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

TWENTY-FIRST 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, June 4, 1998

The House of Representatives was called to order at 1:00 P.M.,
by the Honorable C. E. “Peppi” Bruneau, Jr., Speaker Pro Tempore
of the House of Representatives.

Morning Hour
ROLL CALL

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

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

Prayer

Prayer was offered by Rev. Forell Bering.

Pledge of Allegiance

Rep. Triche 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. Riddle, the reading of the Journal was
dispensed with.

On motion of Rep. Riddle, the Journal of June 3, 1998, was
adopted.

Petitions, Memorials and
Communications

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

Message from the Senate
ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS
June 3, 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 Nos. 58 and 59

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate
HOUSE CONCURRENT RESOLUTIONS
June 3, 1998

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

I am directed to inform your honorable body that the Senate has
concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 13
Returned with amendments.
House Concurrent Resolution No. 29
Returned without amendments.

House Concurrent Resolution No. 64
Returned with amendments.

House Concurrent Resolution No. 73
Returned with amendments.

House Concurrent Resolution No. 107
Returned without amendments.

House Concurrent Resolution No. 108
Returned without amendments.

House Concurrent Resolution No. 110
Returned without amendments.

House Concurrent Resolution No. 111
Returned without amendments.

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

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE
June 3, 1998

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1: Senators Bagneris, Hainkel, and Dardenne.

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

Message from the Senate

HOUSE BILLS
June 3, 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 House Bills:

House Bill No. 153
Returned without amendments.

House Bill No. 188
Returned without amendments.

House Bill No. 211
Returned without amendments.

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

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. 58—
BY REPRESENTATIVE MONTGOMERY
A RESOLUTION
To express the intent of the legislature with regard to the enactment of R.S. 33:2711(A)(2) which authorizes certain municipal sales taxes.

Read by title.
Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on House and Governmental Affairs
June 4, 1998

Pursuant to a meeting held on June 3, 1998, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 98, by LeBlanc
Reported with amendments. (13-0)

CHARLES D. LANCASTER, JR.
Chairman

Suspension of the Rules

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

House and House Concurrent Resolutions Reported by Committees

The following House and House Concurrent Resolutions reported by committees were taken up and acted upon as follows:
HOUSE CONCURRENT RESOLUTION NO. 98—
BY REPRESENTATIVES LEBLANC AND THOMPSON
A CONCURRENT RESOLUTION
To urge and request the House Committee on Commerce and the Senate Committee on Commerce and Consumer Protection to meet and to function as a joint committee to study the statutory, regulatory, and policy advantages and impediments to the movement of university technology to the marketplace in Louisiana.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 98 by Representative LeBlanc

AMENDMENT NO. 1
On page 1, delete line 2 and insert the following:
"To urge and request the House Committee on Commerce and the Senate Committee on Commerce and Consumer Protection to meet and to function as a joint committee to study the"

AMENDMENT NO. 2
On page 2, delete lines 26 and 27 and insert the following:
"does hereby urge and request the House Committee on Commerce and the Senate Committee on Commerce and Consumer Protection to meet and to function as a joint committee to study the statutory, regulatory, and policy"

AMENDMENT NO. 3
On page 3, at the end of line 3, after "committee" delete "shall be"

AMENDMENT NO. 4
On page 3, delete lines 4 through 6 and insert "report"

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

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

Report of the Committee on Civil Law and Procedure
June 4, 1998

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 3, 1998, I am directed by your Committee on Civil Law and Procedure to submit the following report:

Senate Bill No. 29, by Bagneris (Joint Resolution)
Reported with amendments. (10-0) (Regular)

Senate Bill No. 32, by Malone (Joint Resolution)
Reported with amendments. (10-0) (Regular)

F. CHARLES MCMAINS, JR.
Chairman

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

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. 109—
BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION
To authorize the House Committee on Commerce and the Senate Committee on Commerce and Consumer Protection to meet and to function as a joint committee to study the rules and regulations promulgated by the Louisiana State Racing Commission and to report the findings of the joint committee to the legislature prior to the convening of the 1999 Regular Session.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 54—
BY SENATOR CASANOVA
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to study the problem of litter on the highways resulting from fragments of tire tread dropping from motor vehicles and to propose methods to solve the problem.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR HOLLIS
A CONCURRENT RESOLUTION
To urge and request the Senate Committee on Commerce and Consumer Protection and the House Committee on Commerce to function as a joint committee to study the feasibility of establishing a state rural retirement center policy.

Read by title.

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

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. 96—
BY SENATOR BEAN
AN ACT
To amend and reenact R.S. 51:1787(A)(2)(a) and to enact R.S. 51:1787(A)(2)(c), relative to tax credits; to authorize the State Board of Commerce and Industry, after consultation with the Department of Economic Development and the Department of Revenue, and with the approval of the governor, to enter into contracts which provide certain tax credits to certain industries located in certain port complexes in parishes having a population between two hundred forty-eight thousand and two hundred forty-nine thousand; 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 and House Concurrent Resolutions Reported by Committees

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

HOUSE 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.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE RESOLUTION NO. 38—
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 Gaming Control Board.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

HOUSE CONCURRENT RESOLUTION NO. 72—
BY REPRESENTATIVE GAUTREAUX
A CONCURRENT RESOLUTION
To urge and request the Department of Natural Resources and permit applicants publishing notices in official parish journals to also publish such notices in newspapers within affected localities when public notice in an official parish journal may be insufficient.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 77—
BY REPRESENTATIVES BARTON, BAUDOIN, FARVE, KENNEY, POWELL, AND SHAW
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study the feasibility of the state having sole responsibility for paying teacher salaries using a statewide minimum salary schedule that would ensure that the average teacher pay in Louisiana would be at the Southern Regional Education Board average and to report its findings to the legislature at the earliest possible time.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 78—
BY REPRESENTATIVE WRIGHT
A CONCURRENT RESOLUTION
To nominate the Little River in Grant and LaSalle Parishes for declassification from the Louisiana natural and scenic rivers system.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 90—
BY REPRESENTATIVES HOLDEN, COPELIN, AND QUEZAIRE
A CONCURRENT RESOLUTION
To express the findings of the Legislature of Louisiana that action taken by the Board of Regents at its April 23, 1998, meeting relative to the Tulane University Environmental Law Clinic exceeded the powers of the board, to declare such action by the board to be ultra vires, and to direct the board to cease and desist from involving itself formally or informally in the policies and programs of Tulane University or in matters involving the administration, management, or oversight of the Tulane University Environmental Law Clinic.

Read by title.

Reported favorably by the Committee on Education.

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

HOUSE CONCURRENT RESOLUTION NO. 92—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION
To request that the House and Senate Committees on Labor and Industrial Relations meet and function as a joint committee to study the feasibility of creating a recidivism reduction division within the Department of Labor in order to facilitate the training and job search process for former inmates, and to study and to make recommendations relative to the coordination of efforts to reduce the recidivism rate in Louisiana and to encourage employment of former inmates.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.
The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 92 by Representative Farve.

**AMENDMENT NO. 1**

On page 1, delete lines 2 and 3 in their entirety and insert "To request that the House and Senate Committees on Labor and Industrial Relations meet and function as a joint committee."

**AMENDMENT NO. 2**

On page 2, delete lines 9 and 10 in their entirety and insert "does hereby request that the House and Senate Committees on Labor and Industrial Relations meet and function as a joint committee to"

**AMENDMENT NO. 3**

On page 2, delete lines 16 through 28 and on page 3, delete lines 1 through 3 in their entirety and insert the following:

"BE IT FURTHER RESOLVED that the Louisiana Legislature does hereby request that the joint committee invite the president of the State Board of Elementary and Secondary Education, the chairman of the Workforce Commission, the chairman of the community and technical colleges board, or their designees, and the secretaries of the Department of Public Safety and Corrections, the Department of Economic Development, the Department of Education, the Department of Health and Hospitals, the Department of Labor, the Department of Revenue, and the Department of Social Services, or their designees, to give testimony and comment to the joint committee on the issues contained in this Resolution."

