Barton	Hudson	Quezaire
Baudoin	Hunter	Riddle
Baylor	Iles	Romero
Bowler	Jenkins	Salter
Bruce	Jetson	Schwegmann
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis

Diez	McCain	Triche
Doerge	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Fauchoux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Frith	Morrell	Wilkerson
Fruge	Morrish	Willard
Gautreaux	Murray	Windhorst
Glover	Nevers	Winston
Green	Odinot	Wooton
Guillory	Perkins	Wright

Total—93

NAYS

Bruneau	Scalise	Schneider
---------	---------	-----------

Total—3

ABSENT

Carter	Hebert	Strain
Donelon	Hill	
Fontenot	Stelly	

Total—7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrell 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. 540—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To amend and reenact R.S. 15:146(B)(1)(introductory paragraph) and to enact R.S. 15:146(E), relative to the judicial district indigent defender fund; to provide that certain costs shall not be paid by any defendant who retains private counsel; and to provide for related matters.

Called from the calendar.

Read by title.

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. 540 by Representative Marionneaux

AMENDMENT NO. 1

On page 1, line 12, following "E" and before ", every" change "herein" to "of this Section"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marionneaux to Engrossed House Bill No. 540 by Representative Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph)" insert "and (a)"

AMENDMENT NO. 2

On page 1, line 5, after "counsel;" and before "and to" insert "to provide for the maximum amount of costs which may be imposed;"

AMENDMENT NO. 3

On page 1, line 7, after "(introductory paragraph)" insert "and (a)"

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:

"(a) Not less than the sum of seventeen dollars and fifty cents for each offense, except a parking violation. Upon recommendation of the district board and by a majority vote of the judges of the courts of original jurisdiction within the district, this sum may be increased to not more than ~~thirty~~ thirty-five dollars. Notwithstanding the provisions of this Section, the City Court of Port Allen shall not impose an amount in excess of twelve dollars for each offense, except a parking violation."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McCain to Engrossed House Bill No. 540 by Representative Marionneaux

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert in lieu thereof "To enact"

AMENDMENT NO. 2

On page 1, at the end of line 4 and the beginning of line 5, delete "any defendant who retains private counsel" and insert in lieu thereof "certain defendants"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and at the beginning of line 8 delete "amended and reenacted and"

AMENDMENT NO. 4

On page 1, delete lines 11 through 18 in their entirety

AMENDMENT NO. 5

On page 2, delete lines 1 through 3 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 5 through 8 in their entirety and insert in lieu thereof the following:

"E. No defendant who has retained private counsel of record shall be assessed any costs to be credited to the indigent defender fund, other than the special costs established by Subsection B of this Section, unless the indigent defender board has provided representation of record for that defendant at some point in that criminal proceeding."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezairé
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Curtis	Lancaster	Sneed
Damico	Landrieu	Stelly
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morréll	Willard
Früge	Morrish	Windhorst
Gautreaux	Murray	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Guillory	Pierre	
Total—95		

NAYS

Carter	Theriot
Total—2	

ABSENT

Alexander	Kennard	Strain
Donelon	Nevers	Triche
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 570—
BY REPRESENTATIVE WILKERSON
AN ACT**

To amend and reenact R.S. 36:686 and to enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3621 through 3643, relative to bail enforcement; to create the Louisiana State Board of Bail Enforcement Agents; to provide for a purpose; to provide for definitions; to provide for regulation and licensure of bail enforcement agents; to

provide for fees; to provide for fines and penalties; to provide for a special fund; to provide for notification of local law enforcement; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Travis and Wilkerson to Engrossed House Bill No. 570 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 36:686 and to"

AMENDMENT NO. 2

On page 1, line 4, after "through" and before "relative" change "3643," to "3641," and after "enforcement;" delete the remainder of the line and at the beginning of line 5, before "to" delete "State Board of Bail Enforcement Agents;"

AMENDMENT NO. 3

On page 1, line 7, after "agents" and before the semicolon ";" insert "by the Department of Insurance"

AMENDMENT NO. 4

On page 1, line 8, after "penalties;" and before "to" delete "to provide for a special fund;"

AMENDMENT NO. 5

On page 1, delete lines 11 through 17 in their entirety and on page 2, delete lines 1 through 5 in their entirety.

AMENDMENT NO. 6

On page 2, at the beginning of line 6, after "Section" and before "Chapter" change "2." to "1."

AMENDMENT NO. 7

On page 2, line 7, after "through" and before "is" change "3643," to "3641,"

AMENDMENT NO. 8

On page 3, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

"(3) "Commissioner" means the commissioner of the Department of Insurance.

(4) "Department" means the Department of Insurance."

AMENDMENT NO. 9

On page 3, at the beginning of line 8, change "(4)" to "(5)" and at the end of line 9, change "board" to department"

AMENDMENT NO. 10

On page 3, delete lines 10 through 25 in their entirety and delete page 4 in its entirety and on page 5, delete lines 1 through 14 in their entirety.

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AMENDMENT NO. 11

On page 5, at the beginning of line 15, change "§3625." to "§3624." and at the end of the line, after "responsibilities" delete the remainder of the line and insert in lieu thereof "of the commissioner" and delete line 16 in its entirety.

