

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

**FOURTEENTH 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

Thursday, May 21, 1998

The House of Representatives was called to order at 1:00 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	Hammett	Pratt
Alario	Heaton	Quezairé
Alexander, A.—93rd	Hebert	Riddle
Alexander, R.—13th	Hill	Romero
Ansardi	Holden	Rousselle
Barton	Hopkins	Salter
Baudoin	Hudson	Scalise
Baylor	Hunter	Schneider
Bowler	Iles	Schwegmann
Bruce	Jenkins	Shaw
Bruneau	Jetson	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Chaisson	Kennard	Stelly
Clarkson	Kenney	Strain
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
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	Odinot	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

ABSENT

Daniel  
Total—1

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Sgt. Joseph B. Day.

**Pledge of Allegiance**

Rep. Carter 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. Kenney, the reading of the Journal was dispensed with.

On motion of Rep. Kenney, the Journal of May 20, 1998, was adopted.

**Petitions, Memorials and  
Communications**

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

**Privileged Report of the Committee on Enrollment**

May 21, 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. 1—**  
BY REPRESENTATIVE DIMOS

A RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the Civil Law and Procedure Committee relative to the requirement of fault as a prerequisite to a divorce.

**HOUSE RESOLUTION NO. 3—**  
BY REPRESENTATIVE WINDHORST

A RESOLUTION

To amend and readopt House Rule 13.2 of the Rules of Order of the House of Representatives to provide relative to suspension of the rules and the vote required to return to the Rules of Order of the House of Representatives.

**HOUSE RESOLUTION NO. 45—**  
BY REPRESENTATIVES MONTGOMERY, BRUNEAU, COPELIN, GREEN, LANCASTER, LEBLANC, SHAW, WINDHORST, WADDELL, AND HUDSON

A RESOLUTION

To amend and readopt House Rules 1.2(E), (H), (I), and (J), 2.5(12), 2.10(A)(4), (7), (10), (12), (15), and (16), 3.1, 3.2, 3.3, 3.5(A), (C), and (D), 4.5(C), 6.3(C), 6.5(A), 6.13(A), 6.14, 6.15, 6.16,

6.34, 7.6, 7.8, 7.9, 7.11(A), 7.15, 7.16(A), 8.6, 8.16, 8.18, 8.20, 8.21, 8.22, 8.23, 8.24, 8.25, 9.9, 9.10(H), 9.11(C), 9.12, 9.14(A) and (C)(16), 10.1, 10.3(A) and (C), 10.6, 11.4(B), 12.3, 14.1, 14.2(20), 14.7, 14.9, 14.13(A), 14.15, 14.17, 14.18(B), 14.21(A), 14.23, 14.24(B), 14.26, 14.39, 14.45, 14.49(B), 14.50, 14.52, and 14.53, to adopt House Rules 6.37(C), 8.2(A)(7), 8.21.1, and 8.27, and to repeal House Rules 1.2(G), 2.10(A)(14), 2.11, 4.9, 6.17, 6.30, 6.31, 9.14(C)(12), 14.3, 14.16, 14.27, 14.35, and 14.46 of the Rules of Order of the House of Representatives, to provide for a general revision of the Rules of Order of the House of Representatives.

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.

**Privileged Report of the Committee on Enrollment**

May 21, 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 Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 63—**  
BY REPRESENTATIVE CLARKSON

**A CONCURRENT RESOLUTION**

To commend Margaret Bass "Meg" Alsfeld upon the occasion of her graduation from eighth grade.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

May 21, 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 Bills have been properly enrolled:

**HOUSE BILL NO. 43—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To enact R.S. 47:287.95(J), relative to the corporation income tax; to provide for common paymaster situations with respect to salary, wages, and other compensation; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 44—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 47:1031, relative to the natural gas franchise tax; to provide that the tax is imposed on the exercise of a corporation franchise or charter or the continuance of such franchise or charter; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 109—**  
BY REPRESENTATIVES ALARIO  
AN ACT

To enact R.S. 47:606(F), relative to corporation franchise tax; to provide for the allocation of property and net sales when a corporation merges; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 226—**  
BY REPRESENTATIVE MCDONALD AND SENATOR BARHAM  
AN ACT

To repeal R.S. 47:7, Subpart C-1 of Part 1 of Chapter 1 of Subtitle II of the Louisiana Revised Statutes of 1950, composed of R.S. 47:85 through 89, 284, 305(C)(1), 305.12, 305.21, 305.24, 305.27, 305.29, 305.34, 305.35, 317, 614, 615, 633.1(A), (B), and (D), 644, 648.11, 868(A), 1009, 1039, and Chapter 16 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, composed of R.S. 47:1301 through 1351, relative to certain tax dedications, exemptions, credits, and special rate taxes; to repeal certain dedications; to repeal certain tax exemptions, credits, and special rate severance taxes for which an exclusion has been enacted or which are no longer effective because of their terms; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

May 21, 1998

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 No. 5

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate****SENATE BILLS**

May 21, 1998

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. 41, 64, 103, and 119

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Marionneaux, the rules were suspended in order to take up the resolutions 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. 41—**

BY SENATOR GREENE

AN ACT

To enact R.S. 47:306(B)(10), relative to taxation; to exempt drop shipment sales by a manufacturer to a wholesaler without a "W" number if the property is subsequently transferred to a wholesaler with a "W" number; to provide for evidence of such sale; and to provide for related matters.

Read by title.

**SENATE BILL NO. 64—**

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 47:305.41 and 305.43(A), relative to sales taxation of Bass Life; to provide an exemption from state and local sales and use tax for Bass Life or any of its chapters; and to provide for related matters.

Read by title.

**SENATE BILL NO. 103—**

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 47:820.4, relative to funding; to provide for the duration of the TIMED program; to provide relative to the refunding of bonds issued for such program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 119 (Substitute for Senate Bill No. 113 By Senator Schedler)**

BY SENATOR SCHEDLER AND REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 47:305(D)(1)(s), relative to the exemption for medical devices used by the patient; to provide relative to such exemption and application thereof; to provide

for the effect of the Act; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 67—**

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To commend Mr. David Bartholomew whose talents helped make Fats Domino world famous and to recognize him as one of the best trumpeters, bandleaders, and songwriters in New Orleans history.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Judiciary**

May 21, 1998

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 21, by Hines  
Reported favorably. (6-0-1)

JOSEPH F. TOOMY  
Chairman

**Report of the Committee on Municipal, Parochial and Cultural Affairs**

May 21, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 77, by Hammett (Joint Resolution)  
Reported with amendments. (7-0-1) (Local and consent)

House Bill No. 289, by Johns  
Reported with amendments. (7-1-1) (Local and consent)

House Bill No. 290, by DeWitt  
Reported with amendments. (8-0-1) (Local and consent)

SHARON WESTON  
Chairman

**Report of the Committee on Appropriations**

May 20, 1998

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 20, 1998, I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 2, by Alario  
Reported with amendments. (14-0) (Regular)

House Bill No. 299, by LeBlanc  
Reported with amendments. (11-0) (Regular)

JERRY LUKE LEBLANC  
Chairman

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**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. 2—**  
BY REPRESENTATIVES ALARIO, LEBLANC, AND DOWNER AND SENATORS BARHAM AND HAINKEL  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

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. 2 by Representative Alario

AMENDMENT NO. 1

On page 7, after line 24, insert the following:

"In accordance with the cash management plan adopted pursuant to R.S. 48:251(D) and the provisions of Act 161 of the 1998 First Extraordinary Session, the Department of Transportation and Development is authorized to enter into contracts or agreements for construction of projects approved pursuant to the Highway Priority Program, Airport Construction and Development Priority Program, Port Construction and Development Priority Program, and Statewide Flood Control Program for projects bid and awarded, authorized, or commenced during the fiscal year which do not require cash expenditures for the full contract or agreement amount."