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor, the president of the State Board of Elementary and Secondary Education, the chairman of the Workforce Commission, the chairman of the community and technical colleges board, and the secretaries of the Department of Public Safety and Corrections, the Department of Economic Development, the Department of Education, the Department of Health and Hospitals, the Department of Labor, the Department of Revenue, and the Department of Social Services."

**AMENDMENT NO. 4**

On page 3, line 4, change "task force" to "joint committee."

**AMENDMENT NO. 5**

On page 3, delete lines 7 and 8 in their entirety

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

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

**HOUSE CONCURRENT RESOLUTION NO. 95—**

BY REPRESENTATIVES BARTON, BAUDOIN, FARVE, AND POWELL.

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to study the development and implementation of a prekindergarten program in Louisiana similar to the Georgia Prekindergarten Program and to report its findings and recommendations on such development and implementation to the House and Senate Committees on Education at least thirty days prior to the beginning of the 1999 Regular Session of the Legislature.

Read by title.

Reported favorably by the Committee on Education.

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

**HOUSE CONCURRENT RESOLUTION NO. 96—**

BY REPRESENTATIVES BARTON, BAUDOIN, FARVE, AND POWELL.

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to compile definitive information and report in writing to the House Committee on Education and to the Senate Committee on Education prior to the convening of the 1999 Regular Session on the amount of increased revenues from all sources available to each governing authority of a public elementary or secondary school in the state for the 1998-1999 Fiscal Year compared with the previous fiscal year and the estimated percentage of such increased revenues allocated by each such governing authority to be spent during the 1998-1999 school year for classroom teacher salary increases and other classroom instructional purposes.

Read by title.

Reported favorably by the Committee on Education.

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

**HOUSE CONCURRENT RESOLUTION NO. 102—**

BY REPRESENTATIVES MCDONALD, HILL, LONG, SALTER AND WIGGINS.

A CONCURRENT RESOLUTION

To urge and request each governing authority of a public secondary school to use any increase in state or local funds for the 1998-1999 school year to enhance classroom activities including allocating a portion of such funds to secondary vocational teachers to defray the costs of providing classroom instructional materials and supplies.

Read by title.

Reported favorably by the Committee on Education.

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

**Senate Concurrent Resolutions Reported by Committees**

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

**SENATE CONCURRENT RESOLUTION NO. 3—**

BY SENATOR ELLINGTON.

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the development and implementation of career options beginning in the ninth grade with both options receiving the same diploma and meeting the same requirements for all state-sponsored scholarship and other student financial assistance programs.

Read by title.
Reported favorably by the Committee on Education.

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

**SENATE CONCURRENT RESOLUTION NO. 4—**
**BY SENATORS HAINKEL AND SHORT**
*A CONCURRENT RESOLUTION*
To request the Department of Wildlife and Fisheries to study that portion of the Tchefuncte River from the Highway 22 Bridge to its entrance into Lake Pontchartrain for possible inclusion in the Louisiana natural and scenic rivers system.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**
Amendments proposed by House Committee on Natural Resources to Original Senate Concurrent Resolution No. 4 by Senators Hainkel and Short

**AMENDMENT NO. 1**
On page 1, line 2, after "To" and before "request" insert "urge and" and after "to" and before "study" insert "evaluate and"

**AMENDMENT NO. 2**
On page 1, line 4, after "Pontchartrain" insert a period "." and delete the remainder of the line and delete line 5 in its entirety

**AMENDMENT NO. 3**
On page 1, line 13, after "hereby" insert "urges and" and after "to" and before "study" insert "evaluate and"

**AMENDMENT NO. 4**
On page 1, line 15, after "Pontchartrain" delete the remainder of the line and insert in lieu thereof the following:
"and to provide recommendations to the legislature as to what actions are necessary to maintain the river while insuring its natural scenic beauty."

**AMENDMENT NO. 5**
On page 1, delete line 16 in its entirety and on page 2, delete lines 1 through 10 in their entirety and insert in lieu thereof the following:

"BE IT FURTHER RESOLVED that the Louisiana Legislature hereby requests the secretary to consider all possible alternatives available to ensure the future protection and preservation of the Tchefuncte River south of LA 22.

BE IT FURTHER RESOLVED that the secretary of the Department of Wildlife and Fisheries shall submit a report of his findings and recommendations to the legislature by January 31, 1999.

BE IT FURTHER RESOLVED that the secretary of the Department of Wildlife and Fisheries is also requested to evaluate, as part of the study, any state and federal laws and local ordinances which may regulate setbacks, clear cutting, drainage or any other hindrances to future development of the area, and include any relevant data he finds in his final report."

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

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

**SENATE CONCURRENT RESOLUTION NO. 8—**
**BY SENATOR DARDENNE**
*A CONCURRENT RESOLUTION*
To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to function as a joint committee to study the feasibility of mandating a reporting system which requires certain candidates for a statewide office to disclose a contributor's occupation and employer.

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.

**SENATE CONCURRENT RESOLUTION NO. 29—**
**BY SENATORS BAGNERIS AND HOLLIS**
*A CONCURRENT RESOLUTION*
To direct the appropriate gaming divisions, office of state police, Department of Public Safety and Corrections and the Louisiana Gaming Control Board to work with the appropriate industry representatives and visitor, convention, or tourist bureaus to develop, adopt, and implement necessary and appropriate rules to provide an approval and permitting process for the display and operation for demonstration purposes of electronic gaming machines, including video draw poker devices, at trade shows and conventions.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

**SENATE CONCURRENT RESOLUTION NO. 31—**
**BY SENATOR ELLINGTON**
*A CONCURRENT RESOLUTION*
To direct the Department of Wildlife and Fisheries to report to the legislature on the beaver and nutria problem in the state and to further report on the actions taken by the department as directed by House Concurrent Resolution No. 79 of the 1995 Regular Session.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**SENATE CONCURRENT RESOLUTION NO. 36—**
**BY SENATOR JONES**
*A CONCURRENT RESOLUTION*
To create and provide for the Louisiana Commission on Poverty to study and make recommendations for developing and implementing a comprehensive coordinated program to reduce poverty in this state.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 36 by Senator Jones

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert "To request the Senate Committee on Labor and Industrial Relations and the House Committee on Health and Welfare to meet and function as a joint committee to study and make"

AMENDMENT NO. 2

On page 1, delete lines 5 and 6 in their entirety

AMENDMENT NO. 3

On page 3, delete line 6 in its entirety and insert "does hereby request the Senate Committee on Labor and Industrial Relations and the House Committee on Health and Welfare to meet and function as a joint committee to study and make"

AMENDMENT NO. 4

On page 3, delete lines 9 through 28 and on page 4, delete lines 1 through 11 in their entirety and insert the following:

"BE IT FURTHER RESOLVED that the Louisiana Legislature does hereby request that the joint committee invite the secretary of the Department of Labor, the secretary of the Department of Social Services, the director of the Office of Rural Development, the secretary of the Department of Economic Development, the superintendent of education, the director of the Office of Rural Development, and the director of the Office of Urban Development, to give testimony and comment to the joint committee on the issues contained within this Resolution."

AMENDMENT NO. 5

On page 4, line 19, after "that the" delete the remainder of the line and insert "joint committee"

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

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR HINES AND REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the Children's Cabinet to seek ways to reduce adverse maternal-health behaviors during pregnancy, dysfunctional infant care giving, and stressful environmental conditions that interfere with parental and family functioning, and to urge and request the Children's Cabinet Advisory Board to research successful primary prevention strategies that may reduce the rate of children living in poverty and in single-parent families, infant mortality, child mortality, low birth weight births, high school dropouts, and teens out of school and unemployed.

