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

FOURTH DAY'S PROCEEDINGS

Thirty-first Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, April 1, 2002

The House of Representatives was called to order at 4:00 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             Futrell             Odinet
Alario                  Gallot              Perkins
Alexander, E            Glover              Pierre
Alexander, R            Green               Pinac
Ansardi                 Guilory             Pitre
Baldone                 Hammett             Powell
Baudoin                 Heaton              Pratt
Baylor                  Hebert              Quezaire
Beard                   Hill                 Richmond
Bowler                  Honey               Riddle
Broome                  Hopkins             Romero
Bruce                   Hudson              Salter
Brouneu                 Hunter              Scalise
Capella                 Hutter              Schneider
Carter, K               Iles                Schwegmann
Carter, R               Jackson, L          Shaw
Erdey                   McVea               Waddell
Farrar                  Montgomery          Walsworth
Faucheux                Morrell             Welch
Flavin                  Morrish             Winston
Frith                   Murray              Wooton
Fruge                   Nevers              Wright

Total—105

ABSENT

Total—0

The Speaker announced that there were 105 members present
and a quorum.

Prayer

Prayer was offered by Rep. Kenney.

Pledge of Allegiance

Rep. Dartez 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. Frith, the Journal of March 27, 2002, was
adopted.

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. 29—
BY REPRESENTATIVE PERKINS
A CONCURRENT RESOLUTION
To encourage researchers engaged in stem cell research to use human
adult tissues or placental tissues obtained after informed consent
has been given and to discourage such researchers from using
human embryonic or human fetal tissues.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE CROWE
A CONCURRENT RESOLUTION
To memorialize congress to adopt and submit to the states for
ratification a proposed amendment to the United States
Constitution permitting prayer and recognition of religious
beliefs on public property, including schools.
under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 150**

BY REPRESENTATIVE PRATT

AN ACT
To amend and reenact R.S. 33:9092(A), (D)(2), and (F)(1), relative to neighborhood security districts; to change the name of the Garden District's Security Special Taxing District; to change the qualifications for membership on the board of directors of the district; to authorize the renewal of the district's special tax or fee; to provide for the term of the district's special tax or fee; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 151**

BY REPRESENTATIVE SALTER

AN ACT
To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.616, to create the Toledo Bend Interstate Compact District as a special district for industrial, commercial, tourism, and economic development purposes; to create and provide relative to the composition, appointment, and terms of office of the Toledo Bend Interstate Compact Commission as the governing authority of the district; to provide for the powers, duties, functions, and responsibilities of the district and the commission; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 152**

BY REPRESENTATIVES PIERRE, DEWITT, AND DANIEL

AN ACT
To amend and reenact R.S. 30:21(B)(1)(a), relative to fees charged by the office of conservation, Department of Natural Resources; to increase the maximum amount which may be generated by certain fees on oil and gas production; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

provide for the deposit of such fees; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources.

**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. 38**

BY SENATOR MCPHERSON

AN ACT
To amend and reenact Sections 1 and 2 of Act 484 of the 2001 Regular Session of the Legislature which authorizes and empowers the Board of Commissioners of the Red River, Atchafalaya, and Bayou Boeuf Levee District to exchange title to certain properties in Rapides Parish with the Hemphill Star Church and Hemphill Star Cemetery; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 47**

BY SENATOR BARHAM

AN ACT
To enact R.S. 40:1300.143(3)(a)(vii), relative to the Rural Preservation Act; to provide for changes to the criteria used to define rural hospitals; to provide for retroactive application; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**House Bills and Joint Resolutions on Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 149**

Substitute for House Bill No. 59 by Representative Hebert

BY REPRESENTATIVE HEBERT

AN ACT
Suspension of the Rules

On motion of Rep. Sneed, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Environment

April 1, 2002

To the Speaker and Members of the House of Representatives:

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

House Bill No. 97, by Damico
Reported with amendments. (10-1) (Regular)

House Bill No. 99, by Damico
Reported favorably. (11-0) (Regular)

House Bill No. 131, by Thompson
Reported with amendments. (11-0) (Regular)

House Bill No. 143, by Damico
Reported favorably. (10-0) (Regular)

N. J. DAMICO
Chairman

Report of the Committee on Ways and Means

April 1, 2002

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 17, by Scalise
Reported with amendments. (12-0) (Regular)

House Bill No. 30, by Scalise
Reported with amendments. (12-0) (Regular)

House Bill No. 80, by Hammett
Reported with amendments. (12-0) (Regular)

House Bill No. 116, by Pinac
Reported favorably. (9-0-1) (Regular)

House Bill No. 120, by Landrieu
Reported with amendments. (12-0-1) (Regular)

House Bill No. 124, by Landrieu
Reported with amendments. (11-0-1) (Regular)

House Bill No. 126, by Murray
Reported favorably. (12-0-1) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Suspension of the Rules

On motion of Rep. Hammett, 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 Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 17—
BY REPRESENTATIVE SCALISE
AN ACT
To enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for an effective date; 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. 17 by Representative Scalise

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact", insert "amend and reenact R.S. 47:1123(4) and (5) and to"
"§1123. Definitions

The following words and phrases as used in this Chapter shall have the following meanings unless the context of use clearly indicates otherwise:

* * *

(4) "Motion picture" means a nationally distributed feature-length film, video, television series, or commercial made in Louisiana, in whole or in part for theatrical or television viewing or as a television pilot. The term "motion picture" shall not include the production of television coverage of news and athletic events.

(5) "Motion picture production company" means a company engaged in the business of producing nationally distributed motion pictures, videos, television series or commercials intended for a theatrical release or for television viewing. Motion picture production company shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state.

* * *

AMENDMENT NO. 5

On page 1, line 12, between "costs" and "equal", insert "in Louisiana"

AMENDMENT NO. 6

On page 1, line 13, between "dollars" and "during" insert "but totals less than one million dollars"

AMENDMENT NO. 7

On page 1, line 16, between "costs" and "equal", insert "in Louisiana"

AMENDMENT NO. 8

On page 1, at the end of line 17, insert the following:

"For purposes of this Section, the term "total aggregate payroll" shall not include the salary of any employee whose salary is equal to or greater than one million dollars."

AMENDMENT NO. 9

On page 2, at the end of line 14, insert "This Act shall become null and void on June 30, 2006."

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

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

software; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 71—
BY REPRESENTATIVE GARY SMITH AND SENATOR CHAISSON, AND REPRESENTATIVES ALARIO, ANSARDI, DAMICO, DANIEL, FAUCHEUX, LANCASTER, MARTINY, POWELL, SCALISE, SNEED, STRAIN, TOOMY, WALSWORTH, AND WINSTON AND SENATORS FONTENOT, LAMBERT, AND LENTINI
AN ACT

To amend and reenact R.S. 47:6005(D), relative to the qualified recycling equipment credit; to provide that certain industries may receive one hundred percent of the credit and any credit carry-forward for a specified period; to provide that any excess credit amount over and above the amount of tax due shall be refunded to the taxpayer in the same manner as overpayments of tax; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 72—
BY REPRESENTATIVE MURRAY
A JOINT RESOLUTION

Proposing to amend Article VI, Section 29(D) of the Constitution of Louisiana, relative to sales and use taxes; to provide for certain voting requirements for enacting certain tax exemptions or exclusions from sales and use taxes; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

HOUSE BILL NO. 78—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, AND FAUCHEUX
AN ACT
Amendments proposed by House Committee on Ways and Means to Original House Bill No. 78 by Representative Hammett, et al.