AMENDMENT NO. 12

On page 5, line 17, after "The" and before "shall", change "board" to "department, through the commissioner."

AMENDMENT NO. 13

On page 6, delete lines 5 and 6 in their entirety.

AMENDMENT NO. 14

On page 6, at the beginning of line 7, change "(7)" to "(6)"

AMENDMENT NO. 15

On page 6, delete line 9 in its entirety.

AMENDMENT NO. 16

On page 6, at the beginning of line 10, change "(9)" to "(7)" and at the end of line 11, after "the" change "board" to "commissioner"

AMENDMENT NO. 17

On page 6, at the beginning of line 12, change "(10)" to "(8)"

AMENDMENT NO. 18

On page 6, at the beginning of line 14, change "(11)" to "(9)"

AMENDMENT NO. 19

On page 6, on line 16, after "the" and before "proceedings." change "board's" to "department's"

AMENDMENT NO. 20

On page 6, delete lines 17 through 19 in their entirety.

AMENDMENT NO. 21

On page 6, line 20, after "The" and before "may" change "board" to "commissioner"

AMENDMENT NO. 22

On page 6, line 21, after "regulations." and before "and" delete ", by laws."

AMENDMENT NO. 23

On page 6, line 22, after "the" and before "may" change "board" to "commissioner"

AMENDMENT NO. 24

On page 6, at the end of line 23, after "Louisiana" delete the remainder of the line and on line 24, delete "provide for the efficient operation of the board."

AMENDMENT NO. 25

On page 6, line 25, after "discharge" and before "duties" change "its" to "his"

AMENDMENT NO. 26

On page 7, at the end of line 5, change "board." to "department as bail enforcement agents."

AMENDMENT NO. 27

On page 7, delete lines 6 through 18 in their entirety.

AMENDMENT NO. 28

On page 7, line 19, after "The" delete the remainder of the line and at the beginning of line 20, delete "any other member of the board." and insert in lieu thereof "commissioner"

AMENDMENT NO. 29

On page 7, line 22, change "board." to "department."

AMENDMENT NO. 30

On page 7, delete lines 23 through 25 in their entirety and on page 8, delete lines 1 through 5 in their entirety.

AMENDMENT NO. 31

On page 8, at the beginning of line 6, change "§3626." to "§3625."

AMENDMENT NO. 32

On page 8, line 7, after "The" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 33

On page 8, delete lines 23 through 26 in their entirety.

AMENDMENT NO. 34

On page 9, at the beginning of line 2, change "board" to "commissioner" and after "the" and before "The" change "board." to "commissioner."

AMENDMENT NO. 35

On page 9, at the end of line 6, after "the" change "board." to "commissioner."

AMENDMENT NO. 36

On page 9, delete lines 7 through 10 in their entirety.

AMENDMENT NO. 37

On page 9, at the beginning of line 11, change "§3627." to "§3626."

AMENDMENT NO. 38

On page 9, at the end of line 12, after "the" change "board" to "commissioner"

AMENDMENT NO. 39

On page 9, at the end of line 15, after "the" change "board" to "commissioner"

AMENDMENT NO. 40

On page 9, line 19, after "the" and before "shall", change "board" to "commissioner" and after "when" change "the board" to "he"

AMENDMENT NO. 41

On page 9, line 21, after "The" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 42

On page 9, line 24, after "promulgated" change "by the board." to "pursuant to this Chapter."

AMENDMENT NO. 43

On page 10, at the end of line 5, after "regulations" delete the remainder of the line and insert in lieu thereof "promulgated pursuant to this Chapter."

AMENDMENT NO. 44

On page 10, at the beginning of line 6, change "§3628." to "§3637."

AMENDMENT NO. 45

On page 10, line 7, after "The" and before "determine" change "board shall" to "commissioner may"

AMENDMENT NO. 46

On page 10, at the beginning of line 12, change "§3629." to "§3628."

AMENDMENT NO. 47

On page 10, line 13, after "the" and before "in" change "board" to "commissioner"

AMENDMENT NO. 48

On page 10, line 15, after "the" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 49

On page 10, line 17, after "the" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 50

On page 10, line 25, after "the" and before "may" change "board." to "commissioner."

AMENDMENT NO. 51

On page 11, lines 1, after "the" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 52

On page 11, line 4, after "The" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 53

On page 11, line 6, after "the" and before "and" change "board." to "commissioner."

AMENDMENT NO. 54

On page 11, at the beginning of line 11, change "§3630." to "§3629."

AMENDMENT NO. 55

On page 11, line 13, after "the" and before "and" change "board" to "commissioner"

AMENDMENT NO. 56

On page 11, at the beginning of line 20, change "§3631." to "§3630."

AMENDMENT NO. 57

On page 11, line 21, after "the" and before "within" change "board" to "commissioner"

AMENDMENT NO. 58

On page 11, line 22, after "the" and before "or" change "board" to "commissioner"

AMENDMENT NO. 59

On page 12, at the beginning of line 1, change "§3632." to "§3631."

AMENDMENT NO. 60

On page 12, line 2, after "the" and before "within" change "board" to "commissioner"

AMENDMENT NO. 61

On page 12, line 4, after "the" and before "or" change "board." to "commissioner."