AMENDMENT NO. 2

On page 8, delete line 7 in its entirety.

AMENDMENT NO. 3

On page 8, line 38, change "\$21,970,000" to "\$16,970,000"

AMENDMENT NO. 4

On page 8, delete line 43 in its entirety.

AMENDMENT NO. 5

On page 9, line 8, change "\$15,640,000" to "\$10,640,000"

AMENDMENT NO. 6

On page 12, delete line 11 in its entirety.

AMENDMENT NO. 7

On page 14, line 39, change "\$5,100,000" to "\$3,763,148"

AMENDMENT NO. 8

On page 16, delete lines 7 through 10 in their entirety.

AMENDMENT NO. 9

On page 17, between lines 31 and 32, insert the following:

**"01/130 DEPT OF VETERANS AFFAIRS**

- (524) Northwest La. War Vets Home,  
Planning and Construction  
(Bossier)  
Payable from Federal Funds \$ 9,362,595
- (525) Southeast La. War Vets Home,  
Planning and Construction  
(St. Bernard)  
Payable from Federal Funds \$ 9,362,595

**ELECTED OFFICIALS**

**04/139 SECRETARY OF STATE**

- (15) State Archives Building Repairs,  
Renovations, and Addition, Planning  
and Construction  
(East Baton Rouge)  
Payable from Fees and Self -  
Generated Revenues \$ 175,000
- (19) Caddo Pine Island Oil Museum,  
Installation of Central A/C System  
for Exhibit Building, Exhibit Design  
and Construction and Land Acquisition  
(Caddo)  
Payable from State General Fund (Direct) \$ 100,000"

AMENDMENT NO. 10

On page 17, between lines 34 and 35, insert the following:

- "(1702 ) Red River Raceway  
Infrastructure Improvements  
(Caddo)  
Payable from State General Fund (Direct) \$ 535,000

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Capital Outlay Committee pursuant to R.S. 39:112."

AMENDMENT NO. 11

On page 21, between lines 39 and 40, insert the following:

"(1592) New Orleans Visitors Welcome Center  
Renovations, Planning, and Construction  
(Orleans)  
Payable from the balance of State General  
Fund (Direct) cash previously appropriated  
in Act 479 of 1995 for Office of State  
Museum for Old U.S. Mint, Presbytere,  
1850 House UV Protection,  
Construction (Orleans) \$ 120,000"

AMENDMENT NO. 12

On page 22, delete lines 11 through 14 in their entirety.

AMENDMENT NO. 13

On page 24, delete line 33 in its entirety and insert in lieu thereof "Funds)(Up"

AMENDMENT NO. 14

On page 24, delete line 38 in its entirety.

AMENDMENT NO. 15

On page 24, delete line 42 and insert the following:

"Fund - Regular	\$ 130,800,000
Payable from Transportation Trust	
Fund - Regular from unspent cash	
balances appropriated in previous years	<u>\$ 9,900,000"</u>

AMENDMENT NO. 16

On page 24, line 43, change "\$507,700,000" to "\$492,700,000"

AMENDMENT NO. 17

On page 24, between lines 43 and 44, insert the following:

"Provided, however, that the Department of Transportation and Development is authorized to implement or commence projects approved in this program for Fiscal Year 1998-1999 identified for phased funding pursuant to the cash management plan established pursuant to R.S. 48:251(D), to provide funding for said projects on an as-needed basis by utilizing unspent cash balances appropriated to prior years programs, which funds when combined with current appropriations will provide sufficient appropriated funds to award contracts."

AMENDMENT NO. 18

On page 25, line 29, after "Program" delete the remainder of the line and delete lines 30 through 35 in their entirety.

AMENDMENT NO. 19

On page 25, line 38, change "\$100,000" to "\$10,000,000"

AMENDMENT NO. 20

On page 25, between lines 38 and 39, insert the following:

"Provided, however, that the Department of Transportation and Development is authorized to implement or commence projects approved in this program for Fiscal Year 1998-1999 in an amount not to exceed \$24.5 million; and, pursuant to the cash management plan established pursuant to R.S. 48:251(D) and under the funding obligation authority authorized by Act 161 of the First Extraordinary Session of 1998, to provide funding for said projects on an as-needed basis by utilizing unspent cash balances appropriated to prior years programs, which funds when combined with current appropriations will provide sufficient appropriated funds to implement, authorize, or commence projects."

AMENDMENT NO. 21

On page 25, line 39, after "Program" delete the remainder of the line and delete lines 40 through 45 in their entirety.

AMENDMENT NO. 22

On page 25, after line 48, insert the following:

"Provided, however, that the Department of Transportation and Development is authorized to implement or commence projects approved in this program for Fiscal Year 1998-1999 in an amount not to exceed \$10 million; and, pursuant to the cash management plan established pursuant to R.S. 48:251(D), to provide funding for said projects on an as-needed basis by utilizing unspent cash balances appropriated to prior years programs, which funds when combined with current appropriations will provide sufficient appropriated funds to implement, authorize, or commence projects."

AMENDMENT NO. 23

On page 26, between lines 24 and 25, insert the following:

"Payable from State General Fund (Direct)	\$ 250,000"
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AMENDMENT NO. 24

On page 28, line 14, between "2" and "Sub-District", insert "Headquarters and"

AMENDMENT NO. 25

On page 28, between lines 35 and 36, insert "(\$5,000,000 Local Match)"

AMENDMENT NO. 26

On page 28, delete lines 37 and 38 in their entirety.

AMENDMENT NO. 27

On page 28, line 45, change "\$10,600,000" to "\$5,600,000"

AMENDMENT NO. 28

On page 28, between lines 45 and 46, insert the following:

"Provided, however, that the Department of Transportation and Development is authorized to implement or commence projects approved in this program for Fiscal Year 1998-1999 in an amount not to exceed \$5.1 million; and, pursuant to the cash management plan established pursuant to R.S. 48:251(D), to provide funding for said projects on an as-needed basis by utilizing unspent cash balances appropriated to prior years programs, which funds when combined with current appropriations will provide sufficient appropriated funds to implement, authorize, or commence projects."

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## AMENDMENT NO. 29

On page 32, between lines 34 and 35, insert the following:

"Provided, however, that funding for this project is hereby authorized to be used by the Department of Public Safety and Corrections, Corrections Services, as state matching funds as may be required for project participation under the Violent Crime Control and Law Enforcement Act of 1994."

## AMENDMENT NO. 30

On page 37, line 35, change "Refurbishment" to "Construction and Refurbishment"

## AMENDMENT NO. 31

On page 38, delete lines 28 through 32 in their entirety.

## AMENDMENT NO. 32

On page 38, delete lines 38 through 41 in their entirety.

## AMENDMENT NO. 33

On page 42, delete lines 27 through 30 in their entirety.

## AMENDMENT NO. 34

On page 44, delete lines 29 through 34 in their entirety.

## AMENDMENT NO. 35

On page 45, delete lines 1 through 5 in their entirety.