AMENDMENT NO. 1
On page 1, delete line 2, and insert the following:

"To amend and reenact R.S. 47:1123(4) and (5), 1124, and 1125 and to enact R.S. 47:301(10)(v), relative to the state"

AMENDMENT NO. 2
On page 1, line 7, after "Section 1." and before "R.S. 47:301(10)(v)" insert the following:

"R.S. 47:1123(4) and (5), 1124, and 1125 are hereby amended and reenacted and"

AMENDMENT NO. 3
On page 1, at the end of line 17, delete "or pictures or" and on page 2, delete lines 1 through 7 in their entirety, and insert the following:

"by a motion picture production company which has been relieved from the payment of state sales and use tax under the provisions of Chapter 12 of this Title, also known as the "Louisiana Motion Picture Incentive Act". This exclusion shall be retroactively revoked if it is determined that a motion picture production company that has been relieved from payment of state sales and use tax under Chapter 12 failed to meet the conditions of such relief.

§1123. Definitions
The following words and phrases as used in this Chapter shall have the following meanings unless the context of use clearly indicates otherwise:

* * *

(4) "Motion picture" means a nationally distributed feature-length film, video, television series, or commercial made in Louisiana, in whole or in part for theatrical or television viewing or as a television pilot. The term "motion picture" shall not include the production of television coverage of news and athletic events.

(5) "Motion picture production company" means a company engaged in the business of producing nationally distributed motion pictures, videos, television series, or commercials intended for a theatrical release or for television viewing. Motion picture production company shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state.

* * *

of this Chapter. The provisions of this Chapter shall not apply to any sales and use tax levied by any local governmental subdivision.

* * *

§1125. Application for tax refund relief from the payment of state sales and use taxes
A. Any motion picture production company that intends to film all, or parts of, a motion picture or television program in Louisiana and desires to take advantage of the be relieved from the payment of state sales and use tax refund as provided for in this Chapter shall provide an estimate of total expenditures to be made in Louisiana in connection with the filming or production of such motion picture or television program. The estimate of expenditures shall be filed with the department prior to the commencement of filming in Louisiana.

B. At the time the motion picture production company provides the estimate of expenditures to the department, it shall also designate a member, or representative, of the motion picture production company to work with the Department of Economic Development and the Department of Revenue on the reporting of expenditures and other information necessary to take advantage of the tax refund relief afforded by this Chapter.

C. Applications for the tax refund relief provided by this Chapter shall be accepted only from those motion picture production companies which report anticipated expenditures in the state which in the aggregate equal or exceed one million two hundred fifty thousand dollars in connection with the filming or production of one or more motion pictures in the state within a consecutive twelve-month period. In order to be eligible for the tax refund relief provided for by this Chapter, expenditures shall be made from a checking account at any financial institution in Louisiana. Applications shall be approved by a majority vote of the Board of Commerce and Industry, after the application has been reviewed by the board and the recommendation of the secretary of the department has been considered.

D.(1) Any motion picture production company that has been approved for relief from the payment of sales and use taxes as provided for by this Chapter and which fails to expend two hundred fifty thousand dollars within a consecutive twelve-month period shall be liable for the sales and use taxes that would have been paid had the approval not been granted. The sales and use taxes shall be considered due as of the date that a determination has been made that the motion picture production company has failed to expend two hundred fifty thousand dollars within a twelve-month period.

(2) The secretary of the Department of Revenue shall promulgate rules for the implementation of this Subsection.

AMENDMENT NO. 4
On page 2, at the beginning of line 8, change "Section 3." to "Section
HOUSE BILL NO. 79—
By Representatives Hammett, Dewitt, Pinac, and Faucheux
AN ACT
To amend and reenact R.S. 47:6007(B)(4) and (7) and (C)(1), relative to the motion picture investor tax credit; to expand the availability of the credit; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

HOUSE BILL NO. 155  (Substitute for House Bill No. 79 by Representatives Hammett, DeWitt, Pinac, and Faucheux)—
By Representatives Hammett, DeWitt, Pinac, Faucheux, Alario, Beard, Hill, Montgomery, Odinet, and Scalise
AN ACT
To amend and reenact R.S. 47:6007(A)(1)(b), (B), (C), (E)(1) and (3), and (F), and to repeal R.S. 47:6007(D), relative to the motion picture investor tax credit; to expand the availability of the credit; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the substitute was adopted and became House Bill No. 155 by Rep. Hammett, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 79 by Rep. Hammett.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 80—
By Representatives Hammett, Dewitt, Pinac, and Faucheux
AN ACT
To enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for an effective date; 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:

§1123. Definitions
The following words and phrases as used in this Chapter shall have the following meanings unless the context of use clearly indicates otherwise:

* * *

(4) "Motion picture" means a nationally distributed feature-length film, video, television series, or commercial made in Louisiana, in whole or in part for theatrical or television viewing or as a television pilot. The term "motion picture" shall not include the production of television coverage of news and athletic events.

(5) "Motion picture production company" means a company engaged in the business of producing nationally distributed motion pictures, videos, television series, or commercials intended for a theatrical release or for television viewing. Motion picture production company shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state.

* * *

AMENDMENT NO. 5

On page 1, line 12, after "when" delete "such payroll equals or exceeds" and insert "total production costs in Louisiana equal or exceed"

AMENDMENT NO. 6

On page 1, line 13, between "dollars" and "during" insert "but total less than one million dollars"

AMENDMENT NO. 7

On page 1, at the end of line 15, delete "such" and at the beginning of line 16, change "payroll equals or exceeds" to "total production costs in Louisiana equal or exceed"

AMENDMENT NO. 8

On page 1, at the end of line 16, insert the following:

"For purposes of this Section, the term "total aggregate payroll" shall not include the salary of any employee whose salary is equal to or greater than one million dollars."

AMENDMENT NO. 9

On page 2, at the end of line 13, insert "This Act shall become null and void on June 30, 2006."
fees paid for accreditation by commercial laboratories; to authorize an increase for underground storage tank registration fees; to authorize an increase in participation fees; to provide for maximum fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 97 by Representative Damico

**AMENDMENT NO. 1**

On page 2, at the end of line 3, change "$610.00" to "$600.00"

**AMENDMENT NO. 2**

On page 2, at the end of line 5, change "$305.00" to "$300.00"

**AMENDMENT NO. 3**

On page 2, at the end of line 7, change "$244.00" to "$240.00"

**AMENDMENT NO. 4**

On page 2, at the end of line 9, change "$305.00" to "$300.00"

**AMENDMENT NO. 5**

On page 3, delete lines 18 through 21, and insert the following:

"modify any fee that is: in effect on June 30, 2002, is authorized by this Title, and is required to be deposited into the Environmental Trust Fund. Such a modification may increase the rate in effect on June 30, 2002, over the two-year fiscal period beginning July 1, 2002, as follows: the department may increase any such fee by a maximum of twenty percent, effective on or after July 1, 2002, and by a maximum of ten percent above the rate in effect on June 30, 2003, effective on or after July 1, 2003. The twenty percent increase shall be accompanied by an appropriation of state general funds of at least nine million nine-hundred thousand dollars for the fiscal year beginning July 1, 2002 and the ten percent increase shall be accompanied by an appropriation of general funds of at least fourteen million four-hundred thousand dollars for the fiscal year beginning July 1, 2003. Further fee increases after the increases provided in this Paragraph may only take effect upon a significant reduction in the time of processing water and air permits and a significant increase in the number of inspections conducted at regulated facilities."