AMENDMENT NO. 62

On page 12, at the beginning of line 7, change "§3633." to "§3632."

AMENDMENT NO. 63

On page 12, at the beginning of line 8, after "The" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 64

On page 12, delete lines 15 through 19 in their entirety.

AMENDMENT NO. 65

On page 12, at the beginning of line 20, change "C. The board" to "B. The commissioner"

AMENDMENT NO. 66

On page 12, delete lines 23 through 26 in their entirety and on page 13, delete lines 1 through 3 in their entirety.

AMENDMENT NO. 67

On page 13, at the beginning of line 4, change "§3634." to "§3633."

AMENDMENT NO. 68

On page 13, line 5, after "The" and before "may" change "board" to "commissioner"

AMENDMENT NO. 69

On page 13, at the end of line 14, after "the" change "board." to "department."

AMENDMENT NO. 70

On page 13, at the beginning of line 18, after "§3635." to "§3634."

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AMENDMENT NO. 71

On page 13, line 21, after "The" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 72

On page 14, line 1, after "The" and before "shall" change "board" to "commissioner"

AMENDMENT NO. 73

On page 14, line 3, after "The" and before "shall" change "board" to "commissioner" and on line 4, after "if" and before "refuses" change "it" to "he"

AMENDMENT NO. 74

On page 14, at the beginning of line 9, change "§3636." to "§3635."

AMENDMENT NO. 75

On page 14, line 10, after "the" and before "after" change "board." to "commissioner."

AMENDMENT NO. 76

On page 14, line 16, after "The" and before "in" change "board." to "commissioner."

AMENDMENT NO. 77

On page 14, line 18, after "that" and before "be" change "can" to "may" and after "assessed" and before "when" delete "by the executive secretary"

AMENDMENT NO. 78

On page 14, at the beginning of line 20, change "§3637." to "§3636."

AMENDMENT NO. 79

On page 14, line 22, after "The" and before "may" change "board" to "commissioner"

AMENDMENT NO. 80

On page 15, line 6, after "testimony" delete the remainder of the line and insert a period "."

AMENDMENT NO. 81

On page 15, line 18, after "regulations" and before "rules" change "of the board or" to "including" and delete line 19 in its entirety and insert in lieu thereof "pursuant to this Chapter."

AMENDMENT NO. 82

On page 15, delete lines 20 through 23 in their entirety.

AMENDMENT NO. 83

On page 15, at the beginning of line 24, change "C." to "B."

AMENDMENT NO. 84

On page 15, line 25, after "the" and before "may" change "board" to "commissioner" and after "by" delete the remainder of the line and insert "the commissioner."

AMENDMENT NO. 85

On page 16, at the beginning of line 1, change "§3638." to "§3637."

AMENDMENT NO. 86

On page 16, at the end of line 13, after "the" change "board." to "commissioner."

AMENDMENT NO. 87

On page 16, line 17, after "regulation" delete the remainder of the line and insert "promulgated pursuant to this Chapter."

AMENDMENT NO. 88

On page 17, at the beginning of line 3, change "§3639." to "§3638."

AMENDMENT NO. 89

On page 17, delete line 6 in its entirety and insert in lieu thereof "promulgated pursuant to this Chapter."

AMENDMENT NO. 90

On page 17, line 15, after "damages." delete the remainder of the line and delete lines 16 and 17 in their entirety.

AMENDMENT NO. 91

On page 17, at the beginning of line 18, change "§3640." to "§3639."

AMENDMENT NO. 92

On page 17, line 20, after "the" and before "is" change "board" to "commissioner"

AMENDMENT NO. 93

On page 17, line 25, after "Louisiana" delete the remainder of the line and insert in lieu thereof a period "."

AMENDMENT NO. 94

On page 18, line 1, after "the" and before "directs" change "board" to "commissioner"

AMENDMENT NO. 95

On page 18, line 4, after "the" and before "may" change "board" to "commissioner"

AMENDMENT NO. 96

On page 18, line 8, after "the" and before "that" change "board" to "commissioner"

AMENDMENT NO. 97

On page 18, line 15, after "of" and before "bond" delete "the board having to give"

AMENDMENT NO. 98

On page 18, delete lines 21 through 26 in their entirety and on page 19, delete lines 1 through 10 in their entirety.

AMENDMENT NO. 99

On page 19, at the beginning of line 11, change "§3642." to "§3640"

AMENDMENT NO. 100

On page 19, at the beginning of line 23, change "§3643." to "§3641"

Rep. Travis moved the adoption of the amendments.

Rep. Bowler objected.

By a vote of 80 yeas and 13 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Engrossed House Bill No. 570 by Representative Wilkerson

AMENDMENT NO. 1

On page 17, line 14, after "damages" delete the remainder of the line and at the beginning of line 15, delete "liable for punitive damages"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed House Bill No. 570 by Representative Wilkerson

AMENDMENT NO. 1

On page 16, line 19 after "agent" and before "which" insert, "when transacting a surrender or an apprehension in a private residence."

Rep. Morrish moved the adoption of the amendments.

Rep. Travis objected.

By a vote of 65 yeas and 30 nays, the amendments were adopted.

