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

THIRD DAY’S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, April 29, 1998

The House of Representatives was called to order at 4:00 P.M.,
by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Bayor
Bowler
Bruce
Bruneau
Carter
Chaisson
Clarkson
Copelin
Crane
Curtis
Damico
Daniel
Deville
DeWitt
Diez
Dimos
Donelon
Dupre
Durand
Farve
Faucheux
Flavin

Guillory
Hammett
Heaton
Hebert
Hill
Holden
Hopkins
Hudson
Hunter
Iles
Jenkins
Jetson
Johns
Kennard
Kenney
Lancaster
Landrieu
LeBlanc
Long
Marionneaux
Martiny
McCain
McCallum
McDonald
McMains
Michot
Mitchell
Montgomery
Morrell

Powell
Pratt
Quezaire
Riddle
Romero
Rousselle
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Theriot
Thomas
Thompson
Thornhill
Toomy
Travis
Triche
Vitter
Waddell
Walsworth
Warner
Welch
Weston
Wiggins
Willard

ABSENT

Strain

Total—2

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

Prayer

Prayer was offered by Rev. Robert Martin.

Pledge of Allegiance

Rep. Baylor 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 April 28, 1998,
was adopted.

Privileged Report of the Committee on Enrollment

April 29, 1998

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 7—
BY REPRESENTATIVES MCDONALD, CRANE, KENNEY, AND SHAW
A RESOLUTION

To commend Ricky Rodger Bell, Jr., Yolanda Collins, Damien
Delrie, Malinda Anne DeBusk, Jerry Patrick Gunn-Ford,
Allyson Teresa Haar, Stacy Hendricks, Michael Lance Timpa,
Travis Alexander Torrance, and Thomas Nathan Veade for
receiving the Louisiana Young Heroes awards.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

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. 9—
BY REPRESENTATIVE CLARKSON
A RESOLUTION
To commend David Michael Lipka on the occasion of his twenty-first birthday.

Read by title.

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

Introduction of House Bills
and Joint Resolutions

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

HOUSE BILL NO. 248—
BY Representative ALARIO
AN ACT
To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

Read by title.

HOUSE BILL NO. 249—
BY REPRESENTATIVE WINDHORST
AN ACT
To repeal the authority for the operation of a land-based casino and to provide for related matters.

Read by title.

HOUSE BILL NO. 250—
BY REPRESENTATIVE DIEZ
AN ACT
To amend and reenact R.S. 47:820.4, 820.5(A), (B)(introductory paragraph), (1), and (2), and 820.5.1(A) and to repeal R.S. 47:820.5(B)(4), relative to tolls on certain bridges; to extend the collection of tolls on certain bridges; to provide for use of toll proceeds; to provide for automatic vehicular identification tag distribution centers; to provide for certain audits and reports; and to provide for related matters.

Read by title.

HOUSE BILL NO. 251—
BY REPRESENTATIVE MURRAY
AN ACT
To enact R.S. 33:2740.38, relative to taxes levied by certain municipalities; to authorize certain municipalities to levy a tax, subject to voter approval, on the retail sale of alcoholic beverages sold by certain establishments for consumption on premises; to provide relative to the use of such tax; to provide relative to the levy of an amusement tax in such municipalities; 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. 18—
BY REPRESENTATIVE HAMMETT
A CONCURRENT RESOLUTION
To create a special committee to study and make recommendations with respect to the problems of funding and work overloads of Louisiana’s probation and parole officers and to consider the possible transfer of probation supervision to local judicial districts.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVE THERIOT
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to erect appropriate signage on certain Louisiana highways designating a route for the “Mississippi River Trail” for cycling.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATORS THEUNISSEN AND CASANOVA AND REPRESENTATIVE PINAC
A CONCURRENT RESOLUTION
To designate May 5, 1998, as “FFA Day” at the Louisiana Legislature.

Read by title.

On motion of Rep. Pinac, and under a suspension of the rules, the resolution was concurred in.
House Bills and Joint Resolutions on Second Reading to be Referred

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

**HOUSE BILL NO. 246—**
**BY REPRESENTATIVE THOMPSON**
**AN ACT**
To enact R.S. 47:297(L), relative to the individual income tax; to provide a credit from the tax for full-time or part-time certificated public elementary and secondary school classroom teachers who purchase classroom supplies and teaching aids with personal income; 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 Ways and Means.

**HOUSE BILL NO. 247—**
**BY REPRESENTATIVE THOMPSON**
**AN ACT**
To amend and reenact R.S. 51:2453(2) and 2461(A) and (B) and to repeal R.S. 51:2453(9)(a)(iv), relative to the Louisiana Quality Jobs Program Act; to change the definition of "new direct job"; to extend the date by which the Department of Economic Development shall submit a report regarding fiscal impact and new jobs created; to extend the date beyond which no new applications to receive tax credits shall be approved; to delete provision prohibiting the possible determination of more than one subunit of an entity as an establishment for purposes of qualifying under the act; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 153—**
**BY REPRESENTATIVE WINDHORST**
**AN ACT**
To amend and reenact R.S. 40:1485.4(2)(introductory paragraph), (a), and (b), relative to the Charitable Raffles, Bingo, and Keno Licensing Law; to provide with respect to certain charitable gaming taxes; and to provide for related matters.