**AMENDMENT NO. 6**

§2011. Department of Environmental Quality created; duties; powers; structure

D. The secretary shall have the following powers and duties:

* * *

(22) * * *

(c) The fee schedule authorized by Subparagraph (b) shall not exceed the following amounts:

1. Accreditation application fee payable every three years. $500.00 $660.00
2. Per major test category payable every year, or $250.00 $330.00
3. Minor conventional category payable every year. $200.00 $264.00
4. Annual surveillance and evaluation applicable to minor conventional facilities and facilities applying for only one category of accreditation. $250.00 $330.00
5. Proficiency samples biannually to be purchased by the laboratory. $25.00 $30.00
6. Bioassay/biomonitoring annually to be purchased by the laboratory.
7. Third party audit to be billed directly to the laboratory. $25.00 $30.00

§2289.1. Requests for review, investigation, and oversight; fees

* * *

D. The department is hereby authorized to charge and collect a participation fee not to exceed five six hundred sixty dollars per application for approval of an investigation plan, and a fee not to exceed five six hundred sixty dollars per application for approval of a remedial action plan. The department shall promulgate rules and regulations to provide for reimbursement to the state of the actual direct costs associated with oversight of activities conducted pursuant to this Part, such as review, supervision, investigation, and monitoring. The department may only charge and collect for reasonable and appropriate oversight of activities conducted pursuant
On motion of Rep. Damico, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 99—
BY REPRESENTATIVE DAMICO
AN ACT
To amend and reenact R.S. 30:2205(D), relative to the Hazardous Waste Site Cleanup Fund; to remove cap on expenditures from the fund; to provide for use of the fund for costs associated with nonhazardous waste sites; to provide for promulgation of rules and regulations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Environment.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 116—
BY REPRESENTATIVE PINAC
AN ACT
To enact R.S. 47:843(D)(2)(f), relative to tobacco tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 120—
BY REPRESENTATIVE LANDRIEU
AN ACT
To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; 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

Paragraph (2) of this Section.

C. (2)(a) Of the total appropriation from the fund which has been allocated pursuant to Paragraph (2)(b) of this Section for the provision of grants, and which consists of monies placed into the fund on and after July 1, 1999, thirty-five percent shall be designated for grants to be selected by each state senator whose district includes all or any portion of Orleans Parish, and sixty-five percent shall be designated for grants to be selected by each state representative whose district includes all or any portion of Orleans Parish, in consultation with the board of commissioners of the district. The amount available for allocation by each senator shall be determined by dividing the population within Orleans Parish for the respective district by the total parish population and then multiplying such ratio by thirty-five percent of the total appropriation. The amount available for allocation by each representative shall be determined by dividing the population within Orleans Parish for the respective district by the total parish population and then multiplying such ratio by sixty-five percent of the total appropriation. Population data from the latest federal census shall be used in establishing allocation ratios.
Grants shall be exclusively available to public and private nonprofit entities, and such funds shall be expended only for a public purpose. No grantee which is a private, nonprofit corporation shall be involved in any political activity. “Political activity” shall mean an effort to support or oppose a proposition or the election of a candidate for political office or to support or oppose a particular political party in an election.

The board of commissioners of the district shall develop a grant application process which shall be used by entities seeking grants. Grant applications shall include at a minimum:

(a) A detailed narrative describing the grant applicant, the proposed activity or project and its value, and the objectives to be accomplished through the use of grant funds.

(b) A detailed budget for the activity or project, including measurable indicators of achievement of performance expectations.

(c) If the grant applicant is a private, nonprofit entity, information on the entity's purpose, its size, the names and addresses of the members of its governing body, and its taxpayer identification number.

The board of commissioners of the district shall monitor and evaluate the use of grant funds. The grantee shall cooperate in providing any information requested by the district relative to the funded activity. Each grantee shall be subject to audit by the legislative auditor in accordance with R.S. 24:513.

Following a hearing and upon a finding that any grant provided pursuant to this Subsection is not in compliance with the requirements of this Subsection, the board of commissioners of the district, with the concurrence of the representative or senator whose funds were provided, may revoke further funding of such grant.

All unexpended and unencumbered monies in the fund at the end of any fiscal year shall remain in the fund. All monies remaining in the fund which are to be used in Orleans Parish for provision of grants as provided in Paragraph (2) of this Section Subsection, which are unexpended and unencumbered at the end of the fiscal year, shall remain in the fund solely for use for such grants, and shall be incorporated into the amounts available for appropriation for such grants in the next fiscal year. The monies in the fund shall be invested by the treasurer in the same manner as the monies in the state general fund, and all interest earned shall be deposited into the fund.8

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

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

Under the rules, placed on the regular calendar.

and 1176 of the 1997 Regular Session of the Legislature, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, including authorization for the levy and collection of an additional tax on hotel occupancy and a food and beverage tax; to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; 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. 124 by Representatives Landrieu and Murray

AMENDMENT NO. 1

On page 3, line 17, change "1%" to "one percent"

AMENDMENT NO. 2

On page 4, line 15, after "hundred" and before "dollars" insert "thousand"

AMENDMENT NO. 3

On page 4, line 26, after "kindergartens" and before the semicolon ";" insert "and pre-kindergartens"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 126—

BY REPRESENTATIVES MURRAY AND LANDRIEU

AN ACT

To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Hammett, the bill was ordered engrossed and
Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Environment to Original House Bill No. 131 by Representative Thompson

**AMENDMENT NO. 1**
On page 1, delete lines 10 through 13 and insert the following:

"property has been, or is being used, for storage of infectious medical waste, as defined by R.S. 40:4(A)(2)(b), or has been identified by the department as a storage facility"

**AMENDMENT NO. 2**
On page 1, at the beginning of line 15 delete "identification of the"

**AMENDMENT NO. 3**
On page 2, after "given to" change "a" to "the"

**AMENDMENT NO. 4**
On page 2, after "removal" change "from" to "by"

**AMENDMENT NO. 5**
On page 2, delete "potential"

**AMENDMENT NO. 6**
On page 2, after "notice" insert comma ","

**AMENDMENT NO. 7**
On page 2, after "may pose a potential" change "pose a" to "potential"

**AMENDMENT NO. 8**
On page 3, at the end of line 11, delete the colon ";" insert "meeting both of the following criteria:"
The title of the above bill was read and adopted.
Rep. Triche moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 46—**
**BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, AND HEATON**
**AN ACT**
To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**
On motion of Rep. Murray, the bill was returned to the calendar.

**HOUSE BILL NO. 61—**
**BY REPRESENTATIVES JOHN AND HEBERT**
**AN ACT**
To amend and reenact R.S. 32:900(L)(2), relative to automobile liability policies; to provide for driver exclusions; to provide for agreements; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**
Amendments proposed by Representative R. Carter to Engrossed House Bill No. 61 by Representatives Johns and Hebert

**AMENDMENT NO. 1**
On page 1, at the end of line 3, add "to provide relative to application;"

**AMENDMENT NO. 2**
On page 2, after line 7, add the following:

"Section 2. The provisions of this Act shall be prospective in application and shall not be retroactive."

On motion of Rep. Robert Carter, the amendments were adopted.
Rep. Johns moved the final passage of the bill, as amended.

**ROLL CALL**
The roll was called with the following result:

YEAS
Mr. Speaker Futrell Perkins

NAYS
Total—0

ABSENT
Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 67—**

BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, HEATON, DEWITT, HAMMETT, AND CLARKSON

**AN ACT**

To amend Act No. 22 of the 2001 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto new Sections; to add projects for the Louisiana Stadium and Exposition District for upgrades of the New Orleans Arena and for an indoor football practice facility for the New Orleans Saints; and to provide for related matters.