Motion

Rep. Wooton moved that the bill, as amended, be returned to the calendar.

Rep. Wilkerson objected.

By a vote of 45 yeas and 53 nays, the House refused to return the bill, as amended, to the calendar.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alexander	Green	Pratt
Baudoin	Guillory	Quezaire
Baylor	Hammett	Riddle
Bruce	Holden	Romero
Carter	Hunter	Salter
Clarkson	Iles	Schneider

Copelin	Jenkins	Schwegmann
Curtis	Jetson	Shaw
Daniel	Kenney	Thompson
Diez	Long	Thornhill
Doerge	McDonald	Travis
Dupre	Montgomery	Welch
Farve	Morrell	Weston
Faucheux	Murray	Wilkerson
Frith	Nevers	Willard
Gautreaux	Perkins	
Total—50		

NAYS

Alario	Hopkins	Powell
Ansardi	Johns	Scalise
Barton	Kennard	Smith, J.R.—30th
Bowler	Lancaster	Sneed
Bruneau	Landrieu	Theriot
Chaisson	LeBlanc	Toomy
Crane	Marionneaux	Triche
Damico	Martiny	Waddell
DeWitt	McCain	Walsworth
Durand	McCallum	Warner
Flavin	McMains	Wiggins
Fontenot	Michot	Windhorst
Fruge	Morrish	Winston
Hebert	Odinot	Wooton
Hill	Pinac	Wright
Total—45		

ABSENT

Deville	Hudson	Stelly
Donelon	Mitchell	Strain
Heaton	Smith, J.D.—50th	
Total—8		

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

Motion to reconsider pending.

HOUSE BILL NO. 1403—

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

AN ACT

To enact Part IV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1152 through 1156, relative to sewage and sewerage; to provide for a sewerage tag fee; to provide for the use of the proceeds of the fee; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 1522—

BY REPRESENTATIVES LONG, CLARKSON, JOHNS, WALSWORTH, AND WIGGINS

AN ACT

To enact Chapter 18 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1201 through 1206, relative to religious freedom; to enact the Religious Freedom Protection Act of 1999; to provide for legislative declarations; to provide

for the circumstances under which the government may burden religious freedom; to provide for the assertion of religious rights in judicial and administrative proceedings; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

**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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jenkins to Engrossed House Bill No. 1923 by Representative McMains

AMENDMENT NO. 1

On page 2, delete lines 14 through 27 in their entirety, on page 3, delete lines 1 through 25 in their entirety, and on page 4, delete lines 1 through 5 in their entirety and insert the following:

"Art. 622. Rules for placement

A. General Rule. (1) A child who is taken into custody as a child in need of care shall be placed in the home of a suitable relative who is of the age of majority and who is willing to assume such care of the child if such placement is in the best interest of the child. The following are those relatives to whom care of the child may be entrusted and are listed in the order of priority:

- (a) Grandparent.
- (b) Aunt or uncle.
- (c) Sibling.
- (d) Cousin.

(2) Notwithstanding any other provision of law to the contrary and prior to the continued custody hearing required in Article 624, any relative designated in this Paragraph may seek and obtain an ex parte court order to take immediate physical custody of the child under the provisions and requirements of this Paragraph and pending

the continued custody hearing. The provisions of Code of Civil Procedure Article 3945 are inapplicable to an ex parte order rendered pursuant hereto.

B. Exception. A child shall be placed in a foster care home or facility approved by the department only if:

(1) No ex parte court order has been rendered pursuant to Paragraph A of this Article.

(2) The continued custody hearing has been held, the court has continued the child in the custody of the department, and the court has made a specific finding, by clear and convincing evidence, that the placement of the child with a relative seeking physical custody of the child is not in the best interest of the child.

C. The department shall supervise the child's placement for the duration of the time the department has custody of the child.

D. In the event that a child is placed with nonrelatives pursuant to Paragraph B of this Article, any suitable relative of the age of majority may petition the court for the physical custody of the child."

AMENDMENT NO. 2

On page 6, at the beginning of line 7, delete the following "any person, including"

Rep. Jenkins moved the adoption of the amendments.

Rep. McCain objected.

By a vote of 34 yeas and 58 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Engrossed House Bill No. 1923 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, after "740," and before "and" insert "815(D),"

AMENDMENT NO. 2

On page 1, line 10, after the semicolon ";" and before "to" insert "to prohibit the placement of juveniles taken into custody for certain delinquent acts in shelter care facilities;"

AMENDMENT NO. 3

On page 10, between lines 6 and 7, insert the following:

"Section 4. Children's Code Article 815(D) is hereby amended and reenacted to read as follows:

Art. 815. Child taken into custody; place of detention

* * *

D. ~~By order of a~~ Notwithstanding any other provision of the Children's Code or other provision of law to the contrary, no judge shall order that a youth taken into custody for a felony-grade delinquent act or for a misdemeanor-grade delinquent act based upon an offense against the person of another, may be placed in a shelter care facility. provided all of the following conditions are met:

~~(1) No detention facility is available and, in the opinion of the requesting authority, the youth is not considered a threat to himself, staff, or others.~~