Read by title.
AMENDMENT NO. 4
On page 3, line 6, delete "task force herein created" and insert "joint committee"

AMENDMENT NO. 5
On page 3, at the end of line 7 delete "Senate and House" and delete line 8 and insert "legislature prior to February 1,"

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

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

SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR ULLO
A CONCURRENT RESOLUTION
To create and provide for the FINS Juvenile Justice Task Force to make recommendations for devising a formula for the equitable distribution of state funds for the administration of the Families in Need of Services program throughout Louisiana's forty-one judicial district courts.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 50 by Senator Ullo

AMENDMENT NO. 1
On page 1, delete line 2, and insert "To request that the Senate Committee on Judiciary - A and the House Committee on Administration of Criminal Justice meet and function as a joint committee to study and to make"

AMENDMENT NO. 2
On page 2, delete line 8, and insert "does hereby request that the Senate Committee on Judiciary - A and the House Committee on Administration of Criminal Justice meet and function as a joint committee to study and to make recommendation for devising a mechanism for the"

AMENDMENT NO. 3
On page 2, line 9, change "admission" to "administration"

AMENDMENT NO. 4
On page 2, delete lines 11 through 25 in their entirety and insert the following:

"BE IT FURTHER RESOLVED that the joint committee shall invite the president of the Louisiana FINS Association, the secretary of the Department of Social Services, the secretary of the Department of Public Safety and Corrections, the attorney general, the president of the Louisiana Council of Juvenile and Family Court Judges, the executive director of the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice, or their designees, to give testimony and comment to the joint committee on the issues contained within this Resolution.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the president of the Louisiana FINS Association, the secretary of the Department of Public Safety and Corrections, the attorney general, the president of the Louisiana Council of Juvenile and Family Court Judges, the executive director of the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice."

AMENDMENT NO. 5
On page 2, line 26, after "that the" and before "committee" insert "joint"

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

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

SENATE CONCURRENT RESOLUTION NO. 52—
BY SENATOR SCHEDLER AND REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION
To urge and request the secretary of the Department of Wildlife and Fisheries to evaluate and study scenic Bayou Liberty in St. Tammany Parish from the center of the waterway to the low water mark.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Senate Instruments on Second Reading
Returned from the Legislative Bureau

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

SENATE BILL NO. 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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 53 (Duplicate of House Bill No. 98)—
BY SENATOR BARHAM AND REPRESENTATIVE ALARIO
AN ACT
To enact R.S. 47:643.1, relative to the taxation of timber; to provide that the severance tax shall be the only tax on standing timber or
the right to cut and remove or use timber; to provide for an
effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 54—
BY SENATOR BARHAM
AN ACT
To amend and reenact R.S. 47:287.95(C) and to enact R.S. 47:601.1,
relative to corporate income tax and franchise tax of certain
transportation companies; to provide a minimal nexus standard
for certain trucking companies before their income is
apportioned to Louisiana for income tax purposes and before
corporation franchise tax is imposed; to provide for an effective
date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 59—
BY SENATOR BARHAM
AN ACT
To repeal Part II of Chapter 6 of Subtitle II of Title 47 of the
Louisiana Revised Statutes of 1950, composed of R.S. 47:651,
Part III of Chapter 6 of Subtitle II of Title 47 of the Louisiana
Revised Statutes of 1950, composed of R.S. 47:671 through
681.1, and Part IV of Chapter 6 of Subtitle II of Title 47 of the
Louisiana Revised Statutes of 1950, composed of R.S. 47:691
through 697, relative to taxes related to natural resources; to
repeal certain taxes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 78—
BY SENATOR ROBICHAUX
AN ACT
To amend and reenact R.S. 47:1561.1, relative to personal liability
for taxes; to provide for the personal liability of certain members
of limited liability companies or limited partnerships; and to
provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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 CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION
To urge and request the office of state police, Department of Public Safety and Corrections, to study the travel problems incurred by motorists when directed to exit an Interstate Highway or major thoroughfare due to an accident or other emergency.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVE HOLDEN
A CONCURRENT RESOLUTION
To urge and request the Legislature of Louisiana, as it considers the FY 1998-99 budget, to consider enhancing the resources available to mass transit providers by substantially increasing the funding to the Mass Transit Account of the Parish Transportation Fund.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 86—
BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION
To urge and request the Department of Environmental Quality to rigorously enforce the December 22, 1998, deadline for upgrades to underground storage tank systems as required by the Environmental Protection Agency and the Environmental Regulatory Code of the state of Louisiana.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. DeWitt, 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.

HOUSE CONCURRENT RESOLUTION NO. 94—
BY REPRESENTATIVE DAMICO
A CONCURRENT RESOLUTION
To memorialize the United States Environmental Protection Agency (EPA) to help the states comply with Title VI of the Civil Rights Act and to adopt sensible and reasonable policies for investigating and resolving Title VI administrative complaints challenging permits and to memorialize the members of the Louisiana congressional delegation to take full notice of the governor's and the legislature's strong support of the Environmental Council of the States (ECOS) resolution condemning the application of the United States Environmental Protection Agency’s (EPA) standards for “Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits” and take appropriate steps in congress to declare that these “Interim Guidance” standards violate the congressional intent of both the Civil Rights Act and the various federal environmental laws, and should be formally withdrawn by EPA.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Guillory, Holden, and Quezaire to Engrossed House Concurrent Resolution No. 94 by Representative Damico

AMENDMENT NO. 1

On page 4, between lines 6 and 7, insert the following:

"BE IT FURTHER RESOLVED that the Louisiana House of Representatives Districts 11, 17, 34, 58, 63, 96, 100, and 101 are hereby declared as exempt from the provisions of this House Concurrent Resolution."

Rep. Guillory moved the adoption of the amendments.


By a vote of 45 yeas and 41 nays, the amendments were adopted.

Rep. Damico moved the adoption of the resolution, as amended.


A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario
Alexander, R.—13th
Ansardi
Barton
Bowler
Bruneau
Carter
Clarkson
Crane
Damico
Deville
DeWitt
Diez
Dimos
Dupre
Durand
Faucheux
Flavin
Fontenot
Frith
Fruge
Gautreaux
Total—66

Hammett
Heaton
Hebert
Hopkins
Jenkins
Johns
Kennard
Kenney
Lancaster
LeBlanc
Long
Martiny
McCain
McCallum
McMains
Michot
Morrish
Odinet
Perkins
Pinac
Powell
Romero

Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Strain
Theriot
Thomas
Thompson
Thornhill
Toomy
Travis
Triche
Vitter
Waddell
Walsworth
Warner
Wiggins
Windhorst
Winston
Wright

NAYS

Alexander, A.—93rd
Baudoin
Bayor
Bruce
Chaisson
Copelin
Curtis
Guillory
Hill
Holden
Hudson
Hunter
Iles
Jetson

Pierre
Pratt
Quezaire
Riddle
Welch
Weston
Wilkerson
The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Powell, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea on final passage of House Concurrent Resolution No. 94.

Suspension of the Rules

On motion of Rep. Glover, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay on the final passage to House Concurrent Resolution No. 94.

HOUSE CONCURRENT RESOLUTION NO. 104—
BY REPRESENTATIVE MCDONALD
A CONCURRENT RESOLUTION
To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 1, 1998, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Engrossed House Concurrent Resolution No. 104 by Representative McDonald

AMENDMENT NO. 1

On page 9, line 25, after "code" and before "and" change "1000" to "1000-2200"

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

Speaker Downer in the Chair

Rep. McDonald moved the adoption of the resolution, as amended.


ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Glover Powell
Alexander, A.—93rd Green Pratt
Alexander, R.—13th Hammett Quezaire
Ansardi Heaton Riddle
Barton Hebert Salter
Baudoin Hill Schneider
Baylors Hopkins Schwegmann
Bruce Hudson Shaw
Carter Hunter Smith, J.D.—50th
Clarkson Iles Strai Thomas
Copelin Kenney Thompson
Crane Landrieu Thornhill
Curtis LeBlanc Triche
Damos Michot Waddell
Donelon Mitchell Walsworth
Dupre Montgomery Wiggins
Durand Morell Wilkerson
Farve Morill Willard
Fauconex Murray Wright
Fontenot Odinet
Frueg Pierre
Gautreaux Pinac
Total—76

NAYS

Alario Jenkins Rousselle
Bowler Johns Scalise
Bruneau Kennard Stelly
Chaisson Lancaster Theriot
Daniel Marionneaux Vitter
Fruitey McCuin Warner
Frith McCuin Welch
Guillory Perkins Weston
Holden Romero Windhorst
Total—27

ABSENT

Jetson
Total—1

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On joint motion of Reps. Kennard and Weston, and under a suspension of the rules, the above roll call was corrected to reflect their voting nay on final passage of House Concurrent Resolution No. 104.