Read by title.

Rep. Murray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

| Carter, K | Jackson, L | Shaw |
| Carter, R | Jackson, M | Smith, G.—56th |
| Cazayoux | Johns | Smith, J.D.—50th |
| Clarkson | Katz | Smith, J.H.—80th |
| Crane | Kenney | Sneed |
| Crowe | LaFleur | Stelly |
| Curtis | Lancaster | Strain |
| Damico | Landrieu | Swilling |
| Daniel | LeBlanc | Toomy |
| Dartez | Lucas | Townsend |
| Devillier | Martiny | Tucker |
| Diez | McCallum | Triche |
| Doerge | McDonald | Wright |
| Downer | McVea | Walsworth |
| Durand | Montgomery | Wooton |
| Erdey | Morrell | Wright |
| Farrar | Morrish | he was voting yea.

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

**Suspension of the Rules**

On motion of Rep. Wright, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

**HOUSE BILL NO. 69—**

BY REPRESENTATIVE DEWITT

**AN ACT**

To amend and reenact R.S. 40:1299.41(J), 1299.44(A)(5)(c) through (g) and (D)(2)(b)(v) and (vii), and 1299.47(A)(2)(b) and (3)(introductory paragraph) and to repeal R.S. 40:1299.44(A)(5)(h), relative to the Patient's Compensation Fund; to provide for procedures for contracting for services; to provide minimum qualifications and standards for lawyers; to provide for the payment of expenses; to provide for the
AMENDMENT NO. 1
On page 1, delete line 4 in its entirety and insert:
"paragraph), relative to the"

AMENDMENT NO. 2
On page 5, line 2, after "of the" delete "claim" and insert "request"

AMENDMENT NO. 3
On page 5, delete line 10 in its entirety

On motion of Rep. Cazayoux, the amendments were adopted.
Rep. Cazayoux moved the final passage of the bill, as amended.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Futrell Odinet
Alario Gallot Perkins
Alexander, E Glover Pierre
Alexander, R Green Pinac
Ansardi Guillory Powell
Baldone Hammett Pratt
Baudoin Heaton Quezaire
Baylor Hebert Richmond
Beard Hill Riddle
Bowler Honey Romero
Broome Hopkins Salter
Bruce Hudson Schneider
Bruneau Hunter Schwegmann
Capella Iles Sneed
Carter, K Johns Smith, G.—56th
Carter, R Jackson, L Smith, J.D.—50th
Cazayoux Jackson, M Smith, J.H.—8th
Clarkson Johns Shaw
Crane Katz Smith, G.—56th
Crowe Kennard Smith, J.D.—50th
Curtis Kenney Sneed
Damico LaFleur Stelly
Daniel Lancaster Triche
Dartez Landrieu Tucker
Devillier LeBlanc Townsend
Diez Lucas Tricher
Doerge Martiny Tucker
Downer McCullum Waddell
Durand McDonald Walsworth
Erdey McVea
Farrar Montgomery

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 75—
BY REPRESENTATIVE HEBERT
AN ACT
To amend and reenact R.S. 22:1078(B)(3)(a), (9), (10), and (11) and to enact R.S. 22:1078(G), relative to fees and licenses of the Department of Insurance; to modify, increase, and add to certain fee schedules of the Department of Insurance; to authorize rule adoption and promulgation; and to provide for related matters.

Read by title.

Motion
On motion of Rep. Hebert, the bill was returned to the calendar.

HOUSE BILL NO. 103—
BY REPRESENTATIVES LEBLANC, MURRAY, AND WELCH
AN ACT
To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 2001-2002 Fiscal Year; and to provide for related matters.

Read by title.

Rep. LeBlanc moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot Pierre
Alario Glover Pinac
Alexander, E Green Pitre
Alexander, R Guillory Powell
Ansardi Hammett Pratt
Baldone Heaton Quezaire
Baylor Hebert Richmond
Beard Hill Riddle
Bowler Honey Romero
Broome Hopkins Salter
Bruce Hudson Schneider
Bruneau Hunter Schwegmann
Capella Iles Sneed
Carter, K Johns Smith, G.—56th
Carter, R Jackson, L Smith, J.D.—50th
Cazayoux Jackson, M Smith, J.H.—30th
Clarkson Johns Sneed
Crane Katz Smith, G.—56th
Crowe Kennard Smith, J.D.—50th
Curtis Kenney Sneed
Damico LaFleur Stelly
Daniel Lancaster Triche
Dartez Landrieu Tucker
Devillier LeBlanc Townsend
Diez Lucas Tricher
Doerge Martiny Tucker
Downer McCullum Waddell
Durand McDonald Walsworth
Erdey McVea
Farrar Montgomery

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House of Representatives  
April 1, 2002

NAYS

Baudoin
Beard
Crowe
Devillier
Doerge
Erdey
Farrar
Futrell

Hebert
Hill
Hopkins
Iles
Kennard
Morris
Nevers
Perkins

NAYS

Quezaire
Romero
Schneider
Shaw
Triche
Waddell
Nevers
Perkins

Carter, R
Cazayoux
Clarkson
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Durand
Erdey
Farrar
Frugé
Futrell

Jackson, M
Johns
Katz
Kerrard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McCallum
McDonald
Montgomery
Odinet
Perkins

NAYS

Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triece
Tucker
Waddell
Walsworth
Welch
Winston
Wooton
Wright

ABSENT

Downer
McVea

ABSENT

Downer
McVea

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Kennard, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

Suspension of the Rules

On motion of Rep. Wright, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

House Bill No. 104

By Representatives Hammett, Dewitt, Pinac, Alario, Baylor, Glover, Hill, L. Jackson, and Montgomery

An Act

To enact R.S. 47:301(10)(a)(v), relative to sales and use taxes; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide an effective date; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Gallot
Pierre

Total—22

NAYS

Carter, R
Cazayoux
Clarkson
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Durand
Erdey
Farrar
Frugé
Futrell

Jackson, M
Johns
Katz
Kerrard
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McCallum
McDonald
Montgomery
Odinet
Perkins

Total—103

ABSENT

Downer
McVea

Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

House Bill No. 105

By Representatives Hammett, Dewitt, Pinac, Alario, K. Carter, Daniel, Durand, Farrar, Hill, L. Jackson, Montgomery, Odinet, and Townsend

An Act

To enact Part VI of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2351 through 2354, relative to providing for the Technology Commercialization Credit Program; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of the Technology Commercialization Credit Program; to provide for the technology commercialization credit; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Hammett moved the final passage of the bill.
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 106—
BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, ALARIO, HILL, MONTGOMERY, AND ODINET
AN ACT
To enact R.S. 47:6015, relative to tax exemptions; to authorize the Department of Economic Development to award certain tax credits to qualified taxpayers for increasing research activities; to provide for certain rules and procedures for awarding credits; to provide for the maximum amount of the tax credits awarded; and to provide for related matters.

Read by title.

