

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

Fontenot	Morrish	Winston
Frith	Murray	Wright
Fruge	Odinot	
Gautreaux	Perkins	
Glover	Pierre	
Green	Pinac	
Total—102		

ABSENT

Strain	Wilkerson
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 RESOLUTION NO. 8—**  
BY REPRESENTATIVE PIERRE  
A RESOLUTION

To urge and request the office of financial institutions to study and make recommendations as to the possibility of regulating or further regulating the check cashing, rent-to-own, and payday loan industries.

Read by title.

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

**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 install a traffic light at the intersection of Louisiana Highway 1 and the access road to Louisiana Highway 3235 in Cut Off, Louisiana, Lafourche Parish.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 21—**  
BY REPRESENTATIVE MICHOT  
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 Resolutions**

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

**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.

### 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  
DARDENNE  
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, or so much thereof as may be necessary, out of the state general fund and the sum of Three

Hundred Fifty Thousand and No/100 (\$350,000.00) 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 "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.

**HOUSE RESOLUTION NO. 19—**

BY REPRESENTATIVES LEBLANC AND DOWNER  
A RESOLUTION

To formalize the review by the House Committee on Education of the preliminary strategic plan of the Department of Education.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 20—**

BY REPRESENTATIVES LEBLANC AND DOWNER  
A RESOLUTION

To formalize the review by the House Committee on Commerce of the preliminary strategic plan of the Department of Public Service.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 21—**

BY REPRESENTATIVES LEBLANC AND DOWNER  
A RESOLUTION

To formalize the review by the House Committee on Commerce of the preliminary strategic plan of the Department of Economic Development.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 22—**

BY REPRESENTATIVES LEBLANC AND DOWNER  
A RESOLUTION

To formalize the review by the House Committee on Agriculture of the preliminary strategic plan of the Prison Enterprise Programs.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 23—**

BY REPRESENTATIVES LEBLANC AND DOWNER  
A RESOLUTION

To formalize the review by the House Committee on Agriculture of the preliminary strategic plan of the Department of Agriculture and Forestry.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 24—**

BY REPRESENTATIVES LEBLANC AND DOWNER  
A RESOLUTION

To formalize the review by the House Committee on Appropriations of the preliminary strategic plan of the Executive Department.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 25—**

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 Louisiana State Police Gaming Enforcement Division.

Read by title.

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 Municipal, Parochial and Cultural Affairs of the preliminary strategic plan of the Department of Culture, Recreation and Tourism, excluding the office of tourism.

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.

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## **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. Quezaire, 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*