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION
To urge and request the Louisiana State Board of Medical Examiners, in conjunction with the Louisiana chapters of the National Federation of the Blind and the American Council of the Blind, and the Department of Social Services, division of rehabilitation services, to prepare information describing resources available to persons who become blind or severely visually impaired and to make such information available to licensed physicians.

Called from the calendar.

Read by title.
On motion of Rep. Jack Smith, the resolution was adopted.
Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Scalise, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Motion

Rep. Scalise moved the rules be suspended in order to call House Bill No. 186 from the calendar.

By a vote of 60 yeas and 38 nays, the motion to call House Bill No. 186 from the calendar failed.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 89—
BY SENATOR ELLINGTON
AN ACT
To enact R.S. 33:2721.11, relative to Catahoula Parish; to authorize the governing authority of Catahoula Parish to levy and collect an additional sales and use tax within the parish, with voter approval; and to provide for related matters.

Read by title.
Rep. Wright moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. Speaker Guillory
Alario Hammett
Alexander, R.—13th Heaton
Ansardi Hebert
Barton Hill
Baudoin Holden
Baylor Hopkins
Bowler Hudson
Bruce Hunter
Bruneau Iles
Carter Johns
Chaissent Kenney
Clarkson Lancaster
Copelin Landrieu
Crane

Pratt Quezaire
Riddle Romero
Rousselle
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Strain
Theriot

Curtis LeBlanc
Damicco Long
Daniel Marionneaux
Deville Martiny
DeWitt McCain
Diez McCallum
Dimos McDonald
Donelon McMains
Dupre Michot
Durand Mitchell
Farve Montgomery
Faucheux Morrell
Flavin
Fontenot Murray
Frisch Odinet
Fruge Perkins
Gautreau Pierre
Glover Pinac
Green Powell

Total—101

NAYS
Total—0

ABSENT
Alexander, A.—93rd Jetson
Jenkins
Total—3

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

SENATE BILL NO. 92—
BY SENATOR JONES
AN ACT
To enact R.S. 33:2737.70, relative to local sales and use taxes; to authorize the East Carroll Parish School Board to levy and collect an additional sales and use tax not to exceed one percent within the parish of East Carroll; and to provide for related matters.

Read by title.
Rep. Weston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. Speaker Guillory
Alario Hammett
Alexander, R.—13th Heaton
Ansardi Hebert
Barton Hill
Baudoin Holden
Baylor Hopkins
Bowler Hudson
Bruce Hunter
Bruneau Iles
Carter Johns
Chaissant Kenney
Clarkson Lancaster
Copelin Landrieu
Curtis LeBlanc

Pratt Quezaire
Riddle Romero
Rousselle
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Strain
Theriot

Riddle Romero
Rousselle
Salter
Scala
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Strain
Theriot
Thomas
Thompson
The Chair declared the above bill was finally passed.

Rep. Weston 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.

SENATE BILL NO. 8—
BY SENATOR SCHEDLER
AN ACT
To amend and reenact R.S. 47:301(18)(a)(i) and (ii), relative to state and local sales and use taxes; to provide for an exclusion from state and local sales and use taxes on food items donated to food banks; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Engrossed Senate Bill No. 8 by Senator Schedler

AMENDMENT NO. 1
On page 1, line 2, between "(ii)" and the comma ",," insert "and to enact 47:6012"

AMENDMENT NO. 2
On page 1, at the beginning of line 3, delete "sales and use"

AMENDMENT NO. 3
On page 1, line 4, between "banks;" and "and" insert "to provide for a credit against individual or corporation income taxes for donations of food products to food banks;"

AMENDMENT NO. 4
On page 2, between lines 22 and 23, insert the following:

"Section 2.  R.S. 47:6012 is hereby enacted to read as follows:

§6012.  Tax credit for donations to food banks

A. There shall be allowed a credit against the tax liability due under the corporate income or individual income tax for donations of food products made to food banks located in the state of Louisiana. The credit for each taxable year shall be limited to the lesser of twenty-five percent of the donor's tax liability or two hundred fifty dollars. This credit shall be in lieu of the deductions from gross income provided for in R.S. 47:57 or any other income tax credit provided for the donation by any provision of the Louisiana individual or corporate income taxes.

B. A donation shall not qualify for this credit unless approved and accepted by the food bank administrator, who shall provide the donor with documentation certifying the date, value of the donation, and the fitness of the food products for human consumption. The donor shall attach the documentation to the income tax return filed with the Department of Revenue.

C. For the purposes of this Section, the following words and phrases shall have the following meanings:

(1) "Food bank" shall be as defined by R.S. 9:2799.

(2) "Food products" means products which are suitable for human consumption and which are not spoiled or contaminated.

D. The secretary of the Department of Revenue shall promulgate such rules and regulations as may be deemed necessary to carry out the purposes of this Section."

AMENDMENT NO. 5
On page 2, delete line 23 and insert the following:

"Section 3.  Section 1 of this Act shall become effective on July 1, 1998.  Section 2 of this Act shall become effective for taxable periods beginning after December 31, 1998."

Rep. Holden moved the adoption of the amendments.

Rep. Schneider objected.

Rep. Alario moved to withdraw the amendments, pending the attachment of a fiscal note.


A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario  Fruge  Odinet
Alexander, R.—13th  Gautreaux  Powell
Ansardi  Hammett  Rousselle
Barton  Heaton  Salter
Bowler  Hebert  Scalice
Bruce  Hill  Schneider
Bruneau  Hopkins  Smith, J.D.—50th

NAYS

Hopkins  Perkins
Jenkins  Wilkerson

ABSENT

Alexander, A.—93rd  Jetson
Crane  Martiny
Deville  Mitchell

Total—94

Total—4

Total—6
The amendments were withdrawn.

Rep. Schneider moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Guillory Pratt Quezaire
Alario Heaton Riddle
Alexander, R.—13th Hebert Romero Rousselle
Ansardi Hill Salter
Barton Hopkins Schneid
Baudoin Hunter Schwegmann
Bayor Hudson Shaw
Browne Iles Smith, J.D.—50th
Browne Smith, J.R.—30th
Chaisson Joan Selly
Clarkson Kenton Stelly
Clayton Landrein Thomas
Copeland Lancaster Theriot
Curtis LeBlanc Thomas
Daniel Lanneaux Thompson
DeWitt Martiny Toomy
Diez McCuien Vitter
Dimos McCullum Vitter
Donelon McDonald Waddell
Dupre McMains Walsworth
Durand Michot Warner
Farve Montgomery Westen
Fauchex Morrell Willerson
Flavin Myers Wright
Gautreaux Pierre
Glover Pinac
Green Powell
Total—99

NAYS

Total—0

ABSENT

Alexander, A.—93rd Jetson Mitchell
Deville Kenard
Total—5

The Chair declared the above bill was finally passed.

Rep. Schneider 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.

SENATE BILL NO. 119  (Substitute for Senate Bill No. 113 By Senator Schedler)—
BY SENATORS SCHEDLER AND LANDRY AND REPRESENTATIVE STELLEY
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.

Rep. Stelly moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Guillory Quezaire
Alario Heaton Riddle
Alexander, R.—13th Hebert Romero Rousselle
Ansardi Hill Salter
Barton Hopkins Schneid
Baudoin Hunter Schwegmann
Bayor Hudson Shaw
Browne Iles Smith, J.D.—50th
Browne Smith, J.R.—30th
Chaisson Joan Selly
Clarkson Kenton Stelly
Clayton Landrein Thomas
Copeland Lancaster Theriot
Curtis LeBlanc Thomas
Daniel Lanneaux Thompson
DeWitt Martiny Toomy
Diez McCuien Vitter
Dimos McCullum Vitter
Donelon McDonald Waddell
Dupre McMains Walsworth
Durand Michot Warner
Farve Montgomery Westen
Fauchex Morrell Willerson
Flavin Myers Wright
Gautreaux Pierre
Glover Pinac
Green Powell
Total—99

NAYS

Total—0

ABSENT

Alexander, A.—93rd Jetson Mitchell
Deville Kenard
Total—5

The Chair declared the above bill was finally passed.
The Chair declared the above bill was finally passed.