Total—105
NAYS

Total—0
ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 118—
BY REPRESENTATIVES GLOVER, HAMMETT, DEWITT, PINAC, ALARIO, BAYLOR, HILL, L. JACKSON, MONTGOMERY, AND ODINET
AN ACT
To amend and reenact R.S. 51:1784(C) and Section 4 of Act No. 46 of the 2000 Regular Session of the Legislature, relative to economic development activities of the state; to provide for the source of data used in applying criteria for qualifying for the enterprise zone program; to provide for certain tax credits

Total—105
NAYS

Total—0
ABSENT

Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hammett 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.
Mr. Speaker
Alario
Alexander, E
Alexander, R
Ansardi
Baldone
Baudoin
Bayor
Beard
Bowler
Broome
Bruce
Buneneu
Capella
Carter, K
Carter, R
Cazayoux
Clarkson
Crowe
Curtis
D'Amico
Daniel
Dartez
Devillier
Diet
Doerge
Downer
Durand
Erdey
Farrar
Faucheux
Flavin
Frith
Fruge
Total—105
NAYS
Total—0
ABSENT

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 132—
BY REPRESENTATIVES LEBLANC, DEWITT, AND HAMMETT

Mr. Speaker
Alario
Alexander, E
Alexander, R
Ansardi
Baldone
Baudoin
Bayor
Beard
Bowler
Broome
Bruce
Buneneu
Capella
Carter, K
Carter, R
Cazayoux
Clarkson
Crowe
Curtis
D'Amico
Daniel
Dartez
Devillier
Diet
Doerge
Downer
Durand
Erdey
Farrar
Faucheux
Flavin
Frith
Fruge
Total—104
NAYS
Schneider
Total—1
ABSENT
Total—0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 45—
and 1176 of the 1997 Regular Session of the Legislature, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, including authorization for the levy and collection of an additional tax on hotel occupancy and a food and beverage tax; to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed House Bill No. 45 by Representative Alario

**AMENDMENT NO. 1**

On page 4, line 13, change "thousand hundred" to "hundred thousand"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Faucheaux to Engrossed House Bill No. 45 by Representative Alario

**AMENDMENT NO. 1**

On page 4, line 22, after "hereof" and before ". However" insert "and shall not mean or include convenience stores or grocery stores"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray, Bruneau, Morrell, and Heaton to Engrossed House Bill No. 45 by Representative Alario, et al.

**AMENDMENT NO. 1**

On page 1, line 15, after "occupancy" delete the remainder of the line and on line 16, delete "and beverage tax"

**AMENDMENT NO. 5**

On page 5, line 8, after "hereof" delete the remainder of the line and delete line 9 in its entirety and insert "by resolutions adopted"

**AMENDMENT NO. 6**

On page 5, at the end of line 12, delete "and" and delete line 13 and 14 in their entirety and on line 15, delete "beverage tax"

**AMENDMENT NO. 7**

On page 5, line 17, after "occupancy" and before "authorized" delete "and food and beverage taxes" and insert "tax"

**AMENDMENT NO. 8**

On page 5, line 18, after "occupy" delete the remainder of the line and delete lines 19 through 21 and insert "tax."

**AMENDMENT NO. 9**

On page 5, between lines 21 and 22, insert:

"(2)(a) Seventy-five percent of the avails of the tax authorized by Section 20(B) shall be retained by the authority.

(b) Twenty-five percent of the avails of the tax shall be deposited in the New Orleans Area Economic Development Fund to be administered according to the provisions of R.S. 47:322.38."

**AMENDMENT NO. 10**

On page 6, line 2, after "all" and before "revenues" insert "available"

Rep. Tucker asked for and obtained a division of the question.

Rep. Murray moved adoption of Amendment Nos. 9 and 10.

**Point of Order**

Rep. Alario asked for a ruling from the Chair as to whether the above Amendments Nos. 9 and 10 were germane to the call.

**Ruling of the Chair**

The Chair ruled that the above Amendments Nos. 9 and 10 were not germane to the call.

On motion of Rep. Murray, the Amendments Nos. 9 and 10 were withdrawn.

On motion of Rep. Murray, Amendments Nos. 1, 2, 3, 4, 5, 6, 7, and 8 were withdrawn.
AMENDMENT NO. 2
On page 4, delete lines 4 through 27, and on page 5, deletes lines 1 through 6.

AMENDMENT NO. 3
On page 5, at the beginning of line 7, change "D." to "C.(1)"

AMENDMENT NO. 4
On page 5, line 8, after "hereof" delete the remainder of the line and delete line 9 in its entirety and insert "by resolutions adopted"

AMENDMENT NO. 5
On page 5, line 12, delete "and" and delete line 13 and 14 in their entirety and on line 15, delete "beverage tax"

AMENDMENT NO. 6
On page 5, line 17, after "occupancy" and before "authorized" delete "and food and beverage taxes" and insert "tax"

AMENDMENT NO. 7
On page 5, line 18, after "occupy" delete the remainder of the line and delete lines 19 through 21 and insert "tax."

Rep. Murray moved the adoption of the amendments.


By a vote of 38 yeas and 66 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Richmond to Engrossed House Bill No. 45 by Representative Alario

AMENDMENT NO. 1
On page 3, at the end of line 6, insert the following:
"In purchasing or contracting for goods and services for the design and construction phase of the expansion project, the authority shall ensure that, as near as practicable, women and minorities shall participate in contracts, procurement, goods, services and employment in percentages which closely resemble the demographics of the City of New Orleans as a whole."

By a vote of 34 yeas and 66 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Heaton to Engrossed House Bill No. 45 by Representative Alario

AMENDMENT NO. 1
On page 4, line 13, change "two" to "five"

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

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

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Gallot Pierre
Alario Glover Pinac
Alexander, E Green Pite
Alexander, R Guillory Powell
Ansardi Hammett Pratt
Baldone Heaton Quezaire
Baylor Hebert Richmond
Bowler Hill Riddle
Broome Honey Salter
Bruce Hunter Scalise
Bruneau Hutter Schneider
Capella Ies Schwegmann
Carter, K Jackson, L Smith, G.—56th
Carter, R Jackson, M Smith, J.D.—50th
Cazayoux Johns Smith, J.R.—30th
Clarkson Katz Sneed
Damico Kenney Stelly
Daniel LaFleur Strain
Dartez Lancaster Swilling
Devillier Landrieu Thompson
Diez LeBlanc Toomy
Doerge Lucas Townsend
Durand Martinie Tucker
Erdey McCallum Walsworth
Farrar McDonald Welch
Faucheux McVea Winston
Flavin Montgomery Wooton
Frith Morrell Wright
Futrell Murray

Total—86

NAYS
The title of the above bill was read and adopted.

Rep. Alario 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. Schneider, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

**HOUSE BILL NO. 46—**

**BY REPRESENTATIVES MURRAY, ALARIO, LANDRIEU, K. CARTER, AND HEATON**

**AN ACT**

To amend and reenact R.S. 47:322.38, relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to provide for the use of the avails of the tax; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray to Engrossed House Bill No. 46 by Representative Murray

**AMENDMENT NO. 1**

On page 1, line 17, after "funds" delete the remainder of the line, and on page 2, delete lines 1 through 3, and insert the following:

"to the Department of Economic Development for economic development projects in Orleans Parish to be determined by the legislature at the 2002 Regular Session."

Rep. Murray moved the adoption of the amendments.


By a vote of 21 yeas and 81 nays, the amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 46 by Representative Murray

**AMENDMENT NO. 2**

On page 3, line 23, change "Section" to "Subsection"

**AMENDMENT NO. 3**

On page 3, line 25, after "to" delete the remainder of the line and insert:

"Paragraph (1)(b) of this Subsection"

**AMENDMENT NO. 4**

On page 4, delete line 17 and insert:

"to Paragraph (1)(b) of this Subsection, shall consult with"

**AMENDMENT NO. 5**

On page 6, at the end of line 6 delete "this" and at the beginning of line 7, delete "Subsection" and insert "Paragraph (1)(b) of Subsection"

Rep. LeBlanc moved the adoption of the amendments.