~~(2) The administrator of the shelter care facility is willing to allow the youth to enter the program and is able to provide proper supervision and safety for the youth, staff, and all others in the care facility.~~

~~(3) The governing authority of the parish or municipality requesting such placement and the administrator of the facility enter into a mutual agreement for reimbursement to the facility for the cost of the care provided"~~

AMENDMENT NO. 4

On page 10, line 7, change "Section 4" to "Section 5"

On motion of Rep. Montgomery, 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	Heaton	Pinac
Alario	Hebert	Powell
Ansardi	Hill	Pratt
Barton	Holden	Quezaire
Baudoin	Hopkins	Riddle
Baylor	Hudson	Romero
Bowler	Hunter	Salter
Bruce	Iles	Scalise
Bruneau	Jenkins	Schneider
Carter	Jetson	Schwegmann
Chaisson	Johns	Shaw
Clarkson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th
Crane	Lancaster	Sneed
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Mitchell	Weston
Fontenot	Montgomery	Wiggins
Frith	Morrrell	Wilkerson
Fruge	Morrish	Willard
Gautreaux	Murray	Windhorst
Glover	Nevers	Winston
Green	Odinet	Wooton
Guillory	Perkins	Wright
Hammett	Pierre	
Total—98		

NAYS

Total—0

ABSENT

Alexander	Donelon	Strain
Curtis	Stelly	
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. 192—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 46:153.3(B)(3), relative to medical vendor reimbursements under Medicaid; to remove anorexic drugs from the list of drugs which are exempted from reimbursement under the state Medicaid program; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 192 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 46:153.3(B)(3)," and insert "enact R.S. 46:153.3(B)(4),"

AMENDMENT NO. 2

On page 1, line 3, after "Medicaid;" delete the remainder of the line and delete line 4 in its entirety and on line 5, delete "Medicaid program;" and insert "to authorize the Department of Health and Hospitals to apply for a Medicaid waiver to conduct a pilot project regarding anorexic drugs in the Medicaid program"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and delete line 8, and insert "R.S. 46:153.3(B)(4) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 14 through 19 and on page 2, delete lines 1 through 5 and insert the following:

"(4)(a) The department is authorized to apply for the appropriate federal waiver from the Health Care Financing Association for the state Medicaid program to conduct a pilot project to determine the effectiveness of, and projected cost savings which may result from, providing reimbursement for weight control therapies, including anorexic drugs, and nutritional, diet, and exercise counseling, in the state Medicaid Drug Program. Any such waiver which is obtained by the department shall provide for the pilot project to be conducted by the Louisiana State University Medical Center in Shreveport in conjunction with Pennington Biomedical Research Center, involving twenty participants, and implementing diet, exercise, and nutritional therapies and counseling in conjunction with an anorexic drug regimen as indicated.

(b) The department, along with the Louisiana State University Medical Center in Shreveport in conjunction with Pennington

Biomedical Research Center, may apply for any available public or private grants and donations to offset costs of the pilot project, and such pilot project shall only be conducted if grants and donations are received in an amount sufficient to fund over fifty percent of the estimated cost of the pilot project. The department, in conjunction with the Louisiana State University Medical Center in Shreveport and Pennington Biomedical Research Center, shall report the results of such pilot project to the House and Senate Health and Welfare Committees and the legislature prior to the 2001 Regular Session."

On motion of Rep. Wilkerson, the amendments were adopted.
Rep. Wilkerson moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
Baudoin	Holden	Riddle
Baylor	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Schneider
Chaisson	Iles	Schwegmann
Clarkson	Jenkins	Shaw
Copelin	Jetson	Smith, J.D.—50th
Crane	Johns	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	Landrieu	Stelly
Daniel	LeBlanc	Theriot
Deville	Long	Thompson
DeWitt	Marionneaux	Thornhill
Diez	Martiny	Toomy
Doerge	McCain	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Nevers	Windhorst
Glover	Odinet	Winston
Green	Perkins	Wooton
Guillory	Pierre	Wright
Total—93		