## AMENDMENT NO. 36

On page 51, between lines 31 and 32, insert the following:

"(474) Replacement of Video Tape/Analog Storage Devices at LETA's Network Operations Center (Statewide)  
Payable from Federal Funds \$ 150,000"

## AMENDMENT NO. 37

On page 52, line 5, change "\$250,000" to "\$35,000"

## AMENDMENT NO. 38

On page 52, between lines 35 and 36, insert the following:

### **"19/742 T. H. HARRIS TECHNICAL COLLEGE**

(598) Land Acquisition (St. Landry)  
Payable from State General Fund (Direct) \$ 350,000"

## AMENDMENT NO. 39

On page 53, between lines 6 and 7, insert the following:

### **"19/772 NORTHWEST LOUISIANA TECHNICAL COLLEGE**

(572) Campus Relocation, Site Master Planning and Programming (Webster)  
Payable from State General Fund (Direct) \$ 100,000"

## AMENDMENT NO. 40

On page 53, between lines 19 and 20, insert the following:

### **"19/784 TALLULAH TECHNICAL COLLEGE**

(591) Health Occupations Facility, Planning and Construction (Madison)  
Payable from State General Fund (Direct) \$ 146,000"

## AMENDMENT NO. 41

On page 53, between lines 27 and 28, insert the following:

"(631) Fifth Circuit Court of Appeal Courthouse, Construction (Jefferson)  
Payable from Fees and Self-Generated Revenues \$ 500,000"

## AMENDMENT NO. 42

On page 53, between lines 37 and 38, insert the following:

"Payable from State General Fund by Interagency Transfers \$ 40,000,000"

The Commissioner of Administration is authorized to substitute funds for this appropriation from federal or other funds which become available except for General Obligation Bonds or State General Fund (Direct) and such funds shall be deemed appropriated in specific amounts as may be necessary and available for this project."

## AMENDMENT NO. 43

On page 54, between lines 2 and 3, insert the following:

"(1039) Eickes Canal Railroad and LA Highway 46 Crossings, Planning and Construction (St. Bernard)  
Payable from State General Fund (Direct) \$ 300,000"

## AMENDMENT NO. 44

On page 54, delete line 19, and insert in lieu thereof the following:

"Planning, Construction, Port Master Plan, Site Stabilization, Right of Way and Utilities"

## AMENDMENT NO. 45

On page 54, line 20, change "\$4,000,000" to "\$2,000,000"

## AMENDMENT NO. 46

On page 54, delete line 22 in its entirety.

## AMENDMENT NO. 47

On page 54, at the end of line 24, change "\$2,000,000" to "\$2,000,000"

## AMENDMENT NO. 48

On page 54, delete line 25 in its entirety.

## AMENDMENT NO. 49

On page 54, after line 38, insert the following:

**"36/P20 ST. BERNARD PORT**

- (1041) St. Bernard Port Facility  
Development, Planning, and  
Construction  
(St. Bernard)  
Payable from State General Fund (Direct) \$ 100,000"

AMENDMENT NO. 50

On page 56, between lines 1 and 2, insert the following:

- "(1422) Reconstruction of Moreauville/Plaqueville  
Road - Phase II, Planning and Construction  
(Avoyelles)  
Payable from State General Fund (Direct) \$ 450,000"

AMENDMENT NO. 51

On page 56, between lines 37 and 38, insert the following:

**"50/J12 CAMERON PARISH**

- (1240) Phase I - Jetty Fishing Pier Project,  
Planning and Construction  
(Cameron)  
Payable from State General Fund (Direct) \$ 47,500"

AMENDMENT NO. 52

On page 57, between lines 12 and 13, insert the following:

**"50/J23 IBERIA PARISH**

- (1308) Sewer Plant Access Road,  
Planning and Construction  
(Iberia)  
Payable from State General Fund (Direct) \$ 200,000"

AMENDMENT NO. 53

On page 57, between lines 13 and 14, insert the following:

- "(1194) Bayou Segnette Sports Complex Phase II,  
Planning and Construction  
(Jefferson)  
Payable from State General Fund (Direct) \$ 150,000"

AMENDMENT NO. 54

On page 57, between lines 21 and 22, insert the following:

- "(1215) Nine Mile Point - La 18 (Bridge City Ave.)  
Drainage Improvements  
(Jefferson)  
Payable from State General Fund (Direct) \$ 49,600"

- (1219) Southeast Louisiana Urban Flood Control  
Project (\$19,687,000 Local Match;  
\$11,000,000 Federal Match)  
(Jefferson)"

AMENDMENT NO. 55

On page 57, between lines 35 and 36, insert the following:

- "(1448) New County Agent Office,  
Planning and Construction  
(Jefferson Davis)  
Payable from State General Fund (Direct) \$ 53,000"

AMENDMENT NO. 56

On page 58, between lines 22 and 23, insert the following:

**"50/J31 LINCOLN PARISH**

- (1282) North Louisiana Exhibition Center,  
Planning and Construction  
(\$300,000 Local Match)  
(Lincoln)  
Payable from State General Fund (Direct) \$ 300,000"

AMENDMENT NO. 57

On page 59, between lines 18 and 19, insert the following:

**"50/J44 ST. BERNARD PARISH**

- (1471) Bayou Road to LA Highway 46  
Connector Road to Toca, Planning  
and Construction  
(St. Bernard)  
Payable from State General Fund (Direct) \$ 100,000"

AMENDMENT NO. 58

On page 59, between lines 25 and 26, insert the following:

**"50/J50 ST. MARTIN PARISH**

- (1367) Community Center Building, Planning  
and Construction  
(St. Martin)  
Payable from State General Fund (Direct) \$ 150,000"

AMENDMENT NO. 59

On page 59, between lines 39 and 40, insert the following:

**"50/J53 TANGIPAHOA PARISH**

- (1362) Tangipahoa Parish Multi-purpose  
Livestock and Agricultural Facility,  
Planning and Construction  
(Tangipahoa)  
Payable from State General Fund (Direct) \$ 20,000"

AMENDMENT NO. 60

On page 60, between lines 14 and 15, insert the following:

**"50/M01 ABBEVILLE**

- (1128) Cultural and Historical Center,  
Planning and Construction  
(Vermilion)  
Payable from State General Fund (Direct) \$ 65,000"

AMENDMENT NO. 61

On page 62, between lines 7 and 8, insert the following:

**"50/ME1 JEAN LAFITTE**

- (1496) Lafitte Senior Citizens Center,  
Planning and Construction  
(Jefferson)  
Payable from State General Fund (Direct) \$ 280,000"

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## AMENDMENT NO. 62

On page 64, between lines 20 and 21, insert the following:

### **"50/MO8 RAYNE**

- (1272) Civic Center Expansion,  
Planning and Construction  
(\$183,105 Local Match)  
(Acadia)  
Payable from State General Fund (Direct) \$ 130,000"

## AMENDMENT NO. 63

On page 65, between lines 35 and 36, insert the following:

### **"50/MV4 WESTWEGO**

- (1166) Riverboat Landing,  
Planning and Construction  
(Jefferson)  
Payable from State General Fund (Direct) \$ 90,000
- (1167) Performing Arts Theater/Community  
Center, Planning and Construction  
(Jefferson)  
Payable from State General Fund (Direct) \$ 160,000

### **50/MW2 YOUNGSVILLE**

- (1541) Youngsville Water Supply Pipeline,  
Planning and Construction  
(Lafayette)  
Payable from State General Fund (Direct) \$ 150,000

### **50/MW4 ZWOLLE**

- (1543) Wastewater Collection System Improvements,  
Planning and Construction  
(Sabine)  
Payable from State General Fund (Direct) \$ 250,000"

## AMENDMENT NO. 64

On page 66, between lines 27 and 28, insert the following:

### **"50/N09 N.O. SEWERAGE & WATER BOARD**

- (1545) Southeast Louisiana Urban Flood Control  
Project (\$6,000,000 Local Match;  
\$13,000,000 Federal Match)  
(Orleans)"