By a vote of 96 yeas and 8 nays, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Odinet to Engrossed House Bill No. 46 by Representative Murray, et al.

**AMENDMENT NO. 1**

On page 3, at the end of line 13, insert the following:

"allocated for planning or construction of a professional automobile racetrack in Orleans Parish, or shall be"

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

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

**HOUSE FLOOR AMENDMENTS**
HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 46 by Representative Murray

AMENDMENT NO. 1

On page 6, between lines 12 and 13, insert the following:

"Section 2. Notwithstanding any other provision of law to the contrary, no legislator may be employed by or contract with any National Football League or National Basketball Association franchise located in this state until five years after termination of office."

AMENDMENT NO. 2

On page 6, line 13, change "Section 2." to "Section 3."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker          Glover          Perkins
Alario              Green           Pierre
Alexander, E        Guilory         Pinac
Ansardi            Hammett         Powell
Baldone            Heaton          Pratt
Baylor             Hebert          Quezaire
Bowler              Honey          Richmond
Broome            Hudson          Riddle
Bruce              Hunter          Salter
Bruneau             Hutter         Scalise
Capella               Jackson, L      Schwegmann
Carter, K          Jackson, M       Smith, G.—56th
Carter, R           Johns           Smith, J.D.—50th
Cayczayoux          Katz           Smith, J.H.—8th
Clarkson           Kenney           Snead
Curtis               LaFleur        Stelly
Damico             Lancaster       Strain
Daniel           Landrieu         Swilling
Dartez            LeBlanc         Thompson
Diez                Lucas          Toomy
Doerge             Martiny         Townsend
Durand             McVea           Tucker
Faucheux         Montgomery        Welch
Flavin             Morrell         Winston
Frith               Murray         Wooton
Gallott               Odinet

ABSENT

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

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURREENT RESOLUTIONS

April 1, 2002

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. 26
Returned without amendments.

House Concurrent Resolution No. 28
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 1, 2002

To the Honorable Speaker and Members of the House of Representatives:
The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS
April 1, 2002

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. 4 and 21

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION
To urge and request the Senate Committee on Health and Welfare and the House Committee on Health and Welfare to meet jointly to study and make recommendations regarding Medicaid reimbursement for well baby nursery days.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR MOUNT
A CONCURRENT RESOLUTION
To commend and congratulate Ralph Eggleston for his Academy Award win for Best Animated Short Film.

Read by title.

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 10, 16, 17, 21, 22, 30, 33, 37, 44, 45, 46, 48, 58, 61, 68, 69, and 80

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Senate Bills and Joint Resolutions on
Second Reading to be Referred

Rep. Bruneau asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just received from the Senate with a view of advancing same, which were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 10—
BY SENATOR HOYT
AN ACT
To enact R.S. 40:4.10, relative to medical waste; to require landowners who store infectious medical waste to notify the public; to provide for notice to certain public agencies; to provide for a penalty for violation of the notice requirement; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 16—
BY SENATOR THEUNISSEN
AN ACT
To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 17—
BY SENATOR THOMAS
AN ACT
To amend and reenact R.S. 46:1053(D)(1), relative to the Washington Parish Hospital Service District Number One; to increase the membership of the board of commissioners for the
SENATE BILL NO. 21—
BY SENATORS SCHEDLER AND ULLO
AN ACT
To amend and reenact R.S. 15:587(A)(1)(b) and (c), and (B) and R.S. 40:1300.52(B)(2), and to enact R.S. 15:598, relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to criminal history checks; to provide for fees for civil applicant processing; to create the Criminal Identification and Information Fund in the state treasury; to provide for the purpose, appropriation, and investment of monies in the fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

SENATE BILL NO. 22—
BY SENATORS SCHEDLER, HAINKEL AND THOMAS
AN ACT
To enact R.S. 13:961(F)(1)(n), relative to courts and judicial procedure; to provide with respect to court reporters; to provide for the compensation of court reporters in the Twenty-Second Judicial District Court; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 30—
BY SENATOR HAINKEL
AN ACT
To enact R.S. 47:463.108, relative to motor vehicles license plates; to provide for a special prestige license plate for breast cancer awareness; to provide for its charge; to provide for the distribution and use of the monies; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 33—
BY SENATOR B. JONES
AN ACT
To amend and reenact R.S. 17:24.10(A), (B), (C)(1)(a) and (c), (6), (7), and (8), (D)(1)(a) and (b), and (2), (E)(2), (F), (G), (H)(3), (4), and (5), (I)(1), (3), (5)(b)(i), (ii), (v), and (6), and (J), to enact R.S. 17:24.10(D)(6) and to repeal R.S. 17:24.10(I)(1)(d), relative to early childhood development and enrichment activity classes; to provide relative to the reference to such classes; to provide relative to waivers for certain aspects of such classes; to provide relative to space and facilities for such classes; to provide relative to notice regarding certain aspects of such classes.

SENATE BILL NO. 37—
BY SENATOR HAINKEL
AN ACT
To enact R.S. 13:721 and 722 and to repeal R.S. 13:719 and 720, relative to the Twenty-Second Judicial District Court; to provide for the office of commissioner for the Twenty-Second Judicial District Court in criminal matters; to provide for the selection and removal of the commissioner from office; to provide for the qualifications of office, salary, related benefits, expenses of office, and office space; to provide for the sources of funding for the commissioner and his office and employees; to provide for the duties and powers of the commissioner; to provide for conduct of proceedings by the commissioner upon consent of the parties; to provide for delays to traverse the findings and to provide for hearings thereon; to provide for the authority of a judge to accept, reject, or modify the findings; to repeal provisions providing for the existing office of commissioner; to provide for effective dates; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 44—
BY SENATOR HEITMEIER
AN ACT
To enact R.S. 35:408, relative to notaries public; to authorize the appointment of Crescent City Connection police officers as ex officio notaries public for certain official functions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 45—
BY SENATOR FONTENOT
AN ACT
To amend and reenact R.S. 46:1053(Y), relative to Hospital Service District Number One of East Baton Rouge Parish; to increase the membership of the board of commissioners; to provide relative to the terms of office of the members of the board of commissioners; to provide that one member shall be a physician; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 46—
BY SENATOR FONTENOT
AN ACT
To amend and reenact R.S. 9:2799(A)(1), relative to limitation of
SENATE BILL NO. 48—
BY SENATORS SCHEDLER AND THOMAS
AN ACT
To amend and reenact R.S. 33:9039.4(A)(3) and (4), relative to the East Florida Parishes Retirement District; to provide certain criteria for approved retirement community development areas; to clarify the authority of the district and the parishes to determine eligibility for certain local sales and use tax refunds; to provide for the procedure in which tax refunds are made; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 58—
BY SENATOR SMITH
AN ACT
To amend and reenact Code of Civil Procedure Article 4843(H), relative to the City Court of Natchitoches; to increase the jurisdictional amount in dispute for civil jurisdiction; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

SENATE BILL NO. 61—
BY SENATORS BAJOIE AND JOHNSON
AN ACT
To enact R.S. 13:2496.3, relative to the Municipal Court of New Orleans; to create the office of first appearance hearing officer; to authorize the judges of the court to appoint the hearing officer; to provide for qualifications for office; to provide for salary of office; to provide for duties of office; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