NAYS

Bowler	Lancaster	Scalise
Total—3		

ABSENT

Alexander	Kennard	Travis
Carter	Mitchell	
Donelon	Strain	
Total—7		

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1582—

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

AN ACT

To amend and reenact R.S. 30:2011(C), (D)(3) and (6), 2014(A), 2015(E), 2019(D), 2022(C)(1), 2025(A), (B)(1)(d), (C)(2) and (3), (E)(1)(a) and (2), and (G)(1) and (2)(b), 2033(B) and (C), 2035(B)(1) and (2), 2050.1(C), 2050.2(A), 2050.3(A) and (C)(1), 2050.4(I), 2050.10(A)(5), 2054(A)(introductory paragraph) and (B)(2)(a) and (3)(a) and (e), 2059, 2060(E), (F), (G), (H), and (I), 2064(A)(2)(b), (C), (D), (E)(introductory paragraph) and (2), (F), and (G)(1), 2074(A)(introductory paragraph), (3) and (4) and (B)(4), 2075.2(B), 2076(C) and (D), 2089, 2103(4)(b), (5), and (11), 2104(A)(introductory paragraph) and (B)(2), 2107(A), (B), and (D), 2108, 2109(A) and (B), 2110, 2112, 2113(G), 2114, 2115(A), (C), (D), and (F), 2154(A)(introductory paragraph) and (4) and (B)(1)(a), (2)(a), and (4), 2158(A)(1), 2160, 2180(A)(2) and (B), 2181, 2183(I), 2195(E), 2195.2(A)(introductory paragraph) and (B)(1)(c), 2195.4(B)(4) and (C)(2), 2199(A), 2203(A), 2204(A)(1) and (2), 2222(C), 2223(3), 2224(A)(introductory paragraph) and (2)(c), (B), and (C), 2225(D)(2), 2226(A), 2280, 2305(G), 2423(B), 2521, 2522(5), 2547(A)(introductory paragraph) and (3) and (B) and R.S. 36:231(C)(1), 234(A)(11), 236(B), 237(A) and (B), and 238(B), (C), (D), and (E) and to repeal R.S. 30:2037 and 2182, relative to the Department of Environmental Quality; to provide relative to the organization, composition, duties, powers, and functions of the department; to establish the offices of environmental assessment, environmental compliance, and environmental services, and provide for purpose, powers, functions, and duties; to establish the legal division within the office of the secretary and provide for powers and duties; to abolish the offices of air quality and radiation protection, water resources, waste services, and legal affairs and enforcement, and provide for the transfer of certain powers, functions, and duties; to provide for the powers, functions, and duties of the secretary and under secretaries and assistant secretaries; to provide relative to promulgation of rules and certain scientific determinations; to provide relative to powers and duties for the issuance and denial of permits, licenses, variances, certificates, and other matters; to provide for penalties and violations; and to provide for related matters.

Called from the calendar.

Read by title.

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. 1582 by Representative Damico

AMENDMENT NO. 1

On page 1, line 17, following "and" and before the comma "," change "(2)(c)" to "(2)(introductory paragraph) and (c)"

AMENDMENT NO. 2

On page 3, line 9, following "and" and before the comma "," change "(2)(c)" to "(2)(introductory paragraph) and (c)"

AMENDMENT NO. 3

On page 15, line 10, following "R.S." and before the comma "," change "30:2011(C)(4)" to "30:2011(D)(8)"

AMENDMENT NO. 4

On page 18, line 19, following "(e)" and before "approval" change "The" to "For the"

AMENDMENT NO. 5

On page 31, line 3, following "C" and before the comma "," change "herein" to "of this Section"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Engrossed House Bill No. 1582 by Representative Damico

AMENDMENT NO. 1

On page 18, line 24, after "implementation of" delete "the"

AMENDMENT NO. 2

On page 18, line 25, after "monitoring" delete "provided in Subsection D of this Section"

AMENDMENT NO. 3

On page 19, line 6, change "toxins" to "toxics"

AMENDMENT NO. 4

On page 37, line 6, after "regulations", insert a comma

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed House Bill No. 1582 by Representatives Damico, et al.

AMENDMENT NO. 1

On page 8, line 1, after "D." insert the following:

"Notwithstanding any other provision of this subtitle to the contrary, this Subsection shall be complied with prior to or concurrent with the proposal of any rule."

AMENDMENT NO. 2

On page 41, line 8, after "located." insert the following:

"The permittee shall file with the secretary two extra copies of each application, with one copy to be provided to the first intervenor and the other copy to be used by the office to allow for public access and inspection of the application."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	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	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinot	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Alexander	Kennard	Strain
Donelon	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1583—

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

AN ACT

To amend and reenact R.S. 30:2015(E), 2054(B)(2)(a), 2055, 2075, 2075.3(A)(2)(a), 2109(A), 2187(A)(introductory paragraph), (1), (2), and (3), 2195(B), 2195.3(A)(11), and 2225(F)(1) and to repeal R.S. 30:2053(2) and 2201, relative to the Department of Environmental Quality; to provide relative to certain provisions containing departmental references, terms, and requirements; to revise and repeal certain provisions, procedures, terms, references, and requirements; to provide

relative to Tank Trust Fund fees retained by a bulk facility operator; and to provide for related matters.

Called from the calendar.

Read by title.

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. 1583 by Representative Damico

AMENDMENT NO. 1

On page 6, line 11, following "can" and before "be" delete "only"

AMENDMENT NO. 2

On page 6, line 12, following "fee" and before "remitted" change "is" to "are"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	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	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Alexander	Kennard	Strain
Donelon	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1591—

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

AN ACT

To amend and reenact R.S. 30:2285.1(A), relative to the Department of Environmental Quality; to provide relative to voluntary remedial actions; to provide relative to public notice and public hearings; to provide certain procedures and requirements; to provide for notice to adjoining landowners; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	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	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Alexander	Kennard	Strain
Donelon	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2007—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2117(A) and to enact R.S. 30:2103(14), (15), (16), relative to radioactive waste disposal; to prohibit all commercial disposal of high-level and low-level radioactive wastes; to define certain types of radioactive wastes; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Damico moved that House Bill No. 2007 be designated as a duplicate of Senate Bill No. 1041.

Which motion was agreed to.

