

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


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**SEVENTH DAY'S PROCEEDINGS**

**Twenty-eighth Regular Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, May 15, 2002

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

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander, E	Glover	Peychaud
Alexander, R	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezairé
Baylor	Hill	Richmond
Beard	Honey	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Doerge	Martiny	Townsend
Downer	McCallum	Triche
Durand	McDonald	Tucker
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. Lanaux Rareshide.

**Pledge of Allegiance**

Rep. Jane Smith 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 May 14, 2002, was adopted.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

May 14, 2002

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

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

House Concurrent Resolution No. 25  
Returned without amendments.

House Concurrent Resolution No. 26  
Returned without amendments.

House Concurrent Resolution No. 27  
Returned without amendments.

House Concurrent Resolution No. 28  
Returned without amendments.

House Concurrent Resolution No. 29  
Returned without amendments.

House Concurrent Resolution No. 30  
Returned without amendments.

House Concurrent Resolution No. 31  
Returned without amendments.

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

May 14, 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. 13, 14, 15, 16, 17, 18, 19, 20, and 21

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Baudoin, 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. 13—**  
BY SENATORS GAUTREAU, CHAISSON, DUPRE, HOLLIS, LAMBERT, MARIONNEAU, MCPHERSON, ROMERO AND SMITH AND REPRESENTATIVES BAUDOIN, DOWNER, DURAND, FUTRELL, KENNARD, LAFLEUR, TRICHE AND THOMPSON  
A CONCURRENT RESOLUTION

To urge and request the commissioner of agriculture to require that all shrimp and crawfish meet U.S. Food and Drug Administration standards regarding chloramphenicol prior to sale in Louisiana.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 14—**  
BY SENATORS GAUTREAU AND LAMBERT  
A CONCURRENT RESOLUTION

To create a study commission to evaluate and coordinate state policy options to mitigate the projected impact of global changes in climate as they relate to our wetlands, agricultural activities, the economy, and the environment.

Read by title.

Lies over under the rules.

**SENATE CONCURRENT RESOLUTION NO. 15—**  
BY SENATOR HINES  
A CONCURRENT RESOLUTION

To commend St. Anthony School BETA Club on placing first in the Group Talent competition at the 2002 State BETA Convention.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 16—**  
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to impose a quota on certain imported seafood.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 17—**  
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To create the South Central Louisiana Shrimp Fisherman's Legislative Advisory Committee to study and monitor the shrimp industry and to make recommendations to the Legislature of Louisiana and to the Wildlife and Fisheries Commission for the maximization of benefits pertaining to the management and development of the shrimp industry for the state of Louisiana and its citizens.

Read by title.

Lies over under the rules.

**SENATE CONCURRENT RESOLUTION NO. 18—**  
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To commend K.J. Choi on being the first South Korean golfer to win a PGA Tour event.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 19—**  
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To recognize and commend the Southern University women's basketball team for an outstanding season and for capturing the Southwestern Athletic Conference championship.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 20—**  
BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To establish the Project for a Healthy Environment to Assist Learning in Schools Task Force, referred to as "Project: HEAL Schools", to review current statutory and regulatory requirements for health screenings and procedures in schools.

Read by title.

On motion of Rep. Crane, and under a suspension of the rules, the above resolution was referred to the Committee on Education, under the rules.

**SENATE CONCURRENT RESOLUTION NO. 21—**  
BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to continue to work with private investors and the Millennium Port Authority and to make the development and construction of the millennium port a priority for his administration during the remainder of his term of office.

Read by title.

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

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

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

#### **HOUSE RESOLUTION NO. 19— BY REPRESENTATIVES MCDONALD AND THOMPSON A RESOLUTION**

To commend Mr. Curtis Butler of Forest for many years of community service, especially for twenty-nine years of devoted service to the West Carroll Youth Baseball Program.

Read by title.

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

#### **HOUSE CONCURRENT RESOLUTION NO. 38— BY REPRESENTATIVE NEVERS A CONCURRENT RESOLUTION**

To honor the foster parents of the year 2002 in each region and to express the appreciation of the legislature for their valuable contribution to strengthen family life in Louisiana.

Read by title.

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

Ordered to the Senate.

#### **HOUSE CONCURRENT RESOLUTION NO. 39— BY REPRESENTATIVE R. ALEXANDER A CONCURRENT RESOLUTION**

To urge and request the Department of Social Services and the Department of Health and Hospitals to review personal care attendant services, respite care services, and supervised independent living services including licensure, provider reimbursement, and reporting requirements, and to report any findings or recommendations for legislation to the House and Senate Committees on Health and Welfare no later than thirty days prior to the convening of the 2003 Regular Session.

Read by title.

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

Ordered to the Senate.

### **Reports of Committees**

The following reports of committees were received and read:

#### **Report of the Committee on Education**

May 15, 2002

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 14, 2002, I am directed by your Committee on Education to submit the following report:

House Concurrent Resolution No. 14, by Triche  
Reported with amendments. (13-0)

CARL CRANE  
Chairman

#### **Report of the Committee on Civil Law and Procedure**

May 15, 2002

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 14, 2002, I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 70, by Diez (Joint Resolution)  
Reported with amendments. (6-0) (Regular)

RONNIE JOHNS  
Chairman

#### **Suspension of the Rules**

On motion of Rep. Crane, the rules were suspended in order to take up and consider House and House Concurrent Resolutions Reported by Committee at this time.