## AMENDMENT NO. 65

On page 67, between lines 7 and 8, insert the following:

### **"50/N33 ENGLAND ECONOMIC DEVELOPMENT AUTHORITY**

- (1552) Addition of Nine Holes to England  
Golf Course, Planning and Construction  
(Rapides)  
Payable from State General Fund (Direct) \$ 100,000

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

## AMENDMENT NO. 66

On page 70, line 4, delete "Payable from Reappropriated Cash" and insert the following:

"Payable from the Balance of  
State General Fund (Direct)  
cash previously allocated under  
Act 28 of 1997 for Hangar  
Improvements"

## AMENDMENT NO. 67

On page 70, between lines 21 and 22, insert the following:

### **"50/NC1 NELLIE BYERS TRAINING CENTER**

- (1254) Training Center, Planning and  
Construction  
(\$200,000 Local Match)  
(Washington)  
Payable from State General Fund (Direct) \$ 110,000

### **50/ND2 COMMUNITY RECOVERY HOME**

- (1697) Renaissance Emergency Shelter  
Planning and Construction  
(Rapides)  
Payable from State General Fund (Direct) \$ 150,000

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Capital Outlay Committee pursuant to R.S. 39:112."

## AMENDMENT NO. 68

On page 70, between lines 26 and 27, insert the following:

### **"50/NE3 SOUTH CENTRAL PLANNING AND DEVELOPMENT COMMISSION**

- (1569) Office Building Project, Planning  
and Construction  
(Terrebonne)  
Payable from State General Fund (Direct) \$ 300,000

### **50/NE4 NEW ORLEANS GREEN PROJECT**

- (1570) The Green Project,  
Planning and Construction  
(Orleans)  
Payable from State General Fund (Direct) \$ 160,000

### **50/NF4 WOODLAND COMMUNITY CENTER**

- (1580) Woodland Community Center  
Renovation, Purchase, and  
Fencing, Land/Building Acquisition,  
Planning, and Construction  
(East Feliciana)  
Payable from State General Fund (Direct) \$ 20,000

### **50/NF6 ST. MARTIN PARISH SHERIFF**

- (1598) St. Martin Parish Juvenile Facility,  
Planning and Construction  
(St. Martin)  
Payable from State General Fund (Direct) \$ 150,000"



AMENDMENT NO. 69

On page 77, line 11, after "projects," and before "not" insert "in this or any previous Capital Outlay Act,"

AMENDMENT NO. 70

On page 77, line 13, after "Development," and before "shall" insert:

"except for appropriations made to the Department of Military Affairs, the New Orleans Exhibition Hall Authority, the Legislature, or the Department of Transportation and Development,"

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

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

Under the rules, placed on the regular calendar.

**Motion**

On motion of Rep. Alario, House Bill No. 2 was made Special Order of the Day No. 1 for Tuesday, May 26, 1998.

**HOUSE BILL NO. 299—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To amend Act No. 28 of the 1997 Regular Session of the Legislature, relative to the comprehensive capital budget, by adding thereto a new Section; to provide for an additional appropriation; and to provide for related matters.

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. 299 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 4, change "an additional appropriation" to "certain additional appropriations"

AMENDMENT NO. 2

On page 1, between lines 13 and 14, insert the following:

**"EXECUTIVE DEPARTMENT****01/107 DIVISION OF ADMINISTRATION**

- (R)(1) Capitol Complex-Acquisitions, Demolition, Sitework, Construction and Renovation of Facilities (East Baton Rouge)  
Payable from State General Fund (Direct) \$ 5,000,000
- (11) State Office Buildings, Major Repairs, Equipment Replacement and Renovations, Planning and Construction (Caddo, East Baton Rouge, Lafayette, Orleans, Ouachita, Rapides, St. Tammany)  
Payable from State General Fund (Direct) \$ 1,336,852

- (42) Statewide Roofing, Waterproofing, and Related Repairs and Equipment Replacement Program (Statewide)  
Payable from State General Fund (Direct) \$ 5,000,000

**01/112 DEPT OF MILITARY AFFAIRS**

- (19) Armory Backlog of Maintenance and Repairs, Planning and Construction (Statewide)  
Payable from State General Fund (Direct) \$ 2,000,000

**DEPT OF TRANSPORTATION & DEVELOPMENT****07/270 DEPARTMENT OF TRANSPORTATION & DEVELOPMENT-ADMINISTRATION**

- ( ) Evangeline Thruway (SPRR-I10) Three Lanes, Engineering, Right of Way, Utilities and Construction (Lafayette)  
Payable from State General Fund (Direct) \$ 700,000
- (44) State Parks Road Overlay, Construction (Statewide)  
Payable from State General Fund (Direct) \$ 2,000,000
- (125) Highway Program for Overlay (Statewide)  
Payable from State General Fund (Direct) \$ 15,000,000

**07/274 PUBLIC IMPROVEMENTS**

- (137) Lafayette Parish/Vermilion River Flood Study and Construction (Lafayette)  
Payable from State General Fund (Direct) \$ 300,000

**19/600 LSU BOARD OF SUPERVISORS**

- (564) Major Repairs and Reroofing of Campus Buildings (Acadia, Caddo, East Baton Rouge, Orleans, Rapides)  
Payable from State General Fund (Direct) \$ 12,000,000
- (R)(1375) Campus Master Planning (Acadia, Caddo, East Baton Rouge, Orleans, Rapides)  
Payable from State General Fund (Direct) \$ 500,000

**19/615 SOUTHERN UNIVERSITY - BOARD OF SUPERVISORS**

- (1426) Major Repairs and Reroofing for Campus Buildings, Planning and Construction (Caddo, East Baton Rouge, Orleans)  
Payable from State General Fund (Direct) \$ 2,750,000

**19/620 UNIVERSITY OF LOUISIANA BOARD OF TRUSTEES**

- (R)(1390) Campus Master Planning (Ascension, Bossier, Calcasieu, Iberia, Lafayette, Lafourche, Lincoln,

Natchitoches, Orleans, Ouachita, St. Bernard, Tangipahoa)  
Payable from State General Fund (Direct) \$ 500,000

(1427) Major Repairs and Reroofing to Campus Buildings, Planning and Construction (Ascension, Bossier, Calcasieu, Iberia, Lafayette, Lafourche, Lincoln, Natchitoches, Orleans, Ouachita, St. Bernard, Tangipahoa)  
Payable from State General Fund (Direct) \$ 10,000,000

**36/P16 PORT OF IBERIA**

(790) Waterfront Expansion, Planning, Construction, Port Master Plan, Site Stabilization, Right of Way and Utilities (\$2,000,000 Local Match) (Iberia)  
Payable from State General Fund (Direct) \$ 2,295,000

**50/J20 EVANGELINE PARISH**

( ) Ward 1 Industrial Park Access Road Improvements, Construction of New Road and Widening of Existing Road (Evangeline)  
Payable from State General Fund (Direct) \$ 900,000

**50/J52 ST. TAMMANY PARISH**

(1242) Lowe Retention Pond to Prevent Flooding in Gum Bayou and French, Planning, Land Acquisition, Construction and Equipment (St. Tammany)  
Payable from State General Fund (Direct) \$ 800,000"

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.

**Motion**

On motion of Rep. LeBlanc, House Bill No. 299 was made Special Order of the Day No. 3 for Tuesday, May 26, 1998.

**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. 65—**  
BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To urge and request the office of state parks of the Department of Culture, Recreation and Tourism to study the feasibility of making the site of Fort Butler in Ascension Parish a state commemorative area and to report its findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources.

Read by title.