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

Suspension of the Rules

On motion of Rep. Thompson, the rules were suspended in order to take up House Concurrent Resolutions Returned from the Senate with Amendments at this time.

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVES THOMPSON AND R. ALEXANDER
A CONCURRENT RESOLUTION
To urge and request the Medical Vendor Program in the Department of Health and Hospitals to limit prescriptions written for Sildenafil Citrate, commonly referred to as Viagra.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Concurrent Resolution No. 48 by Representatives Thompson and Rodney Alexander

AMENDMENT NO. 1

On page 1, line 12, after "program" insert a period "." and delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete lines 13 and 14 in their entirety

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Guillory Quezaire
Alario Hammelt Ruddle
Alexander, R.—13th Hebert Rousselle
Ansardi Hill Salter
Barton Hopkins Scalsie
Baudoin Hunter Schneider
Baylor Iles Schwegmann
Bowelr Johns Shaw
Bruce Kenney Smith, J.D.—50th
Bruneau Kennard Smith, J.R.—30th
Carter Landrieu Stelly
Chaisson Lancaster Theriot
Clarkson LeBlanc Thomas
Copelin Long Thompson
Danno Marionnaux Thornhill
Daniel McCain Toomy
DeWitt McCallum Travis
Diez McDonald Vitter
Dimos McMaines Waddell
Donelon Michot Walsworth
Dupre Mitchell Warner
Durand Montgomery Welch
Farve Morrell Wiggins
Faucheux Morrish Wilkerson
Flavin Murray Weston
Fontenot Odinet Willard
Frith Perkins Windhorst
Fruge Pierre Winston
Gautreaux Pinac Wright
Glover Powell
Green Pratt
Total—95

NAYS

Total—0

ABSENT

Alexander, A.—93rd Holden Romero
Alario—93rd Hudson
Baudoin Jettson
Heaton Martiny
Total—9

The amendments proposed by the Senate were concurred in by the House.

Motion

Rep. Jenkins moved the rules be suspended in order to take up House Concurrent Resolution No. 64 at this time.

Rep. McDonald objected.

By a vote of 57 yeas and 36 nays, the House refused to suspend the rules.

Suspension of the Rules

On motion of Rep. Murray, the rules were suspended in order to take up House Bills and Joint Resolutions on Second Reading Reported by Committees 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:

Suspension of the Rules

On motion of Rep. Murray, the rules were suspended in order to call House Bill No. 320 from the calendar at this time.

HOUSE BILL NO. 320 (Substitute for House Bill No. 313 by Representatives Murray and Hunter)—

BY REPRESENTATIVES MURRAY, HUNTER, AND COPELIN

AN ACT

To amend and reenact R.S. 23:1474(I), 1515(B), 1536 (D)(3)(a)(introductory paragraph), 1592(E) and to enact R.S. 23:1515(C), 1536(J), and 1553(B)(8)and (9), relative to unemployment compensation; to increase benefit amounts based upon the applied trust fund balance and direction of the fund; to increase the funds to be appropriated to the subaccount in the employment security administration fund for customized training; to provide for an incremental reduction in the employer contribution rate; to provide for a reduction in the employer contribution rate for positive ratio employers; to authorize an increase in the appropriation for the customized training fund in the social charge recoupment account; to authorize an increase in the appropriation for administrative costs in the social charge recoupment account; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Murray sent up floor amendments as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Original House Bill No. 320 by Representatives Murray, Hunter, and Copelin

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 23:" delete "1474(I),"

AMENDMENT NO. 2
On page 1, line 2 after "1515(B)" delete the remainder of the line and at the beginning of line 3, delete "paragraph), 1592(E)"

AMENDMENT NO. 3
On page 1, line 4, after "compensation;" delete the remainder of the line and delete line 5 in its entirety

AMENDMENT NO. 4
On page 1, at the beginning of line 6, delete "of the fund;"

AMENDMENT NO. 5
On page 2, line 1, after "R.S. 23:" delete "1474(I),"

AMENDMENT NO. 6
On page 2, line 1, after "1515(B)," delete the remainder of the line and at the beginning of line 2, delete "paragraph), 1592(E) are" and insert "is"

AMENDMENT NO. 7
On page 2, delete lines 4 through 6 and delete the remainder of the page and delete page 3 in its entirety and at the top of page 4, delete the remainder of the chart and delete line 1

AMENDMENT NO. 8
On page 4, delete lines 4 through 10 in their entirety and insert the following:

"B. Amounts that are appropriated and made available to the administrator from the social charge account, as provided in R.S. 23:1553(B)(9), shall be paid in the account created in Subsection A of this Section. Amounts from such account shall be pledged and dedicated for use solely and exclusively for supplemental funding of personnel costs associated with specific unemployment insurance functions of the Louisiana Department of Labor. Such functions shall"

AMENDMENT NO. 9
On page 5, delete lines 13 through 20 and delete line 21 in its entirety and insert the following:

"J. When the applied trust fund balance exceeds one billion two hundred thousand dollars, a net thirty"

AMENDMENT NO. 10
On page 6, line 13, after "which" delete the remainder of the line and at the beginning of line 14 delete "23:1474" and insert the following:

"the applied trust fund balance exceeds one billion two hundred thousand dollars"

AMENDMENT NO. 11
On page 7, line 9, after "which" delete the remainder of the line and on line 10 delete "of R.S.23:1474" and insert the following:

"the applied trust fund balance exceeds one billion two hundred thousand dollars"

AMENDMENT NO. 12
On page 7, delete lines 14 through 20 in their entirety and insert the following:

"Section 2. This Act shall take effect and become operative January 1, 1999. This Act shall become null and void January 1, 2000, unless an act of any subsequent regular or extraordinary session of the legislature is enacted which provides for a thirty percent increase in the maximum weekly benefit amount of unemployment compensation effective on or before July 1, 1999.

Section 3. The provisions of Section 2 of this Act shall become effective August 15, 1998."

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

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

Under the rules, placed on the regular calendar.

Privileged Report of the Legislative Bureau

June 4, 1998

To the Speaker and Members of the House of Representatives:
I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 29
Reported without amendments.

Senate Bill No. 32
Reported without amendments.

Senate Bill No. 34
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Suspension of the Rules

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

Senate Instruments on Second Reading

Returned from the Legislative Bureau

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

SENATE BILL NO. 29—
BY SENATOR BAGNERIS
A JOINT RESOLUTION
Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to providing certain tax deductions to owners of blighted properties; to authorize a waiver of tax liens and tax liabilities on such properties in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 29 by Senator Bagneris

AMENDMENT NO. 1
On page 3, line 13, after "authorize" and before "tax liabilities" delete "the waiver of tax liens and" and insert the following:

"(1) the subordination and waiver of taxes and charges forming the basis of tax liens on blighted property in favor of a purchaser who is not a member of the immediate family of the owner nor an entity in which the owner has a substantial economic interest, but only in connection with a property renovation plan approved by the parish or municipal government where the property is located, and (2) the deduction of past due"

AMENDMENT NO. 2
On page 3, line 15, after "value," delete the remainder of the line and insert "to facilitate the blighted property"

AMENDMENT NO. 3
On page 3, line 17, after "located" and before "(Amends" change the period ")" to a comma "," and add "and only after the renovation is completed."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 32 by Senator Malone

AMENDMENT NO. 1
On page 3, line 8, after "authority," and before "to enter" insert "in addition to their authority"

AMENDMENT NO. 2
On page 3, line 11, after "in a" delete the remainder of the line and delete lines 12 through 17 in their entirety and insert in lieu thereof the following:

"downtown, historic, or economic development district the right to pay ad valorem taxes, for an initial term of five years after completion of the work and for a renewal term of five additional years, based on the prior year's assessed valuation of the property, to grant an additional five-year renewal, for a total of fifteen years, if any such contract has as its primary object the development of structures for residential use within a downtown district."

