

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

EIGHTH DAY'S PROCEEDINGS

**Twenty-ninth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, March 21, 2001

The House of Representatives was called to order at 3:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Green	Perkins
Alario	Guillory	Pierre
Alexander, E	Hammett	Pinac
Alexander, R	Heaton	Pitre
Ansardi	Hebert	Powell
Baudoin	Hill	Pratt
Baylor	Holden	Quezaire
Bowler	Hopkins	Richmond
Broome	Hudson	Riddle
Bruce	Hunter	Romero
Bruneau	Hutter	Salter
Carter, K	Iles	Scalise
Carter, R	Jackson, L	Schneider
Cazayoux	Jackson, M	Schwegmann
Clarkson	Johns	Shaw
Crane	Katz	Smith, G.—56th
Crowe	Kennard	Smith, J.D.—50th
Damico	Kenney	Smith, J.H.—8th
Daniel	LaFleur	Smith, J.R.—30th
Dartez	Lancaster	Sneed
Devillier	Landrieu	Stelly
Diez	LeBlanc	Strain
Doerge	Lucas	Thompson
Donelon	Martiny	Toomy
Downer	McCallum	Townsend
Durand	McDonald	Triche
Erdey	McMains	Waddell
Faucheux	McVea	Walsworth
Flavin	Montgomery	Welch

Frith
Fruge
Futrell
Gallot
Glover
Total—100

Morrell
Morrish
Murray
Nevers
Odinet

Winston
Wooton
Wright

ABSENT

Curtis
Total—2

Farrar

The Speaker announced that there were 100 members present and a quorum.

Prayer

Prayer was offered by Rep. Salter.

Pledge of Allegiance

Rep. Pratt 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. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Ernie Alexander, and under a suspension of the rules, the Journal of March 20, 2001, was corrected to reflect him as voting yea on concurrence in the Senate amendments on House Bill No. 5.

On motion of Rep. Frith, the Journal of March 20, 2001, was adopted.

Privileged Report of the Committee on Enrollment

March 21, 2001

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 7—
BY REPRESENTATIVE HOLDEN

A RESOLUTION

To commend Johnny Mathis on his successful journey as a renowned performer and to welcome him to 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

March 21, 2001

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

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

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The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 6—
BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Leonard E. Pauley, Sr. of Lake Charles.

HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVE DOWNER AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To commend Detective Dana Coleman upon being named Non-Uniformed Officer of the Year in Houma.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE DOWNER AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To commend Police Officer First Class Sidera Adams upon being named Uniformed Officer of the Year in Houma.

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVE MCCALLUM AND SENATOR B. JONES

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Joe Freeman Woods.

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVES R. ALEXANDER, ALARIO, E. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLÓT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HÜTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS BAJOEI, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Mervin Lee Trail.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission to extend the oyster harvest season in the public oyster seed grounds east of the Mississippi River for an additional thirty days.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

March 21, 2001

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. 5—
BY REPRESENTATIVE RIDDLE AND SENATOR HINES
AN ACT

To amend and reenact R.S. 23:1472(12)(F)(III)(c)(ii) and (v) and (e) and (I), 1552(A)(introductory paragraph) and (2) and (E), and 1600(6)(a)(introductory paragraph) and to enact R.S. 23:1472(11)(i), (12)(F)(VII) and (H)(XXI), 1543(J), and 1592(H), relative to unemployment compensation benefits; to define employer and employment to include Indian tribes and services performed in the employ of an Indian tribe; to allow for reimbursement by Indian tribes for unemployment compensation purposes; to provide for the imposition of penalties for the delinquent payment of employment reimbursements by an Indian tribe; to permit an Indian tribe to elect payments in lieu of contributions; and to provide for related matters.