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

**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. 32—**

BY SENATOR MALONE

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 21(H) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to authorize the State Board of Commerce and Industry to enter into tax exemption contracts, subject to the approval of the governor and the local governing authority, with a property owner who proposes the expansion, restoration, improvement, or development of an existing structure or structures in a downtown district, primarily to develop structures for residential use, for an initial term of five years after completion of the work and up to two five-year renewals for a total of fifteen years; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

**SENATE BILL NO. 35—**

BY SENATOR JOHNSON

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 15 and to add Article VII, Section 14(E) of the Constitution of Louisiana, relative to state revenue and finance; to authorize local governing authorities to subordinate and waive tax liens on blighted properties; to authorize local governing authorities to assess the tax liens of blighted properties upon the former owners of such properties; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

**Motion**

On motion of Rep. Bruneau, the resolution was returned to the calendar subject to call.

**SENATE BILL NO. 115—**

BY SENATOR LANDRY

**AN ACT**

To amend and reenact R.S. 47:301(10)(o), relative to sales and use tax; to exclude from such tax the sale or purchase of equipment used in firefighting by fire departments; 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 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. 33—**

BY REPRESENTATIVES MONTGOMERY, BAYLOR, FAUCHEUX, AND GLOVER

AN ACT

To amend and reenact R.S. 47:3204(C), relative to tax exemption contracts; to authorize the Board of Commerce and Industry to enter into additional tax exemption contracts with certain entities; 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.

**HOUSE BILL NO. 319 (Substitute for House Bill No. 252 by Representative Copelin)—**

BY REPRESENTATIVE COPELIN

AN ACT

To amend and reenact R.S. 22:1068(E)(2)(d) and R.S. 51:1927(C)(introductory paragraph) and (2) through (5), 1928(B), and 1931 and to enact R.S. 51:1924(D), 1927.1, 1928(C), and 1935, relative to the Louisiana capital companies tax credit program; to provide for income tax credit or premium tax reductions; to provide relative to decertification; to provide for program termination; to provide for investment in an approved fund; to provide for an annual audit and rate of return; to provide relative to appreciation excess; to provide for a study of the capital companies tax credit program; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

**Reconsideration**

**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), to enact R.S. 47:820.5.2, 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 create the Crescent City Connection Oversight Authority; to provide for certain audits and reports; and to provide for related matters.

Read by title.

On motion of Rep. Diez, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

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

**HOUSE 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, and to report the findings and recommendations of such study to the House Commerce Committee and the Senate Commerce and Consumer Protection Committee prior to the beginning of the 1999 Regular Session of the Legislature.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 6—**

BY REPRESENTATIVES DOWNER, DUPRE, LEBLANC, AND LONG

A CONCURRENT RESOLUTION

To urge and request the cooperation and support of the Department of Culture, Recreation and Tourism, the Department of Transportation and Development, the Department of Public Safety and Corrections, office of state police, and the Louisiana National Guard in the coordination, development, and implementation of "Cycle Main Street", an event sponsored by Louisiana Main Street Managers in honor of the year-long, Louisiana-sponsored celebration FRANCOFETE 1999.

Read by title.

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

Ordered to the Senate.

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

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

**SENATE CONCURRENT RESOLUTION NO. 15—**

BY SENATOR SMITH AND REPRESENTATIVES LONG AND R. ALEXANDER

A CONCURRENT RESOLUTION

To create the Port Deluce Development Study Committee to study the feasibility of development of a freshwater supply and recreational area from Port Deluce in Winn Parish.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 14—**

BY SENATOR BRANCH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to lower the speed limit to forty-five miles per hour on Louisiana Highway 964 from its intersection with Louisiana Highway 61 north to the East Baton Rouge Parish line.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Holden to Original Senate Concurrent Resolution No. 14 by Senator Branch

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AMENDMENT NO. 1

On page 1, line 5, after "line" and before the period "." insert "until such time as appropriate road repairs can be made"

AMENDMENT NO. 2

On page 2, line 11, after "highway" and before "will abate" insert "until such time as appropriate road repairs can be made"

AMENDMENT NO. 3

On page 2, line 20, after "line" and before the period "." insert "until such time as appropriate road repairs can be made"

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

On motion of Rep. Holden, the resolution, as amended, was concurred in.

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:

HOUSE BILL NO. 3—

BY REPRESENTATIVE ALARIO AN ACT

To enact the Omnibus Bond Authorization Act of 1998, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Alario, House Bill No. 3 was made Special Order of the Day No. 2 for Tuesday, May 26, 1998.

HOUSE BILL NO. 65—

BY REPRESENTATIVE LEBLANC AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

ROLL CALL

The roll was called with the following result: YEAS

Table with 3 columns: Name, Position, and Name. Includes Mr. Speaker, Alario, Alexander, Ansardi, Barton, Baudoin, Guillory, Hammett, Heaton, Hebert, Hill, Holden, Hopkins, Pratt, Quezairé, Riddle, Romero, Rousselle, Salter, Scalise.

Table with 3 columns: Name, Name, Name. Lists names of representatives such as Baylor, Bowler, Bruce, Bruneau, Carter, Chaisson, Clarkson, Copelin, Crane, Curtis, Damico, Deville, DeWitt, Diez, Dimos, Donelon, Dupre, Durand, Farve, Faucheux, Flavin, Fontenot, Frith, Fruge, Gautreaux, Glover, Green, Hudson, Hunter, Iles, Jetson, Johns, Kennard, Kenney, Lancaster, Landrieu, LeBlanc, Long, Marionneaux, Martiny, McCain, McCallum, McDonald, McMains, Michot, Mitchell, Montgomery, Morrell, Morrish, Murray, Odinet, Pierre, Pinac, Powell, Schneider, Schwegmann, Shaw, Smith, Stelly, Strain, Theriot, Thomas, Thompson, Toomy, Travis, Triche, Vitter, Waddell, Walsworth, Warner, Welch, Weston, Wiggins, Wilkerson, Willard, Windhorst, Winston, Wright.

Total—100

NAYS

Total—0

ABSENT

Table with 2 columns: Name, Name. Lists Daniel, Jenkins, Perkins, Thornhill.

Total—4

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. 99—

BY REPRESENTATIVES DIMOS, BRUNEAU, CRANE, DAMICO, DANIEL, DIEZ, DONELON, DURAND, FAUCHEUX, FLAVIN, HEBERT, LANCASTER, MARTINY, MCCALLUM, ODINET, PERKINS, PIERRE, SCALISE, AND TRICHE AND SENATORS BARHAM, CASANOVA, DEAN, GREENE, HEITMEIER, HOLLIS, JORDAN, ROMERO, SCHEDLER, SHORT, SIRACUSA, AND ULLO

AN ACT

To amend and reenact Section 2 of Act 15 of the 1996 Regular Session of the Legislature, relative to the state sales and use tax; to delete the provision which made such Act, which provides for an exclusion for certain transactions involving private and parochial elementary and secondary schools, null and void on July 1, 1998; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos to Engrossed House Bill No. 99 by Representative Dimos

AMENDMENT NO.1

On page 1, line 3, after "state" and before "sales", insert "and local".