SENATE BILL NO. 68—
BY SENATORS SCHEDLER, HINES AND B. JONES
AN ACT
To enact Chapter 11-F of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1901, relative to the creation of the Louisiana Health Works Commission; to provide for membership of the commission; to provide for compensation for members; to provide for staff and facilities; to provide for powers and duties of the commission, including the creation of the Allied Health Workforce Council; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 80—
BY SENATORS C. JONES AND CRAVINS
AN ACT
To amend and reenact R.S. 40:966(B)(2) and 967(F)(3)(c) and to enact R.S. 40:966(B)(3), relative to the Uniform Controlled Dangerous Substances Law; to provide with respect to sentencing for certain violations of the Uniform Controlled Dangerous Substances Law; to revise the sentence for distribution or possession with intent to distribute marijuana; to provide with respect to the crime of and applicable sentence for possession of gamma hydroxybutyric acid (GHB); to provide for the effectiveness of such changes; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

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. 31—
BY REPRESENTATIVE BROOME
A CONCURRENT RESOLUTION
To memorialize the United States Congress to support the Act to Leave No Child Behind.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVES THOMPSON AND WELCH
A CONCURRENT RESOLUTION
To urge and request the Children's Cabinet Advisory Board to examine the six YouthBuild programs currently existing in Louisiana, to determine which are the most successful and why, to make recommendations for the expansion of the YouthBuild program to other areas of the state, and to report its findings to the legislature prior to the convening of the 2003 Regular Session.

Read by title.
On motion of Rep. Schneider, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 34—**
**BY REPRESENTATIVES WALSWORTH AND KATZ**
**A CONCURRENT RESOLUTION**
To memorialize the United States Congress and the United States Department of the Interior to rename the Tensas River National Wildlife Refuge the Theodore Roosevelt National Wildlife Refuge.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 35—**
**BY REPRESENTATIVE DOWNER**
**A CONCURRENT RESOLUTION**
To memorialize the United States Congress to empower the Department of Transportation and the United States Postal Service to work together to establish uniform standards for the construction and placement of mailboxes along highways across America.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 36—**
**BY REPRESENTATIVE DOWNER**
**A CONCURRENT RESOLUTION**
To urge and request the Department of Transportation and Development to work with the United States Postal Service to develop uniform standards regarding the placement and design of curbside mailboxes along state and federal highways, and to request that the Department of Transportation and Development create a pamphlet regarding such mailboxes, and to request otherwise relative to such mailboxes.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 37—**
**BY REPRESENTATIVE L. JACKSON**

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**Introduction of House Bills and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 156—**
**BY REPRESENTATIVE HILL AND SENATOR HINES**
**AN ACT**
To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 157—**
**BY REPRESENTATIVE CRANE**
**AN ACT**
To enact R.S. 39:98.1(E), relative to tobacco settlement proceeds; to authorize the state treasurer to establish a trust or other fund in the state treasury into which funds shall be deposited on behalf of certain school systems; to authorize the establishment within such trust or fund of separate accounts for each such school system; to authorize investment of monies in such trust or fund; to provide for the deposit and allowable use of monies in the trust or fund; to establish a program to assist investing school systems to stabilize earnings from the Education Excellence Fund and to expand programs for preparation of certain at-risk children for school; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**HOUSE BILL NO. 158—**
**BY REPRESENTATIVE LEBLANC**
**AN ACT**
To amend and reenact R.S. 51:1286(C), relative to the tax levied by the Louisiana Tourism Promotion District; to provide for deposit and use of such monies; to provide for appropriations for certain tourism purposes; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Natural Resources.

**HOUSE BILL NO. 160**
**BY REPRESENTATIVE LEBLANC**
**AN ACT**
To amend and reenact R.S. 39:75(A)(3) and to enact R.S. 39:2(5.1) and (48), relative to the avoidance of budget deficits; to provide for certain definitions; to provide for the budget status report; to provide for the presentation of the CAFR of the state to the committee; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 161**
**BY REPRESENTATIVE POWELL**
**AN ACT**
To authorize and provide for the transfer or lease of certain state property in Tangipahoa Parish to the city of Hammond from the Southeastern Louisiana University; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**HOUSE BILL NO. 162**
**BY REPRESENTATIVE MONTGOMERY**
**AN ACT**
To amend and reenact R.S. 47:1835(B) and 1838(4), relative to the execution of death sentences; to amend and reenact R.S. 47:1838(4), relative to the Tax Commission Expense Fund; to provide that certain unexpended and unencumbered monies shall remain in the fund at the close of each fiscal year; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 163**
**BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH**
**AN ACT**
To authorize the Natchitoches Parish School Board to sell, transfer, assign, exchange, or otherwise negotiate the disposal of a certain parcel of land to the state of Louisiana or to the city of Natchitoches; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 165**
**BY REPRESENTATIVE FARRAR**
**AN ACT**
To amend and reenact R.S. 26:271, relative to alcoholic beverage permits; to raise certain permit fees for dealers in beverages of low alcoholic content; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**HOUSE BILL NO. 166**
**BY REPRESENTATIVE MURRAY**
**AN ACT**
To enact R.S. 51:2453(1)(a)(xvi), relative to the Louisiana Quality Ways and Means.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**HOUSE BILL NO. 167**
**BY REPRESENTATIVE MARTINY**
**AN ACT**
To amend and reenact R.S. 15:569.1, relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**HOUSE BILL NO. 168**
**BY REPRESENTATIVE LEBLANC AND SENATOR DARDENNE**
**AN ACT**
To amend and reenact R.S. 39:87.5 and to enact R.S. 39:87.6, relative to governmental performance and accountability; to provide for implementation and administration of the Exceptional Performance and Efficiency Incentive Program; to provide for deposit and use of monies in the Incentive Fund; to establish and provide for implementation and administration of the Gainsharing Program; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.
purposes; to provide for definitions; to create the Atchafalaya Trace Heritage Area Development Zone Review Board and provides for its membership, duties, meetings, bylaws, and transfer; to provide for additional authorities of the commission; to provide for tax benefits for heritage-based concerns located in the development zone; to provide for a formal review and approval process; to allow the Department of Economic Development and the State Board of Commerce and Industry to adopt and promulgate certain rules; to allow the sell of tax credits; to provide for violations and penalties; to provide for the termination and evaluation of the program; and to provide for related matters.

Read by title.

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Transportation, Highways and Public Works**

April 1, 2002

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Bill No. 3, by Crowe
Reported favorably. (8-0-1) (Regular)

House Bill No. 4, by Dartez
Reported with amendments. (8-0-1) (Regular)

House Bill No. 8, by Johns
Reported favorably. (7-1-1) (Regular)

House Bill No. 41, by R. Alexander
Reported favorably. (9-0-1) (Regular)

House Bill No. 48, by Baldone
Reported favorably. (9-0-1) (Regular)

House Bill No. 68, by Schwegmann
Reported with amendments. (9-0-1) (Regular)

House Bill No. 84, by Diez
Reported with amendments. (8-0-1) (Regular)

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House Bill No. 148, by Tucker
Reported favorably. (9-0-1) (Regular)

JOHN C. DIEZ
Chairman

**Suspension of the Rules**

On motion of Rep. Diez, 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 Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 3—**

By Representative Crowe

**AN ACT**

To enact R.S. 47:463.108, relative to motor vehicle prestige license plates; to provide for the creation of an In God We Trust prestige license plate; to provide for the issuance of such plate; to provide for use of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 4—**

By Representative Dartez

**AN ACT**

To designate a bridge located along old U.S. 90, in Amelia, Louisiana, which crosses Bayou Boeuf in Assumption and St. Mary parishes, as the Earl “Tutum” Bergeron Bridge; and to provide for related matters.