Motion

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

HOUSE BILL NO. 962—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 56:1850(A)(7), relative to rules and regulations for the Scenic and Natural Rivers Act; to delete authority to regulate houseboats docked on the river for longer than thirty consecutive days; to provide for refund of payments made to the Department of Wildlife and Fisheries relative to regulations of houseboats docked for longer than thirty consecutive days; and to provide for related matters.

Called from the calendar.

Read by title.

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. 962 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 15, following "Act" delete the comma ","

AMENDMENT NO. 2

On page 1, line 16, before "to implement" delete "R.S. 49:950 et seq.,"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed House Bill No. 962 by Representative Walsworth

AMENDMENT NO. 1

On page 1, line 3, after "Act;" delete the remainder of the line and delete line 4 in its entirety and insert in lieu thereof "to provide relative to regulation of houseboats located on scenic rivers; to require promulgation of rules;"

AMENDMENT NO. 2

On page 2, line 4, after "bulkheads," insert "houseboats,"

AMENDMENT NO. 3

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

"Section 2. The Department of Wildlife and Fisheries shall advertise and promulgate under the provisions of the Administrative Procedure Act rules by which houseboats located on scenic rivers shall be regulated under the Natural and Scenic Rivers program. In order to become effective, such rules and regulations shall be approved by the House and Senate committees on Natural Resources. Until such time as the rules have been approved by the House and Senate committees on Natural Resources, no fines or penalties shall be levied or collected."

AMENDMENT NO. 4

On page 2, line 7, change "Section 2." to "Section 3."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kenney	Smith, J.R.—30th
Clarkson	Lancaster	Sneed
Copelin	Landrieu	Theriot
Crane	LeBlanc	Thompson
Curtis	Long	Thornhill

Damico	Marionneaux	Toomy
Daniel	Martiny	Travis
Deville	McCain	Triche
Diez	McCallum	Waddell
Doerge	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—94		

NAYS

Total—0

ABSENT

Alexander	Holden	Mitchell
DeWitt	Jetson	Stelly
Donelon	Kennard	Strain
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Walsworth 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. 1684—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 30:2194(B)(11), relative to underground storage tanks; to provide for the definition of "third party claim"; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Pratt
Alario	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kenney	Smith, J.R.—30th
Clarkson	Lancaster	Sneed
Copelin	Landrieu	Theriot
Crane	LeBlanc	Thompson

Curtis	Long	Thornhill
Damico	Marionneaux	Toomy
Daniel	Martiny	Travis
Deville	McCain	Triche
DeWitt	McCallum	Waddell
Diez	McDonald	Walsworth
Doerge	McMains	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Farve	Morrell	Wiggins
Faucheux	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Hammett	Powell	
Total—94		

NAYS

Total—0

ABSENT

Alexander	Fruge	Michot
Donelon	Jetson	Stelly
Flavin	Kennard	Strain
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1875—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 30:2195.4(A)(2) and (3), relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide for procedures for disbursement of money from the Fund; to provide a time limit on submittal of claims for reimbursement from the fund; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Martiny 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
Ansardi	Heaton	Powell
Barton	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann

Clarkson	Jetson	Shaw
Copelin	Johns	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Curtis	Lancaster	Sneed
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright

Total—99

NAYS

Total—0

ABSENT

Alexander	Stelly
Kennard	Strain

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 271—
BY REPRESENTATIVES PRATT, DURAND, AND WILKERSON
AN ACT

To enact Chapter 46 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2611 through 2614, relative to obesity prevention and management; to create the Louisiana Council on Obesity Prevention and Management; to provide for legislative findings and intent; to provide for powers, duties, and functions of the council; to provide for membership of the council; to provide for funding; to provide for termination of the council; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pratt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Odinet
Ansardi	Guillory	Pierre
Barton	Hammett	Pratt
Baylor	Heaton	Quezairé
Chaisson	Holden	Romero
Clarkson	Hudson	Salter
Copelin	Hunter	Schwegmann

Curtis	Jetson	Smith, J.R.—30th
Damico	Johns	Thornhill
DeWitt	Landrieu	Triche
Doerge	Long	Warner
Dupre	McCain	Welch
Durand	McCallum	Weston
Farve	Mitchell	Wilkerson
Flavin	Montgomery	Willard
Frith	Morrell	
Glover	Murray	

Total—49

NAYS

Baudoin	Kennard	Schneider
Bowler	Kenney	Shaw
Bruneau	Lancaster	Smith, J.D.—50th
Carter	Marionneaux	Sneed
Crane	Martiny	Theriot
Daniel	McDonald	Thompson
Deville	McMains	Toomy
Diez	Michot	Waddell
Faucheux	Morrish	Walsworth
Fontenot	Nevers	Wiggins
Fruge	Perkins	Windhorst
Gautreaux	Pinac	Winston
Hebert	Powell	Wooton
Hill	Riddle	Wright
Jenkins	Scalise	

Total—44

ABSENT

Mr. Speaker	Hopkins	Strain
Alexander	Iles	Travis
Bruce	LeBlanc	
Donelon	Stelly	

Total—10

The Chair declared the above bill failed to pass.