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

Rep. Dimos 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, R.—13th	Heaton	Quezairé
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Deville	Long	Thompson
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Donelon	McCallum	Vitter
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Farve	Michot	Warner
Fauchoux	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Früge	Murray	Willard
Gautreaux	Odinot	Windhorst
Glover	Pierre	Winston
Green	Pinac	Wright
Total—99		

**NAYS**

Alexander, A.—93rd
Total—1

**ABSENT**

Daniel	Perkins
Hudson	Thornhill
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Speaker Pro Tempore Bruneau in the Chair**

**HOUSE BILL NO. 117—**

BY REPRESENTATIVES LEBLANC AND DOWNER AND SENATOR BAGNERIS

**AN ACT**

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 117 by Representatives LeBlanc and Downer and Senator Bagneris

AMENDMENT NO. 1

On page 1, delete lines 7 and 8 in their entirety and insert in lieu thereof the following:

"Section 1.A. The sum of Seventy-two Million Five Hundred Fifty-four Thousand Nine Hundred Eleven and No/100 (\$72,554,911.00) Dollars,"

AMENDMENT NO. 2

On page 5, between lines 3 and 4, insert the following:

"Payable out of the State General Fund (Direct) for salaries, benefits, office and travel expenses for six months associated with four new judgments authorized by Act 12 and Act 99 of the First Extraordinary Session of the Legislature of 1998 \$ 206,000"

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

Rep. LeBlanc 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, A.—93rd	Heaton	Quezairé
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jetson	Shaw
Clarkson	Johns	Smith, J.D.—50th
Copelin	Kennard	Smith, J.R.—30th
Crane	Kenney	Stelly
Curtis	Lancaster	Strain
Damico	Landrieu	Thomas
Deville	LeBlanc	Thompson
DeWitt	Long	Toomy
Diez	Marionneaux	Travis
Dimos	Martiny	Triche

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Donelon	McCain	Vitter
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	Odinet	Windhorst
Glover	Pierre	Winston
Green	Pinac	Wright
Total—96		

NAYS

Total—0

ABSENT

Barton	Jenkins	Theriot
Chaisson	Mitchell	Thornhill
Daniel	Perkins	
Total—8		

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. 123—**  
BY REPRESENTATIVE MICHOT  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the stipulated judgment in the suit entitled "Dr. William Wolfe, Dr. Charles D. Hancock, Jr., Dr. Edwin Walker and Dr. Melvin Miller versus the State of Louisiana, through its treasurer, Ken Duncan", 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	Green	Pierre
Alario	Guillory	Pinac
Alexander, A.—93rd	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thompson
Damico	LeBlanc	Toomy

Deville	Long	Travis
DeWitt	Marionneau	Triche
Dimos	Martiny	Vitter
Donelon	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Mitchell	Wiggins
Fontenot	Montgomery	Wilkerson
Frith	Morrell	Willard
Fruge	Morrish	Windhorst
Gautreaux	Murray	Winston
Glover	Odinet	Wright
Total—96		

NAYS

Total—0

ABSENT

Daniel	Perkins	Thomas
Diez	Powell	Thornhill
Jenkins	Stelly	
Total—8		

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. 153—**  
BY REPRESENTATIVE WINDHORST  
AN ACT

To amend and reenact R.S. 40:1485.4(2)(introductory paragraph) 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.

Read by title.

Rep. Windhorst 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, A.—93rd	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Deville	Long	Toomy

DeWitt	Marionneau	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
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	Odinet	Winston
Glover	Pierre	Wright
Green	Pinac	

Total—98

NAYS

Total—0

ABSENT

Barton	Perkins
Daniel	Thompson
Jenkins	Thornhill

Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 177—**  
BY REPRESENTATIVE WADDELL  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to the Department of Public Safety and Corrections to be used to pay the final judgments in the suits entitled "Milton L. Mosby, et al. vs. Wade Correctional Center, et al." and "Lenward E. Goree, et al. vs. Bruce N. Lynn, et al."; to provide for interest; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 180—**  
BY REPRESENTATIVE THOMAS  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to be used to pay certain legal expenses incurred by Benjamin B. Rayburn in his successful defense of criminal charges brought against him, which charges arose from actions taken by him in the discharge of his duties and within the scope of his membership in the Louisiana Senate; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 195—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 47:321(C) and 322, relative to the sales and use tax; to provide that the one percent tax on sales of services imposed by Section 2 of Act No. 5 of the 1996 Regular Session of the Legislature was not intended to apply to the furnishing of telecommunications services; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Murray 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, 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	Jetson	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Stelly
Clarkson	Kenney	Strain
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	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
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Odinet	Winston
Gautreaux	Pierre	Wright
Green	Pinac	

Total—98

NAYS

Total—0

ABSENT

Daniel	Perkins
Glover	Smith, J.R.—30th
Jenkins	Thornhill

Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Murray 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. 200—**  
BY REPRESENTATIVE WILKERSON  
AN ACT

To enact R.S. 47:297(L), relative to the individual income tax; to provide for an income tax credit for the purchase of a bulletproof vest by law enforcement officers and certain employees of the Department of Public Safety and Corrections; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Stelly to Engrossed House Bill No. 200 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:44.1 and to"

AMENDMENT NO. 2

On page 1, line 5, after "Corrections;" and before "to provide" insert "to increase the amount of annual retirement income for persons sixty-five years of age or older which is exempted from the tax;"

AMENDMENT NO. 3

On page 1, delete line 8 and insert the following:

"Section 1. R.S. 47:44.1 is hereby amended and reenacted and R.S. 47:297(L) is hereby enacted to read as follows:

§44.1. Annual retirement income; exemption from taxation

Six thousand dollars of annual retirement income which is received by an individual sixty-five years of age or older shall be exempt from state income taxation. For taxable years beginning after December 31, 1998, annual retirement income shall be exempt from state income taxation in the following amounts:

(1) For taxable years beginning after December 31, 1998, seven thousand dollars.

(2) For taxable years beginning after December 31, 1999, eight thousand dollars.

(3) For taxable years beginning after December 31, 2000, nine thousand dollars.

(4) For taxable years beginning after December 31, 2001, ten thousand dollars.

B. Annual retirement income" is defined as pension and annuity income which is included in "tax table income" as defined in R.S. 47:293. This Section shall not affect the status of any income which is exempt from state income taxation by law.

\* \* \*

**Point of Order**

Rep. Alario asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

Rep. Wilkerson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Pratt
Alario	Hammett	Quezaire
Alexander, A.—93rd	Heaton	Riddle
Alexander, R.—13th	Hebert	Romero
Ansardi	Hill	Rousselle
Barton	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Shaw
Bruneau	Iles	Smith, J.D.—50th
Carter	Jenkins	Smith, J.R.—30th
Chaisson	Jetson	Stelly
Clarkson	Johns	Strain
Copelin	Kennard	Theriot
Crane	Kenney	Thomas
Curtis	Lancaster	Thompson
Damico	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Marionneaux	Vitter
Dimos	Martiny	Waddell
Donelon	McCain	Walsworth
Dupre	McCallum	Warner
Durand	McDonald	Welch
Farve	McMains	Weston
Faucheux	Michot	Wiggins
Flavin	Mitchell	Wilkerson
Fontenot	Montgomery	Willard
Frith	Morrish	Windhorst
Fruge	Murray	Winston
Gautreaux	Pierre	Wright
Glover	Pinac	
Green	Powell	
Total—97		

**NAYS**

Total—0

**ABSENT**

Baudoin	Odinot	Thornhill
Daniel	Perkins	
Morrell	Schwegmann	
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. 233—**

BY REPRESENTATIVE DANIEL AND SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 47:321(A) and to enact R.S. 47:301(14)(i)(iii)(gg) and (16)(c), relative to state sales and use tax; to provide for the taxation of prepaid telephone calling cards and prepaid authorization numbers; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 254—**

BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 26:326, 341(introductory paragraph), 344, and 359, to enact R.S. 26:341(B), and to repeal R.S. 14:93.20, relative to the sale and shipment of beverage alcohol in Louisiana; to impose a tax on the direct sale and shipment by common carrier of sparkling or still wines; to provide for the enforcement and collection thereof; to require application for authority for such shipments and payment of taxes before making authorized shipments; to provide for who pays the taxes; to provide for to whom the taxes are paid; to provide for the time of payment of the taxes; to require the express agreement to pay all excise and sales and use taxes assessed by the state of Louisiana; to provide for recordkeeping of sales subject to said taxes; to exempt from the tax on direct sale and shipment by common carrier sparkling or still wines manufactured by native wineries; to repeal certain provisions of law relating to the unlawful sale and shipment of beverage alcohol in Louisiana; and otherwise to provide generally and specifically with respect thereto.