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**
"""Tuttum" Bergeron and Janet Marcel Bridge."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 8—**

**BY REPRESENTATIVE JOHNS**

AN ACT

To amend and reenact R.S. 34:2102, relative to the compensation of members of the board of commissioners of the West Calcasieu Port, Harbor, and Terminal District; to provide for a maximum per diem of such members; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 41—**

**BY REPRESENTATIVE R. ALEXANDER AND SENATOR B. JONES**

AN ACT

To designate a portion of Louisiana Highway 167 in Jonesboro, Louisiana, as the Richard Zuber Thruway; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 48—**

**BY REPRESENTATIVE BALDONE AND SENATORS DUPRE AND GAUTREAUX**

AN ACT

To amend and reenact R.S. 34:2201, relative to the Terrebonne Parish Port Commission; to provide with respect to appointment and removal of members to the commission; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, create the Pet Overpopulation Fund; to provide for the dedication of revenues; to provide for the Pet Overpopulation Advisory Council; to provide for the adoption of policies and procedures; and to provide for related matters.

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 Bill No. 68 by Representative Schwegmann

**AMENDMENT NO. 1**

On page 3, at the end of line 10, before the period "." insert the following:

"appointed by the secretary of the department"

**AMENDMENT NO. 2**

On page 3, at the end of line 12, before the period "." insert

"appointed by the secretary of such department"

**AMENDMENT NO. 3**

On page 3, at the end of line 14, before the period "." insert

"appointed by the Speaker"

**AMENDMENT NO. 4**

On page 3, at the end of line 15, before the period "." insert

"appointed by the President"

**AMENDMENT NO. 5**

On page 3, line 16, after "of the" delete the remainder of the line and insert the following:

"Humane Society of Louisiana appointed by the board of such organization."

**AMENDMENT NO. 6**

On page 3, at the end of line 18, before the period "." insert

"appointed by the board of such organization"

**AMENDMENT NO. 7**

On page 3, at the end of line 19, before the period "." insert

"appointed by the board of such organization"
"§4. Structure of executive branch of state government

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

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

HOUSE BILL NO. 84—
BY REPRESENTATIVE DIEZ
AN ACT
To amend and reenact R.S. 32:414.2(A)(5) and to enact R.S. 32:414.2(A)(1)(e) and 427(A)(4), relative to commercial motor vehicle drivers; to provide relative to railroad grade crossing violations by commercial motor vehicle operators; to provide relative to certain disqualifications; to provide for civil penalties assessed against employers of such drivers under certain circumstances; and to provide for related matters.

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 Bill No. 84 by Representative Diez

AMENDMENT NO. 1

On page 3, line 11, after "than" and before "dollars" change "ten thousand" to "five hundred"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 92—
BY REPRESENTATIVE ALARIO
AN ACT
To amend and reenact R.S. 48:461.4(a)(1), relative to outdoor advertising; to provide relative to the classification of certain illuminated signs; to require certain illuminated signs to be classified as on-premise signs by the Department of Transportation and Development; to provide for certain exemptions; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 100—
BY REPRESENTATIVE DAMICO
AN ACT
To rename Lafitte-LaRose Highway, Louisiana Highway 3134, the Des Familles Parkway; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 109—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact Section 3(C) of Act No. 113 of the 1950 Regular Session of the Legislature as amended by Act No. 186 of the 1970 Regular Session of the Legislature, Act. No. 196 of the 1992 Regular Session of the Legislature, Act No. 953 of the 1995 Regular Session of the Legislature, and Act No. 2 of the 1998 First Extraordinary Session of the Legislature, to provide relative to the per diem paid to members of the Bayou Lafourche Freshwater District; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 137—
BY REPRESENTATIVE QUEZAIRE
AN ACT
To amend and reenact R.S. 48:461.4(b)(3), relative to outdoor advertising; to provide that certain signs shall not be placed in a stacked configuration; to provide for an effective date; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.
public highway railroad grade crossing rights-of-way; to provide for penalties; and to provide for related matters.

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 Bill No. 139 by Representatives Diez and Quezaire

**AMENDMENT NO. 1**

On page 1, line 7, after "Development " and before "to" insert the following:

"and local governing authorities"

**AMENDMENT NO. 2**

On page 1, line 8, after "purposes;" delete the remainder of the line and at the beginning of line 9, delete the phrase "Transportation and Development to" and insert the following:

"to provide that the local governing authority shall"

**AMENDMENT NO. 3**

On page 1, line 11, after "rights-of-way;" and before "to" insert the following:

"to provide relative to the limitation of liability;"

**AMENDMENT NO. 4**

On page 2, delete line 18 in its entirety and insert the following:

"July 1, 2002."

**AMENDMENT NO.5**

On page 3, line 7, change "public" to "state"

**AMENDMENT NO. 6**

On page 3, line 8, after "crossings" and before "for" insert "on state highways"

**AMENDMENT NO. 7**

On page 3, line 9, after "finding" and before "any" insert the following:

"or being informed of"

**AMENDMENT NO. 9**

On page 3, line 11, after "the" and before "shall" delete "department" and insert "local governing authority"

**AMENDMENT NO. 10**

On page 3, line 17, after "civil" and before "of" delete "penalty" and insert "fine"

**AMENDMENT NO. 11**

On page 3, between lines 19 and 20 insert the following:

"E. In no event shall failure to comply with the provisions of Subsection D of this Section be considered as comparative negligence, nor shall such failure be admissible as evidence in the trial of any civil action with regard to negligence."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 148—**

BY REPRESENTATIVE TUCKER

AN ACT

To amend and reenact R.S. 47:820.5(B)(2)(a)(x), relative to the Greater New Orleans Mississippi River Bridges; to authorize the use of certain revenues from the Greater New Orleans Mississippi River Bridges to upgrade the Peters Road rail corridor; and to provide for related matters.

Read by title.

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

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

Under the rules, placed on the regular calendar.

**House and House Concurrent Resolutions**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:
Motion
On motion of Rep. Crane, the resolution was withdrawn from the files of the House.

Privileged Report of the Committee on Enrollment
April 1, 2002
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. 8—
BY REPRESENTATIVE SCHNEIDER
A RESOLUTION
To request the House Committee on Retirement to study issues related to providing a fair and equitable means for the state to rehire retired persons when necessary, balancing the needs of the individual retiree with the needs of the employer agency and the Louisiana State Employees Retirement System; and to report its findings and recommendations to the House of Representatives prior to the convening of the 2003 Regular Session.

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.

Suspension of the Rules
On motion of Rep. LeBlanc, the rules were suspended to permit the Committee on Appropriations to meet on Tuesday, April 2, 2002, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 68, 158, 160, 162, 168 and House Bill No. 1 (Regular Session)

Senate Bill No. 19

Suspension of the Rules
On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, April 2, 2002, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 166

Suspension of the Rules
On motion of Rep. Broome, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet on Tuesday, April 2, 2002, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 151 and 169

Senate Bill Nos. 45 and 69

Suspension of the Rules
On motion of Rep. Schneider, the rules were suspended to permit the Committee on Retirement to meet on Tuesday, April 2, 2002.

Suspension of the Rules
On motion of Rep. Toomy, the rules were suspended to permit the Committee on Judiciary to meet on Tuesday, April 2, 2002, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 165
Suspension of the Rules

On motion of Rep. Johns, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Tuesday, April 2, 2002, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 73

Adjournment

On motion of Rep. Kenney, at 7:25 P.M., the House agreed to adjourn until Tuesday, April 2, 2002, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, April 2, 2002.

ALFRED W. SPEER
Clerk of the House