AMENDMENT NO. 3
On page 3, at the beginning of line 18, delete "work."

Reported without amendments by the Legislative Bureau.

On motion of Rep. McMains, the amendments were adopted.
On motion of Rep. McMains, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 34—
BY SENATORS JOHNSON, BAGNERIS, COX, ELLINGTON, HINES, JORDAN, LANDRY, SIRACUSA AND THEUNISSEN AND REPRESENTATIVES ANSARDI, BAUDOIN, BRUCE, DAMICO, DIEZ, DUPRE, FARVE, FAUCHEUX, FRITID, GAUTREAUX, HAMMETT, MARTINEZ, MORRELL, MURRAY, PINAC, ROUSSELLE, SCHWEGMANN, THOMPSON, TOOMY AND WILLARD
A JOINT RESOLUTION
Proposing to amend Article VI, Section 29(D) of the Constitution of Louisiana, relative to revenue and finance; to provide for certain voting requirements for enacting certain tax exemptions or exclusions from sales and use taxes levied by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with those of the state; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 34 by Senator Johnson

AMENDMENT NO. 1
On page 3, line 2, after "imposed by" and before "local" delete "the" and insert "either (1) all"

AMENDMENT NO. 2
On page 3, line 4, after "state" and before "(Amends" change the period "." to a comma "," and add "or (2) all the tax authorities of the state."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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. 21—
BY REPRESENTATIVE FAUCHEUX
A JOINT RESOLUTION
Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to property taxation; to authorize the State Board of Commerce and Industry to contract with developers of retirement communities and certain nursing facility operators for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Ways and Means to Original House Bill No. 21 by Representative Faucheux

AMENDMENT NO. 1
On page 1, line 4, between "communities" and "for" insert "and certain nursing facility operators"

AMENDMENT NO. 2
On page 2, line 4, change "communities," to "communities and nursing facility operators whose physical plants have been in operation for twenty years or more,"
On motion of Rep. Alario, the amendments were adopted.

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

Suspension of the Rules

On motion of Rep. Alario, 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. 34—
BY SENATORS JOHNSON, BARHAM, CAIN, LENTINI, SMITH, THEUNISSEN AND SCHEDLER
A CONCURRENT RESOLUTION
To create and provide with respect to a special committee to study the entire tax system in order to make recommendations in the areas of tax exemptions, exclusions, deductions, credits, and refunds and to create an advisory committee and provide for an expert to assist the joint committee.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Concurrent Resolution No. 34 by Senator Johnson

AMENDMENT NO. 1
On page 1, at the end of line 4, delete "and to create" and at the beginning of line 5, delete "an advisory committee"

AMENDMENT NO. 2
On page 1, delete lines 7 through 12 in their entirety.

AMENDMENT NO. 3
On page 2, delete lines 18 through 28 in their entirety.

AMENDMENT NO. 4
On page 3, delete lines 1 through 20 in their entirety.

AMENDMENT NO. 5
On page 3, at the end of line 21, delete "and the"

AMENDMENT NO. 6
On page 3, line 22, delete "advisory committee" and change "their" to "its"

AMENDMENT NO. 7

On page 3, line 23, delete "each committee"

AMENDMENT NO. 8
On page 3, delete lines 26 through 28 in their entirety.

AMENDMENT NO. 9
On page 4, delete lines 1 through 12 in their entirety.

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

Under the rules, the above resolution, as amended, was recommitted to the Committee on House and Governmental Affairs.

Privileged Report of the Legislative Bureau

June 4, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 40
Reported without amendments.

Senate Bill No. 76
Reported without amendments.

Senate Bill No. 82
Reported without amendments.

Senate Bill No. 109
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Suspension of the Rules

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

Senate Instruments on Second Reading Returned from the Legislative Bureau

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

SENATE BILL NO. 40—
BY SENATOR ROMERO
AN ACT
To amend and reenact R.S. 33:2716 and 2716.2(A) and to enact R.S. 47:301(10)(s), relative to sales and use or rental and lease taxation; to exclude from certain state and/or political subdivision sales and use and lease or rental taxation certain sales to, and use, lease, and rentals by, construction contractors and subcontractors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.
The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 40 by Senator Romero

**AMENDMENT NO. 1**

On page 2, delete lines 3 through 6 in their entirety and insert the following:

"B(1) Notwithstanding any other provision of law to the contrary, any contractor who is a general construction contractor licensed under R.S. 37:2150, et seq., who has a construction project in a parish may obtain a direct pay number to be issued by the collector of sales, use and lease taxes for the parish on behalf of all governmental agencies within that parish who levy a sales, use or lease tax (the "tax collector"). Such direct pay number shall be conclusive evidence that all sales or use taxes which would be owed on any tangible personal property purchased or otherwise acquired for use by such contractor in the project for which such direct pay number was issued, are due to the contractor who issued such direct pay number.

(2) A contractor, upon receipt of the direct pay number certificate, shall submit such certificate to any dealer from whom the contractor repairs, modifies, further fabricates, or stores such property outside of the parish which issued the direct pay number, no sales or use tax shall be owed on such transaction.

(3) If, after purchasing or otherwise acquiring such property, the contractor repairs, modifies, further fabricates, or stores such property outside of the parish which issued the direct pay number, no sales or use tax shall be owed on such activities.

(4) Any tax owed on the tangible personal property which was purchased or otherwise acquired using the direct pay number certificate shall be due to the parish which issued such direct pay number certificate when said property is imported into such parish by the contractor.

(5) If property upon which a tax has been in accordance with the provisions of this Subsection is subsequently used in a parish which did not issue a direct pay number, then the contractor shall be entitled to a credit for the monies paid to the parish which issued the direct pay number against any taxes assessed on such property by the parish in which the property was subsequently used.

(6) A construction subcontractor may apply for its own direct pay number. But if a direct pay number has been issued to the general construction contractor, a construction subcontractor shall be entitled to the benefit and use of the direct pay number certificate issued to the general construction contractor for that project and there shall be no requirement that the construction subcontractor apply for or receive a separate direct pay number from the parish tax collector.

(7) A contractor shall apply for a direct pay number by submitting a written request to the collector of taxes for the parish within which the construction project occurs, together with any other documentation which the tax collector, by written regulation, may require. The tax collector shall, within thirty days from the receipt of a written request, issue its written decision as to whether the contractor will be issued a direct pay number.

(8) A direct pay number shall be issued only for those construction projects where the total bid submitted by the general construction contractor exceeds $50,000.

(9) This Subsection shall only apply to the purchase or acquisition of that property which is specified under the contract for which the building permit has been issued and which becomes the property of the owner of the project at the completion of the contract.

(10) The provisions of this Subsection shall be effective from July 1, 1998 until July 1, 2000.

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 76—**

**BY SENATOR BARHAM**

**AN ACT**

To enact R.S. 47:6012, relative to employer tax credits; to establish an employer tax credit for income taxes and corporation franchise taxes for the donation of materials, equipment, advisors, or instructors to certain entities; to provide for the amount of the tax credit; to establish the taxable period for the tax credit; to provide for the promulgation of rules and regulations; to provide for an effective date for donations; to provide a termination date for the tax credit; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 76 by Senator Barham

**AMENDMENT NO. 1**

On page 1, line 4, between "of" and "materials" insert "certain"

**AMENDMENT NO. 2**

On page 1, line 4, delete "advisors,"

**AMENDMENT NO. 3**

On page 2, at the beginning of line 6, insert "the latest technology available in"

**AMENDMENT NO. 4**

On page 2, line 6, delete "advisors,"

**AMENDMENT NO. 5**

On page 2, line 10, delete "advisor or"

**AMENDMENT NO. 6**

On page 2, line 19, change "Labor" to "Revenue"
AMENDMENT NO. 7
On page 2, line 20, change "Revenue" to "Labor"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 82—
BY SENATOR CAMPBELL
AN ACT
To amend and reenact R.S. 47:3202(C) and 4304(C), relative to tax exemptions; to provide a right of first refusal to Louisiana businesses as a condition for business and manufacturing establishments; to receive certain tax exemptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 109—
BY SENATOR DYESS
AN ACT
To amend and reenact R.S. 47:305.37, relative to sales tax of political subdivisions; to authorize the exemption of certain items used for farm purposes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Suspension of the Rules
On motion of Rep. Diez, the rules were suspended in order to take up the House and House Concurrent Resolutions contained in the committee report at this time.