Read by title.

Rep. Toomy moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Deville	LeBlanc	Thomas
DeWitt	Long	Thompson
Diez	Marionneaux	Toomy
Dimos	Martiny	Travis
Donelon	McCain	Vitter
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Farve	McMains	Warner
Faucheux	Michot	Welch
Flavin	Mitchell	Weston
Fontenot	Montgomery	Wiggins
Frith	Morrell	Wilkerson
Fruge	Morrish	Willard
Gautreaux	Murray	Winston
Glover	Odinet	Wright
Total—96		

NAYS

Windhorst  
Total—1

ABSENT

Bowler	Perkins	Triche
Daniel	Stelly	
Jenkins	Thornhill	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 258—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 47:3202(E), 3203(B), and 3204, relative to tax exemption contracts; to replace set-aside provisions with provisions relating to economically disadvantaged businesses; to change the priority for exemptions from state taxes; to provide for review of such contracts; and to provide for related matters.

Read by title.

Rep. Copelin moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezaire
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
Barton	Hill	Rousselle
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	Stelly

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Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	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	Odinet	Winston
Gautreaux	Pierre	Wright
Glover	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Daniel	Perkins
Jenkins	Thornhill
Mitchell	Toomy
Total—6	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 259—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:300.2(introductory paragraph), 300.6(B)(1)(a), 300.7, and 300.10 and to repeal R.S. 47:300.5, 300.6(B)(1)(c), and 300.8, relative to income taxation of estates and trusts; to resolve technical and substantive difficulties in the language of the provisions; to provide for the exclusion from taxable income of certain federal deductions; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 260—**

BY REPRESENTATIVES DANIEL AND JOHNS

AN ACT

To enact R.S. 47:306(B)(10), relative to advance payment of sales taxes; to authorize the secretary of the Department of Revenue to exempt certain dealers from the advance payment of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 260 by Representative Daniel

AMENDMENT NO. 1

On page 2, lines 18 and 25, before "Subparagraph" delete "this"

AMENDMENT NO. 2

On page 2, lines 18 and 25, following "Subparagraph" insert "(a)"

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

NAYS

Total—0

ABSENT

Daniel	Perkins
Jenkins	Thornhill
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 279—**

BY REPRESENTATIVE WINDHORST  
AN ACT

To appropriate funds out of the General Fund by statutory dedications from the Self-Insurance Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Christina N. Williams and Robert L. Williams v. State of Louisiana, Through the Department of Health and Hospitals, et al."; to provide for interest; to provide for payment of expert witness fees and court costs; and to provide for related matters.

Read by title.

Rep. Windhorst moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezairé
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
Barton	Hill	Rousselle
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	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Murray	Willard
Fruge	Odinot	Windhorst
Gautreaux	Pierre	Winston
Glover	Pinac	Wright
Total—99		

**NAYS**

Total—0

**ABSENT**

Daniel	Morrish	Thornhill
Jenkins	Perkins	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 282—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1997-1998 Fiscal Year; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 282 by Representative LeBlanc

AMENDMENT NO. 1

On page 6, line 17, after "sum of", delete the remainder of the line and insert in lieu thereof "Eleven Million One"

AMENDMENT NO. 2

On page 6, line 18, change "\$9,800,000.00" to "\$11,100,000.00"

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

Rep. LeBlanc 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, A.—93rd	Heaton	Quezairé
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	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Daniel	Long	Thompson
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Donelon	McDonald	Waddell

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Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Odinot	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Total—101		

NAYS

Total—0

ABSENT

Clarkson	Jetson	Thornhill
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. 284—**  
BY REPRESENTATIVE DEVILLE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the Board of Tax Appeals judgment in the case entitled "Thomas Jefferson Construction Corporation v. Secretary, Department of Revenue and Taxation", and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 233—**  
BY REPRESENTATIVE DANIEL AND SENATOR BARHAM  
AN ACT

To amend and reenact R.S. 47:321(A) and to enact R.S. 47:301(14)(i)(iii)(gg) and (16)(c), relative to state sales and use tax; to provide for the taxation of prepaid telephone calling cards and prepaid authorization numbers; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 233 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 3, following "(16)" and before the comma "," change "(c)" to "(d)"

AMENDMENT NO. 2

On page 1, line 8, following "(16)" and before "are" change "(c)" to "(d)"

AMENDMENT NO. 3

On page 1, line 16, following "(i)" delete the remainder of the line and delete line 17

AMENDMENT NO. 4

On page 2, line 9, before "(i)" change "(c)" to "(d)"

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

**Motion**

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

**HOUSE BILL NO. 259—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:300.2(introductory paragraph), 300.6(B)(1)(a), 300.7, and 300.10 and to repeal R.S. 47:300.5, 300.6(B)(1)(c), and 300.8, relative to income taxation of estates and trusts; to resolve technical and substantive difficulties in the language of the provisions; to provide for the exclusion from taxable income of certain federal deductions; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Daniel to Engrossed House Bill No. 259 by Representative Daniel

AMENDMENT NO.1

On page 1, after "R.S.", delete the remainder of the line and insert in lieu thereof the following:

"47:293(7), 300.2 (introductory paragraph), 300.5, 300.6(B)(1)(a)"

AMENDMENT NO. 2

On page 1, line 3, after "R.S.", delete "47:300.5," and insert "47:"

AMENDMENT NO. 3

On page 1, line 4, after "trusts" and before the semicolon ";" insert "and the individual income tax of nonresident individual beneficiaries"

AMENDMENT NO. 4

On page 1, line 10, after "R.S.", delete the remainder of the line and insert: "47:293(7), 300.2 (introductory paragraph), 300.5, 300.6(B)(1)(a),"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert the following:

"§293. Definitions

The following definitions shall apply throughout this Part, unless the context requires otherwise:

\* \* \*

(7) "Tax table income", for nonresident individuals, means the amount of Louisiana income, as provided in this Part, allocated and apportioned under the provisions of R.S. 47:241 through 247, plus the total amount of the personal exemptions and deductions already included in the tax tables in Section 296 of this Part, less the proportionate amount of the: (a) federal income tax liability, (b) excess federal itemized personal deductions, and (c) personal exemptions and deductions provided for in Section 294 of this Part. The proportionate amount is to be determined by the ratio of Louisiana income to federal adjusted gross income. Where federal adjusted gross income is less than Louisiana income, the ratio shall be one hundred percent. ~~In addition, to the extent otherwise included, income or loss from an estate or trust received as, or on behalf of, a nonresident beneficiary, heir, or legatee shall be excluded from tax table income.~~

\* \* \*

AMENDMENT NO. 6

On page 1, after line 16, insert the following:

§300.5. Fiduciary responsibility

The fiduciary of an estate or trust shall be personally liable for the payment of all taxes, penalties, or interest due under this Part by the estate or trust. This Section shall not subject the fiduciary to liability for any tax imposed upon any beneficiary of the estate or trust.