HOUSE BILL NO. 12—
BY REPRESENTATIVES FAUCHEUX, ALARIO, HILL, MONTGOMERY, GARY SMITH, AND TOOMY AND SENATOR FONTENOT
AN ACT

To amend and reenact R.S. 47:305.51 and to enact R.S. 47:302(P), 321(G), and 331(N), relative to the sales and use tax; to exempt purchases of utilities used by certain steelworks and blast furnaces; to define steelworks and blast furnaces eligible for such exemption; to provide for the effectiveness of the exemption; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 14—
BY REPRESENTATIVES HAMMETT, ALARIO, BRUNEAU, K. CARTER, DANIEL, DARTEZ, DURAND, FARRAR, FAUCHEUX, HILL, HUNTER, L. JACKSON, LEBLANC, MONTGOMERY, ODINET, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, DAMICO, DEVILLIER, DEWITT, DIEZ, DONELON, DOWNER, ERDEY, FLAVIN, FRITH, FRUGE, FUTRELL, GLOVER, GUILLORY, HEATON, HEBERT, HOLDEN, HUDSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, MARTINY, MCDONALD, MCMAINS, MORRISH, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, PRATT, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JANE SMITH, SNEED, STELLY, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS BAJOEI, BARHAM, BEAN, CAIN, CAMPBELL, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FONTENOT, GAUTREAU, HINES, HOYT, B. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO
AN ACT

To amend and reenact R.S. 47:1621, relative to the Department of Revenue; to expand the authority of the secretary to refund overpayments under certain circumstances; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 16—
BY REPRESENTATIVES ALARIO, K. CARTER, DIEZ, SCALISE, SNEED, WINSTON, DARTEZ, FARRAR, FAUCHEUX, FRITH, HEATON, HILL, L. JACKSON, MONTGOMERY, MURRAY, AND ODINET AND SENATORS BOISSIERE AND HOLLIS
AN ACT

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, and Section 1 of Act No. 50 of the 1998 Regular Session of the

Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; 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.

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 20—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 26:344 and to enact R.S. 26:342.1, relative to alcoholic beverages taxes; to provide for an additional excise tax on certain alcoholic beverages; to create the Public School Classroom Teacher Salary Fund in the state treasury; to provide for the deposit of the proceeds from the tax into the fund; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Crowe, the bill was withdrawn from the files of the House.

HOUSE BILL NO. 21—
BY REPRESENTATIVE CROWE
AN ACT

To amend and reenact R.S. 26:344 and to enact R.S. 26:342.1, relative to alcoholic beverages taxes; to provide for an additional excise tax on certain alcoholic beverages; to create the Public School Classroom Teacher Salary Fund in the state treasury; to provide for deposit of the proceeds from the tax into the fund; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Crowe, the bill was withdrawn from the files of the House.

Recess

On motion of Rep. Riddle, the Speaker declared the House at recess until 6:00 P.M.

After Recess

Speaker DeWitt called the House to order at 6:00 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker	Futrell	Murray
Alario	Gallot	Nevers
Alexander, E	Glover	Odinot
Alexander, R	Guillory	Perkins
Ansardi	Hammett	Pierre
Baudoin	Heaton	Pinac
Baylor	Hebert	Pitre
Bowler	Hill	Powell
Broome	Holden	Pratt
Bruce	Hopkins	Richmond
Bruneau	Hudson	Romero
Carter, K	Hunter	Salter
Carter, R	Hutter	Scalise
Cazayoux	Iles	Schneider
Clarkson	Jackson, L	Schwegmann
Crane	Jackson, M	Shaw
Crowe	Johns	Smith, G.—56th
Damico	Katz	Smith, J.D.—50th
Daniel	Kennard	Smith, J.H.—8th
Dartez	Kenney	Sneed
Devillier	LaFleur	Stelly
Diez	Lancaster	Strain
Doerge	Landrieu	Thompson
Donelon	LeBlanc	Toomy
Downer	Lucas	Townsend
Durand	Martiny	Triche
Erdey	McCallum	Waddell
Farrar	McDonald	Walsworth
Faucheux	McMains	Welch
Flavin	McVea	Winston
Frith	Montgomery	Wooton
Fruge	Morrish	Wright
Total—96		

ABSENT

Curtis	Morrell	Riddle
Green	Quezaire	Smith, J.R.—30th
Total—6		

The Speaker announced there were 96 members present and a quorum.