HOUSE BILL NO. 1059—
BY REPRESENTATIVES MCMAINS, DEWITT, AND DOWNER AND
SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Article 591(B)(3)(introductory paragraph) and (C) and to enact Code of Civil Procedure Article 592(B)(4), relative to class actions; to provide for requirements of class action certification; to provide for requirements for maintaining a class action; to provide for certification procedures; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 307—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:414(D)(1)(a) and to enact R.S. 32:414(O), relative to the operation of a motor vehicle while under the influence of alcoholic beverages, narcotic drugs, or certain stimulants; to provide with regard to the suspension of driving privileges for fourth and subsequent offenses; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 352—

BY REPRESENTATIVES TRAVIS, LONG, AND THOMPSON
AN ACT

To amend and reenact R.S. 51:1286(C)(1)(introductory paragraph) and to repeal R.S. 51:1286(C)(3), relative to the Louisiana Tourism Promotion District; to remove the limitation on the amount of the proceeds of the sales and use tax levied by the district which are to be used for costs of collection of the tax and for the promotion of tourism; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 932—

BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Civil Code Articles 946, 965, 1416, 1575, 1577, and 1597, all as amended by Act No. 1421 of 1997 Regular Session and 1617 through 1624 and 1710, and to enact Civil Code Article 1580.1, relative to successions; to provide relative to the devolution of succession rights of a successor declared unworthy; to provide relative to accretion upon renunciation in testate successions; to provide relative to liability of universal successors to creditors; to provide relative to olographic testaments and requirements of form; to provide relative to notarial testament of testator unable to hear and read; to provide relative to loss, extinction, or destruction of property given; to provide grounds for revocation of testamentary dispositions; to provide for disinheritance of forced heirs; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 13, 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. 207
Returned without amendments.

House Concurrent Resolution No. 208
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 13, 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 Bills:

Senate Bill Nos. 38, 329, 332, 418, 447, and 693

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

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

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. 54—

BY REPRESENTATIVES DOWNER AND CURTIS
A RESOLUTION

To express the condolences and heartfelt sorrow of the House of Representatives of the Legislature of Louisiana to the family of Ms. Lenora Drake, devoted mother, grandmother, and friend of many.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 209—

BY REPRESENTATIVE WINSTON
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Bobby H. Fletcher, Sr. of Covington.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 210—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the boards of trustees of all state and statewide public retirement systems to establish an internship program for undergraduate college students who would not ordinarily have an opportunity to work directly in administrative or managerial positions in major corporations and allow such students to be exposed to the administrative and managerial functions involved in the business and financial aspects of the retirement industry.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

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

May 13, 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. 64, by Downer
Reported favorably. (8-0)

House Concurrent Resolution No. 74, by Farve
Reported favorably. (7-0)

House Bill No. 18, by Farve
Reported with amendments. (7-0) (Regular)

House Bill No. 786, by Dupre
Reported with amendments. (8-0) (Regular)

House Bill No. 1020, by McCain
Reported with amendments. (8-0) (Regular)

House Bill No. 1664, by Windhorst
Reported with amendments. (9-0) (Regular)

House Bill No. 1666, by DeWitt
Reported favorably. (5-3-1) (Regular)

House Bill No. 1749, by Gautreaux
Reported with amendments. (4-3) (Regular)

House Bill No. 1847, by Durand
Reported favorably. (8-0) (Regular)

House Bill No. 1906, by Montgomery
Reported favorably. (7-0) (Regular)

STEPHEN J. WINDHORST
Chairman

Report of the Committee on Education

May 13, 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 Concurrent Resolution No. 203, by Long
Reported favorably. (12-0)

House Bill No. 1614, by Pratt
Reported with amendments. (13-0) (Regular)

House Bill No. 1955, by Hunter
Reported with amendments. (7-5) (Regular)

House Bill No. 2111, by Hebert
Reported with amendments. (8-4) (Regular)

House Bill No. 2154, by Daniel
Reported favorably. (10-2) (Regular)

House Bill No. 2248, by Hebert
Reported with amendments. (8-4) (Regular)

Senate Bill No. 1000, by Hollis
Reported favorably. (12-0) (Regular)

Senate Bill No. 1019, by Hollis
Reported favorably. (12-0) (Regular)

CHARLES MCDONALD
Chairman

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

Report of the Committee on Health and Welfare

May 13, 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 Concurrent Resolution No. 150, by Clarkson
Reported favorably. (10-0)

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

House Bill No. 1540, by Copelin
Reported with amendments. (9-0) (Regular)

House Bill No. 1801, by McDonald
Reported with amendments. (10-0) (Regular)

House Bill No. 1867, by Alexander
Reported with amendments. (10-0) (Regular)

House Bill No. 1891, by Morrell
Reported favorably. (7-3) (Regular)

House Bill No. 2126, by Johns
Reported with amendments. (10-0) (Regular)

RODNEY ALEXANDER
Chairman

**Report of the Committee on
House and Governmental Affairs**

May 13, 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:

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House Bill No. 657, by DeWitt (Joint Resolution)
Reported by substitute. (7-4)

CHARLES LANCASTER
Chairman

Leave of Absence

Rep. Strain - 1 day

Adjournment

On motion of Rep. Bruneau, at 5:05 P.M., the House agreed to adjourn until Friday, May 14, 1999, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, May 14, 1999.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*