AMENDMENT NO. 7

On page 5, line 11, after "R.S.", delete "47:300.5, 300.6(B)(1)(c)," and insert in lieu thereof "47:300.6(B)(1)(c)"

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

Rep. Daniel 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, 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	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas

Damico	LeBlanc	Thompson
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
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wright
Glover	Pierre	
Green	Pinac	
Total—103		

NAYS

Total—0

ABSENT

Thornhill  
Total—1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

On motion of Rep. Dimos, 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.

**Suspension of the Rules**

On motion of Rep. Carter, and under a suspension of the rules, House Bill No. 318 was called from the calendar.

**HOUSE BILL NO. 318 (Substitute for House Bill No. 277 by Representative Carter)—**

BY REPRESENTATIVE CARTER

AN ACT

To amend and reenact R.S. 40:1501.1, relative to Tangipahoa Fire Protection District No. 1; to authorize the governing authority of the district, subject to voter approval, to increase certain ad valorem taxes; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 318 by Representative Carter

AMENDMENT NO. 1

On page 2, line 2, following "R.S." and before "et seq." change "39:501" to "18:1281"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Pratt
Alario	Guillory	Quezairé
Alexander, A.—93rd	Hammett	Riddle
Alexander, R.—13th	Heaton	Romero
Ansardi	Hebert	Rousselle
Baudoin	Hill	Salter
Baylor	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Toomy
Déville	Marionneaux	Travis
DeWitt	Martiny	Triche
Diez	McCain	Vitter
Dimos	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupré	McMains	Warner
Durand	Michot	Welch
Farve	Mitchell	Weston
Faucheux	Montgomery	Wiggins
Flavin	Morrell	Wilkerson
Fontenot	Murray	Willard
Frith	Odinet	Winston
Früge	Pierre	Wright
Gautreaux	Pinac	
Glover	Powell	
Total—97		

**NAYS**

Perkins	Windhorst
Total—2	

**ABSENT**

Barton	Jetson	Thornhill
Jenkins	Morrish	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Suspension of the Rules**

On motion of Rep. Diez, the rules were suspended in order to call House Bill No. 250 from the calendar, and under a further suspension of the rules, the bill was taken up on the same Legislative Day the bill was reconsidered.

**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), to enact R.S. 47:820.5.2, 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 create the Crescent City Connection Oversight Authority; to provide for certain audits and reports; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Clarkson to Reengrossed House Bill No. 250 by Representative Diez

AMENDMENT NO. 1

On page 2, line 21, change "December 31, 2012" to "June 30, 2004"

**Motion**

Rep. Diez moved to end consideration of amendments.

As a substitute motion, Rep. Green moved that the previous question be ordered on the amendments.

Rep. Diez objected.

The vote recurred on the substitute motion.

By a vote of 27 yeas and 63 nays, the House refused to order the previous question on the amendments.

Rep. Diez insisted on his motion to end consideration of amendments.

By a vote of 72 yeas and 26 nays, the motion was agreed to.

Rep. Clarkson moved the adoption of the amendments.

Rep. Diez objected.

By a vote of 38 yeas and 60 nays, the amendments were rejected.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Quezaire
Alario	Guillory	Riddle
Alexander, R.—13th	Hammett	Romero
Ansardi	Hebert	Rousselle
Barton	Hill	Salter
Baudoin	Holden	Scalise
Bowler	Hopkins	Schneider
Bruce	Iles	Shaw
Bruneau	Johns	Smith, J.D.—50th
Carter	Kennard	Smith, J.R.—30th
Crane	Kenney	Stelly
Damico	Lancaster	Strain
Daniel	LeBlanc	Thomas
Deville	Long	Thompson
DeWitt	Marionneaux	Toomy
Diez	McCallum	Travis
Dimos	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Faucheux	Montgomery	Weston
Flavin	Odinet	Wiggins
Fontenot	Perkins	Wilkerson
Frith	Pierre	Winston
Frige	Pinac	
Gautreaux	Powell	
Total—73		

NAYS

Alexander, A.—93rd	Hunter	Schwegmann
Clarkson	Jenkins	Vitter
Copelin	Landrieu	Welch
Donelon	McCain	Willard
Farve	Morrell	Windhorst
Green	Murray	
Heaton	Pratt	
Total—19		

ABSENT

Baylor	Martiny	Triche
Chaisson	Mitchell	Wright
Curtis	Morrish	
Hudson	Theriot	
Jetson	Thornhill	
Total—12		

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.

**Suspension of the Rules**

On motion of Rep. McCallum, 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. 51—**

BY REPRESENTATIVE MCCALLUM

A RESOLUTION

To recognize, commend, and congratulate Dr. William Calvin Reeves, upon the occasion of his retirement, for his fifty years of service and for his many contributions to his community.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to review and study the use of postsecondary educational institution physical plant facilities by public elementary and secondary schools and nonpublic elementary and secondary schools approved by the State Board of Elementary and Secondary Education, to recommend a uniform policy, including provisions for reasonable fees, which will encourage the use of such facilities by public and nonpublic schools subject to the administration of each management board, and to submit a written report of its findings to the House and Senate Committees on Education prior to the beginning of the 1999 Regular Session of the Legislature.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 69—**

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize the administrator of the United States Environmental Protection Agency to consider and approve the Louisiana State Implementation Plan for ozone reduction in the city of Baton Rouge, and the surrounding five parishes which have been designated as "non-attainment" areas and not to impose sanctions for the failure of the state to adopt a vehicle emissions inspection and maintenance program.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Health and Welfare**

May 21, 1998

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. 43, by R. Alexander Reported with amendments. (9-0)

House Concurrent Resolution No. 44, by Wilkerson Reported favorably. (9-0)

House Concurrent Resolution No. 47, by J. D. Smith  
Reported favorably. (9-0)

House Concurrent Resolution No. 48, by Thompson  
Reported with amendments. (9-0)

House Concurrent Resolution No. 62, by R. Alexander  
Reported favorably. (9-0)

Senate Concurrent Resolution No. 23, by Hines  
Reported with amendments. (11-0)

RODNEY ALEXANDER  
Chairman

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

May 21, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental  
Affairs to submit the following report:

House Concurrent Resolution No. 18, by Hammett  
Reported with amendments. (8-0)

House Concurrent Resolution No. 42, by McCain  
Reported with amendments. (5-4)

Senate Concurrent Resolution No. 20, by Schedler  
Reported favorably. (8-0)

Senate Concurrent Resolution No. 30, by C. Fields  
Reported with amendments. (8-0)

CHARLES D. LANCASTER, JR.  
Chairman

**Suspension of the Rules**

On motion of Rep. Lancaster, the rules were suspended in order  
to take up Senate Concurrent Resolutions contained in the committee  
report at this time.

**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. 20—**  
BY SENATOR SCHEDLER AND REPRESENTATIVES SCALISE,  
WADDELL AND WALSWORTH

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to adopt Senate  
Joint Resolution 40 relative to the American flag.

Read by title.

Reported favorably by the Committee on House and  
Governmental Affairs.

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

**Suspension of the Rules**

On motion of Rep. Montgomery, the rules were suspended in  
order to take up Senate Concurrent Resolution on Third Reading for  
final Consideration at this time.



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

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

**SENATE CONCURRENT RESOLUTION NO. 20—**  
BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to adopt Senate Joint Resolution 40 relative to the American flag.

Read by title.

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

**Adjournment**

On motion of Rep. Montgomery, at 3:30 P.M., the House agreed to adjourn until Tuesday, May 26, 1998, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, May 26, 1998.

ALFRED W. SPEER  
Clerk of the House

C. Wayne Hays  
Journal Clerk, *Emeritus*