Called from the calendar.

Read by title.

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

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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. 18—**
**BY REPRESENTATIVES DOWNER, BRUNEAU, LANCASTER, AND HUNTER AND SENATORS EWING, BAGNERIS, BARHAM, AND DARDEEN**
**AN ACT**
To appropriate the sum of Forty-one Million One Hundred Forty-three Thousand Six Hundred Twenty-five and No/100 ($41,143,625.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Six Million Seven Hundred Forty-seven Thousand Eighty-five and No/100 ($6,747,085.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Original House Bill No. 18 by Representatives Downer, et al.

**AMENDMENT NO. 1**
On page 1, line 2, after "sum of" delete the remainder of the line and delete line 3 in its entirety and insert: "Forty-one Million One Hundred Forty-three Thousand Six Hundred Twenty-five and No/100 ($41,143,625.00) Dollars,"

**AMENDMENT NO. 2**
On page 1, at the beginning of line 5, delete "and to appropriate" and insert "and"

**AMENDMENT NO. 3**
On page 1, line 6, between "Dollars" and "the state" delete "from" and insert "out of"

**AMENDMENT NO. 4**
On page 1, line 7, after "Fund" insert a comma "," and delete the remainder of the line

**AMENDMENT NO. 5**
On page 1, at the beginning of line 8 delete "appropriate" and insert: "and the sum of Six Million Seven Hundred Forty-seven Thousand Eighty-five and No/100 ($6,747,085.00) Dollars out of"

**AMENDMENT NO. 6**
On page 1, line 14, after "sum of" delete the remainder of the line and delete line 15 in its entirety and insert: "Forty-one Million One Hundred Forty-three Thousand Six Hundred Twenty-five and No/100 ($41,143,625.00) Dollars, or so"

**AMENDMENT NO. 7**
On page 1, line 17, between "general fund" and "to defray" insert a comma "," and the sum of Six Million Seven Hundred Forty-seven Thousand Eighty-five and No/100 ($6,747,085.00) Dollars is hereby appropriated out of self-generated funds,"

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

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.
Under the rules, placed on the regular calendar.

HOUSE BILL NO. 126—
BY REPRESENTATIVES ALARIO, DEWITT, DOWNER, AND MCMAINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND ROMERO
AN ACT
To enact R.S. 47:302(N) and 331(L), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 10—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Transportation, Highways and Public Works of the preliminary strategic plan of the Department of Transportation and Development.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 11—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Natural Resources of the preliminary strategic plan of the Department of Wildlife and Fisheries.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 12—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Natural Resources of the preliminary strategic plan of the Department of Natural Resources.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 13—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Labor and Industrial Relations of the preliminary strategic plan of the Louisiana Workforce Commission.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 14—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Labor and Industrial Relations of the preliminary strategic plan of the Department of Labor.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 15—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Insurance of the preliminary strategic plan of the Department of Insurance.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 16—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on House and Governmental Affairs of the preliminary strategic plan of the Department of State.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 17—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Health and Welfare of the preliminary strategic plan of the Department of Social Services.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 18—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Health and Welfare of the preliminary strategic plan of the Department of Health and Hospitals.

Read by title.

Lies over under the rules.
Lies over under the rules.

HOUSE RESOLUTION NO. 26—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Administration of Criminal Justice of the preliminary strategic plan of the Department of Public Safety and Corrections - Corrections Services.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 27—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Ways and Means of the preliminary strategic plan of the Department of Revenue.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 28—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Transportation, Highways and Public Works of the preliminary strategic plan of the office of motor vehicles within the Department of Public Safety and Corrections - Public Safety Services.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 29—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Judiciary of the preliminary strategic plan of the Department of Justice.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 30—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Judiciary of the preliminary strategic plan of the Department of Public Safety and Corrections - Public Safety Services, excluding the office of motor vehicles.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 31—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Judiciary of the preliminary strategic plan of the Department of Justice.

Read by title.

Lies over under the rules.
HOUSE RESOLUTION NO. 32—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on House and Governmental Affairs of the preliminary strategic plan of the Department of Civil Service.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 33—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on House and Governmental Affairs of the preliminary strategic plan of the Department of Elections and Registration.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 34—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Environment of the preliminary strategic plan of the Department of Environmental Quality.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 35—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Commerce of the preliminary strategic plan of the office of tourism within the Department of Culture, Recreation and Tourism.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 36—
BY REPRESENTATIVES LEBLANC AND DOWNER
A RESOLUTION
To formalize the review by the House Committee on Appropriations of the preliminary strategic plan of the Department of Treasury.

Read by title.

Lies over under the rules.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended to permit the Committee on Appropriations to meet at adjournment on Thursday, April 30, 1998.

Leave of Absence

Rep. Wilkerson - 1 day

Rep. Strain - 1 day

Adjournment

On motion of Rep. Quezaiire, at 4:40 P.M., the House agreed to adjourn until Thursday, April 30, 1998, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, April 30, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, Emeritus