House and House Concurrent Resolutions Reported by Committees

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

HOUSE RESOLUTION NO. 53—
BY REPRESENTATIVE FAUCHEUX
A RESOLUTION
To urge and request the Department of Transportation and Development to obtain and rely on the Federal Aviation Administration's method of certification of compliance with applicable statutes, regulations, and policies to the extent consistent with program goals and the need to protect state investment in order to use resources more efficiently in the department in the administration of state match dollars for federal grants for airports.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Resolution No. 53 by Representative Fauchex

AMENDMENT NO. 1
On page 1, line 2, after "To" and before "the" change "direct" to "urge and request"

AMENDMENT NO. 2
On page 3, line 2, after "hereby" and before "the Department" change "direct" to "urge and request"

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

On motion of Rep. Diez, the resolution, as amended, was ordered engrossed and passed to its third reading.
HOUSE CONCURRENT RESOLUTION NO. 99—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to obtain and rely on the Federal Aviation Administration's method of certification of compliance with applicable statutes, regulations, and policies to the extent consistent with program goals and the need to protect state investment in order to use resources more efficiently in the department in the administration of state match dollars for federal grants for airports.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Suspension of the Rules

On motion of Rep. Diez, the rules were suspended in order to take up the Senate Concurrent Resolutions contained in the 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. 44—
BY SENATOR ROMERO
A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development, the Louisiana Transportation Research Center, Louisiana State University, the Louisiana Transportation Research Center Foundation, Inc. and private sector transportation entities to develop a public-private partnership for the planning, development, and construction of a transportation training and educational facility.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Privileged Report of the Legislative Bureau

June 4, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 112
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS

Chairman
HOUSE RESOLUTION NO. 56—
BY REPRESENTATIVE WILKERSON
A RESOLUTION
To commend Doug Williams upon his selection as head football coach for Grambling State University and for his many achievements, accomplishments, and contributions.

HOUSE RESOLUTION NO. 57—
BY REPRESENTATIVE JOHN SMITH
A RESOLUTION
To commend and honor the Reverend Lenzo V. Scott on June 7, 1998, for fourteen years of devoted service to the Ellen Burr Missionary Baptist Church in Leesville, Louisiana.

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
June 4, 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. 29—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION
To urge and request the Paul M. Hebert Law Center and the Southern University Law Center to provide a six-hour training course in law office management to graduates of each school, respectively, at no cost to such graduates.

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVES R. ALEXANDER, CLARKSON, MCCALLUM, THOMPSON, WIGGINS, AND WILKERSON
A CONCURRENT RESOLUTION
To urge and request the secretary of the Department of Health and Hospitals to modify the medical assistance estate recovery program guidelines to provide for a homestead exemption of fifty thousand dollars and to permit the deduction of automobile insurance and maintenance expenses from the estimated value of an estate.

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVES WILKERSON AND WIGGINS AND SENATOR IRONS
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals to require acute care hospitals to have stroke plans and for state medical centers in New Orleans and Shreveport to become comprehensive stroke centers.

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVES R. ALEXANDER AND ILES
A CONCURRENT RESOLUTION
To urge and request the office of public health to modify the immunization schedule to require that all students be immunized against Hepatitis B.

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE QUEZAIRE AND SENATOR LAMBERT
A CONCURRENT RESOLUTION
To urge and request the office of state parks of the Department of Natural Resources to modify the medical assistance estate recovery program guidelines to provide for a homestead exemption of fifty thousand dollars and to permit the deduction of automobile insurance and maintenance expenses from the estimated value of an estate.

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVE QUEZAIRE AND SENATORS BAGNERIS, BAJOIE, BAHAM, BEAN, CAIN, CAMPBELL, CASANOVA, COX, DARDENNE, DYESS, ELLINGTON, HAINE, HAINKEL, HEITMEIER, HINES, HOLLIS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, TUEBENISEN, AND ULLO
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to adopt and implement the national agriculture education program entitled "Ag in the Classroom" so that students will have a readily available resource for information about the various aspects of agriculture.

HOUSE CONCURRENT RESOLUTION NO. 84—
BY REPRESENTATIVES DANIEL AND WINSTON
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals and the Department of Social Services to work together to ensure that comprehensive mental health services, both treatment and preventive, are provided to the foster care children in the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 97—
BY REPRESENTATIVES PRATT, WILKERSON, MURRAY, ALEXANDER, BAYLOR, COPELIN, CURTIS, FARVE, GLOVER, GREEN, GUILLO, HILDEN, HUDSON, HUNTER, JETSON, MITCHELL, MORRELL, PIERRE, QUEZAIRE, WESTON, WILLARD, AND WELCH AND SENATORS BAJOIE, BAGNERIS, CRAVINS, C. FIELDS, W. FIELDS, IRONS, JOHNSON, JONES, AND TARVER
A CONCURRENT RESOLUTION
To commend Ms. Gloria Mae Bryant-Banks, former secretary of the Department of Social Services, upon the occasion of her retirement from a thirty-eight-year career of public service, for her dedicated service and contributions to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 101—
BY REPRESENTATIVE HEATON AND SENATOR IRONS
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to restore the business meal deduction from its current level of fifty percent deductibility to one hundred percent deductibility.

HOUSE CONCURRENT RESOLUTION NO. 105—
BY REPRESENTATIVES PRATT AND COPELIN
A CONCURRENT RESOLUTION
To commend Mr. John O. Brown for contributions to Dillard University upon the occasion of his retirement after twenty-five years of generous and highly effective service.
HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVES JETSON AND DANIEL
A CONCURRENT RESOLUTION
To commend Catholic High School of Baton Rouge upon being named a 1997-1998 Blue Ribbon school by the United States Department of Education and to recognize that with this award, the school became one of less than twenty schools in the nation to win the Blue Ribbon School award three times.

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE MORRISH
A CONCURRENT RESOLUTION
To declare the weeks immediately preceding the driving holidays of Memorial Day, Labor Day, Thanksgiving, and New Year's as "Safe Driver Awareness Weeks" in the state of Louisiana, and to urge the Department of Transportation and Development, the Department of Public Safety and Corrections, and the Department of Culture, Recreation and Tourism to publicize these weeks.

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION
To commend Mount Carmel Academy of New Orleans upon being named a 1997-1998 Blue Ribbon school by the United States Department of Education.

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVES PIERRE, BAUDOIN, DURAND, HEBERT, LEBLANC, MICHOT, MORRISH, PINAC, AND ROMERO
A CONCURRENT RESOLUTION
To remember Neil Martin Nehrbass and to reflect on his contributions to the state, his hometown of Lafayette, its people, and its future.

HOUSE CONCURRENT RESOLUTION NO. 111—
BY REPRESENTATIVES MICHOT, BAUDOIN, FRITH, LEBLANC, PIERRE, AND PINAC AND SENATORS CASANOVA, CRAVINS, JORDAN, AND ROMERO
A CONCURRENT RESOLUTION
To commend St. Thomas More High School of Lafayette upon being named a 1997-1998 Blue Ribbon school by the United States Department of Education and to recognize that with this award, the school became one of less than twenty schools in the nation to win the Blue Ribbon School award three times.

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 by the Clerk of the House and were taken to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment
June 4, 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. 259—
To amend and reenact R.S. 26:326, 341(introductory paragraph), 344, 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 provide for recordkeeping of sales subject to said tax; 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 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 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 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 of 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.

HOUSE BILL NO. 258—
To enact 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.

HOUSE BILL NO. 254—
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 provide for recordkeeping of sales subject to said tax; to exempt from the tax on direct sale and shipment by common carrier of 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.