Recess

On motion of Rep. Bruneau, the Speaker declared the House at recess until 7:30 P.M.

After Recess

Speaker DeWitt called the House to order at 7:30 P.M.

ROLL CALL

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

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PRESENT

Mr. Speaker	Gallot	Murray
Alario	Glover	Nevers
Alexander, E	Green	Odinot
Alexander, R	Guillory	Perkins
Ansardi	Hammett	Pierre
Baudoin	Heaton	Pinac
Baylor	Hebert	Pitre
Bowler	Hill	Powell
Broome	Holden	Pratt
Bruce	Hopkins	Quezaire
Bruneau	Hudson	Richmond
Carter, K	Hunter	Riddle
Carter, R	Hutter	Salter
Cazayoux	Iles	Scalise
Clarkson	Jackson, L	Schneider
Crane	Jackson, M	Schwegmann
Crowe	Johns	Shaw
Damico	Katz	Smith, G.—56th
Daniel	Kennard	Smith, J.D.—50th
Dartez	Kenney	Smith, J.H.—8th
Devillier	LaFleur	Sneed
Diez	Lancaster	Stelly
Doerge	Landrieu	Strain
Donelon	LeBlanc	Thompson
Downer	Lucas	Toomy
Durand	Martiny	Townsend
Erdey	McCallum	Triche
Farrar	McDonald	Waddell
Faucheux	McMains	Walsworth
Flavin	McVea	Welch
Frith	Montgomery	Winston
Fruge	Morrell	Wooton
Futrell	Morrish	Wright
Total—99		

ABSENT

Curtis	Romero	Smith, J.R.—30th
Total—3		

The Speaker announced there were 99 members present and a quorum.

Recess

On motion of Rep. Bruneau, the Speaker declared the House at recess until 8:15 P.M.

After Recess

Speaker DeWitt called the House to order at 8:30 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker	Futrell	Odinot
Alario	Glover	Perkins
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Heaton	Pitre
Baudoin	Hebert	Powell
Baylor	Hill	Quezaire
Bowler	Holden	Richmond

Broome	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Salter
Carter, K	Hutter	Scalise
Carter, R	Iles	Schneider
Cazayoux	Jackson, L	Schwegmann
Clarkson	Jackson, M	Shaw
Crane	Johns	Smith, G.—56th
Crowe	Katz	Smith, J.D.—50th
Damico	Kennard	Smith, J.H.—8th
Daniel	Kenney	Sneed
Dartez	LaFleur	Stelly
Devillier	Lancaster	Strain
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Donelon	Lucas	Townsend
Downer	Martiny	Triche
Durand	McDonald	Waddell
Erdey	McMains	Walsworth
Farrar	McVea	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wright
Frith	Murray	
Fruge	Nevers	
Total—94		

ABSENT

Curtis	McCallum	Smith, J.R.—30th
Gallot	Montgomery	Wooton
Hammatt	Pratt	
Total—8		

The Speaker announced there were 94 members present and a quorum.

Petitions, Memorials and Communications

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

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

March 21, 2001

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. 2: Senators Heitmeier, McPherson, and Cravins.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 21, 2001

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 Concurrent Resolutions:

House Concurrent Resolution No. 12
Returned without amendments.

House Concurrent Resolution No. 13
Returned without amendments.

House Concurrent Resolution No. 14
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 21, 2001

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. 2, 4, 5, 6, 7, 8, 9, and 10

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

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

March 21, 2001

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

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

Senate Bill No. 1

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

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

Leave of Absence

Rep. Curtis - 1 day

Adjournment

On motion of Rep. Kenney, at 8:35 P.M., the House agreed to adjourn until Thursday, March 22, 2001, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Thursday, March 22, 2001.

ALFRED W. SPEER
Clerk of the House