HOUSE BILL NO. 257—
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.

HOUSE BILL NO. 255—
To amend and reenact R.S. 47:293(7), 300.2(introductory paragraph), 300.5, 300.6(B)(1)(a), 300.7, and 300.10 and to repeal R.S. 47:300(B)(1)(c) and 300.8, relative to income taxation of estates and trusts and the individual income tax of nonresident individual beneficiaries; 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.

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.

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.

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

SIGNED SENATE CONCURRENT RESOLUTIONS
June 4, 1998
To the Honorable Speaker and Members of the House of
Representatives:

I am directed to inform your honorable body that the President
of the Senate has signed the following Senate Concurrent
Resolutions:

Senate Concurrent Resolution Nos. 23, 30, 43, 45, 46, and 51

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

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

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

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS
June 4, 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. 49

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

Message from the Senate

SENATE BILLS
June 4, 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. 69 and 116

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

Suspension of the Rules

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

Senate Bills and Joint Resolutions
on First Reading

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

SENATE BILL NO. 69—
BY SENATOR BAGNERIS
AN ACT
To amend and reenact R.S. 47:120.37 (B) and (D), and to enact R.S.
47:120.37 (E), (F), (G) and (H), relative to revenue and
taxation; to lower the minimum threshold for organizations to
remain on the Louisiana Income Tax Donation Schedule; to
require the annual rotation of organization names on the
donation schedule; to allow organizations to provide an
informational telephone number next to their name; to allow
organizations removed from the income tax donation schedule
due to the current minimum donation requirement to apply to be
placed back on the donation schedule if they would have
satisfied the lowered donation requirement during the past five
years; to provide a tax deduction for donations; and to provide
for related matters.

Read by title.

SENATE BILL NO. 116—
BY SENATORS BARHAM AND HINES
AN ACT
To enact R.S. 47:13, relative to taxation of activities on Indian
reservations; to provide for the circumstances under which state
taxes may be levied upon such activities; to provide for certain
compacts and agreements; to provide for certain dedications; 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. 112—
BY REPRESENTATIVES WILKERSON AND WESTON
A CONCURRENT RESOLUTION
To remember Marilyn Joy Clemons of Baton Rouge, Louisiana, and to reflect on her lifetime of dedication to the legal profession and to her community.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 113—
BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION
To urge and request the Louisiana Commission on Alcohol and Drug Abuse to hold public hearings on substance abuse throughout the state jointly with certain members of the legislature.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 114—
BY REPRESENTATIVE WINSTON
A CONCURRENT RESOLUTION
To commend St. Scholastica Academy of Covington upon being named a 1997-1998 Blue Ribbon school by the United States Department of Education.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE LONG
A CONCURRENT RESOLUTION
To commend and congratulate Overton Owens for over sixty years as a performer, blues musician, folk artist, and Louisiana music legend.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 116—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION
To commend Sister Mary Adrian Johnson for sixty of dedication and consecration to God, to church, and to the service of others.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 117—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION
To commend Sister Mary Cornelia Hall for fifty years of dedication and consecration to God, to church, and to the service of others.

Read by title.

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

Ordered to the Senate.

Motion

Rep. Jenkins moved the rules be suspended in order to take up House Concurrent Resolutions Returned from the Senate with Amendments at this time.

Rep. McDonald objected.

By a vote of 63 yeas and 20 nays, the motion was agreed to.

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments were taken up and acted upon as follows:

Motion

Rep. Jenkins moved the rules be suspended in order to consider House Concurrent Resolution No. 64 just returned from the Senate with amendments.

Rep. McDonald objected.

By a vote of 64 yeas and 24 nays, the rules were suspended.

HOUSE CONCURRENT RESOLUTION NO. 64—
BY REPRESENTATIVES JENKINS, BOWLER, DANIEL, DIMOS, DONELON, FARVE, HOPKINS, JETSON, LANCASTER AND MCCALLUM
A CONCURRENT RESOLUTION
To direct the governing authorities of public high schools to allow students who have completed the required minimum units of credit for graduation and all other graduation requirements as mandated by the State Board of Elementary and Secondary Education but failed to pass the high school graduation exit exam to participate in all senior graduation activities and ceremonies except actual receipt of a diploma.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original House Concurrent Resolution No. 64 by Representative Jenkins

AMENDMENT NO. 1

On page 1, line 7, after "diploma" insert "during the ceremonies occurring in the Spring of 1998 and to direct the State Board of Elementary and Secondary Education to develop and impose a uniform procedure for high school graduation ceremonies to provide recognition to certain students who do not qualify for the receipt of a high school diploma"

AMENDMENT NO. 2

On page 2, line 17, after "diploma" insert "during the ceremonies occurring in the Spring of 1998"

AMENDMENT NO. 3

On page 2, between lines 17 and 18, insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana further directs the State Board of Elementary and Secondary Education, assisted by the state Department of Education, to develop and impose a uniform procedure for high school graduation ceremonies to recognize with a certificate of achievement and such participation in the ceremonies as that recognition warrants those students who have successfully completed all requirements for high school graduation, except successful completion of all portions of the graduation exit exam.

BE IT FURTHER RESOLVED that such uniform procedure shall provide for the transmission of a state- approved high school diploma to such student at any time after such ceremonial recognition that the student successfully completes all portions of the examination."

AMENDMENT NO. 4

On page 2, line 20, after "superintendent" insert "and to the executive director and the president of the State Board of Elementary and Secondary Education"

Rep. Jenkins moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. McDonald moved that the amendments proposed by the Senate be rejected.


The vote recurred on the substitute motion.

By a vote of 35 yeas and 54 nays, the substitute motion failed to pass.

Rep. Jenkins insisted on his motion that the amendments proposed by the Senate be concurred in.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario
Baudoin
Baylor
Bruce
Carter
Clarkson
Copelin
Curtis
Damico
Daniel
Deville
Diez
Donelon
Dupre
Farve
Faucheux
Firth

Mr. Speaker
Alexander, R.—13th
Barton
Bowler
Bruneau
Claissen
DeWitt
Hebert
Kennard
Kenney
Lancaster

LeBlanc
Long
Martiny
McCallum
McDonald
McMains
Montgomery
Morrisey
Pinac
Powell
Riddle
Salter

Stelly
Thompson
Toomy
Waddell
Walworth
Warner
Windhorst
Wright

Total—50

NAYS

Mr. Speaker LeBlanc
Alexander, R.—13th Long
Barton
Bowler
Bruneau
Claissen
DeWitt
Hebert
Kennard
Kenney
Lancaster

McCart
McDonald
McMains
Montgomery
Morrisey
Pinac
Powell
Riddle
Salter
Schneider
Shaw
Strain
Theriot
Vitter
Winston

Total—34

ABSENT

Alexander, A.—93rd
Ansardi
Crane
Durand
Flavin
Fontenot
Heaton

Hopkins
Hudson
Jetson
Johns
Mitchell
Perkins
Romero

Schneider
Shaw
Strain
Theriot
Vitter
Winston

Total—20

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. McMains, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on adjournment in the House Chamber on June 4, 1998, and consider the following legislative instruments without giving the notice required by House Rule 14.21(A) and House Rule 14.53(B):

House Bill No. 21

Suspension of the Rules

On motion of Rep. Rodney Alexander, the rules were suspended to permit the Committee on Health and Welfare to meet at adjournment in the House Chamber on June 4, 1998, and consider the following legislative instruments without giving the notice required by House Rule 14.21(A) and House Rule 14.53(B):
Senate Concurrent Resolution No. 35

Suspension of the Rules

On motion of Rep. Travis, the rules were suspended to permit the Committee on Commerce to meet in the House Chamber on June 8, 1998, and consider the following legislative instruments without giving the notice required by House Rule 14.21(A) and House Rule 14.53(B):

House Concurrent Resolution No. 109
Senate Concurrent Resolution No. 57

Adjournment

On motion of Rep. Travis, at 4:50 P.M., the House agreed to adjourn until Monday, June 8, 1998, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Monday, June 8, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, Emeritus