#### **House and House Concurrent Resolutions Reported by Committee**

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

#### **HOUSE CONCURRENT RESOLUTION NO. 14— BY REPRESENTATIVES TRICHE, E.ALEXANDER, CRANE, CROWE, HONEY, HUDSON, KENNARD KENNEY, NEVERS, PEYCHAUD, POWELL, SALTER, SWILLING, AND WINSTON A CONCURRENT RESOLUTION**

To urge and request the state Board of Elementary and Secondary Education to develop and implement an age and grade appropriate curriculum for diabetes awareness education and a policy for school diabetes screenings in all city, parish, and other local public school systems.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

#### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 14 by Representative Triche

##### AMENDMENT NO. 1

On page 1, line 5, after "systems" delete the comma "," and delete "and" and on line 6, delete "to declare May 14, 2002, as Diabetes Awareness Day in Louisiana." and insert a period "."

##### AMENDMENT NO. 2

On page 4, delete lines 9 and 10 in their entirety

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

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

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

Ordered to the Senate.

**Suspension of the Rules**

On motion of Rep. Johns, 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. 70—**  
BY REPRESENTATIVE DIEZ  
A JOINT RESOLUTION

Proposing to amend Article VII, Sections 5 and 27(B) of the Constitution of Louisiana, to levy an additional motor vehicle license tax for certain types of automobiles; to provide for the disposition of the proceeds of the tax; to provide for submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed House Bill No. 70 by Representative Diez

AMENDMENT NO. 1

On page 5, line 15, after "additional" and before "motor" insert "annual"

AMENDMENT NO. 2

On page 5, at the end of line 19, after "and" and before "fifty" insert "for deposit of"

AMENDMENT NO. 3

On page 5, at the end of line 20, change "provide" to "be"

AMENDMENT NO. 4

On page 5, at the beginning of line 21, change "monies" to "appropriated solely"

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

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

Under the rules, placed on the regular calendar.

**House Bills and Joint Resolutions on Second Reading to be Referred**

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

**HOUSE BILL NO. 9—**  
BY REPRESENTATIVE GUILLORY  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(ii) and (iii) and (2)(a) of the Constitution of Louisiana, to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older shall apply for such assessment every five years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE BILL NO. 13—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

To amend and reenact R.S. 47:1712, relative to the ad valorem tax; to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older may apply for the special assessment level every five years instead of annually; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE BILL NO. 58—**  
BY REPRESENTATIVE HEBERT  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a) and (2)(a) of the Constitution of Louisiana, to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older shall not be required to reapply and requalify annually; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE BILL NO. 170—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact Part II of Chapter 29 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1261 through 1267, relative to economic development; to provide for legislative findings and purpose; to establish the Mississippi River Parishes Heritage Area; to provide for definitions; to provide relative to the authority of the Mississippi River Road Commission; to create the Mississippi River Parishes Heritage Area Development Zone; to provide for certain tax benefits for heritage-based cottage industry; to provide for the administration of the tax benefits; to provide for violations; to

provide for termination and evaluation of the program; and to provide for related matters.

Called from the calendar.

Read by title.

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

### House Bills and Joint Resolutions on Third Reading and Final Passage

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

#### Regular Calendar

**HOUSE BILL NO. 174—**

BY REPRESENTATIVES DEWITT, HAMMETT, LEBLANC, PINAC, AND DIEZ

AN ACT

To amend and reenact R.S. 47:293(2)(b) and to enact R.S. 47:293(2)(c), relative to the individual income tax; to reduce the excess itemized deduction for a certain period; to phase out the reduction when certain revenue growth is achieved; to provide for an effective date; and to provide for related matters.

Read by title.

#### Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, consideration of the above bill was deferred at this time.

**HOUSE BILL NO. 175—**

BY REPRESENTATIVES DEWITT, HAMMETT, LEBLANC, PINAC, AND DIEZ

AN ACT

To enact Chapter 2-D of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:336 through 339, and to enact R.S. 47:340, all relative to the state sales and use tax; to reduce the tax on certain transactions when certain revenue growth is achieved; to provide for a tax reduction schedule; to provide for the deposit of funds to offset certain reductions; to provide for the effectiveness of certain exemptions to the tax; to provide for an effective date; and to provide for related matters.

Read by title.

#### Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, consideration of the above bill was deferred at this time.

**HOUSE BILL NO. 12—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact Section 2 of Act No. 7 of the 2000 Regular Session of the Legislature, relative to the imposition of the occupational license tax on utilities selling electricity or gas in more than one municipality; to extend the applicability of the law; and to provide for related matters.

Read by title.

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 12 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, following "Section 2" and before "of Act No. 7" insert "of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1"

AMENDMENT NO. 2

On page 1, line 8, following "Section 2" and before "of Act No. 7" insert "of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1"

AMENDMENT NO. 3

On page 1, line 9, following "Legislature" and before "is" insert a comma ","

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

#### Motion

On motion of Rep. Montgomery, the bill, as amended, was returned to the calendar.

**HOUSE BILL NO. 40—**

BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, AND HILL  
AN ACT

To amend and reenact R.S. 47:305.50(A)(1)(a) and Section 2 of Act No. 8 of the 1996 Regular Session of the Legislature, as amended by Act No. 41 of the 1998 Regular Session of the Legislature and as amended by Act No. 27 of the 2000 Regular Session of the Legislature, relative to the sales and use tax; to extend the time limitation for the exemption for certain buses, trucks, and trailers used in interstate commerce; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander, E	Glover	Pierre
Alexander, R	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Riddle
Beard	Honey	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Johns	Smith, G.—56th
Cazayoux	Katz	Smith, J.D.—50th
Crane	Kennard	Smith, J.H.—8th

Page 6 HOUSE

7th Day's Proceedings - May 15, 2002

Curtis	Kenney	Smith, J.R.—30th
Damico	LaFleur	Sneed
Daniel	Lancaster	Stelly
Dartez	Landrieu	Strain
Devillier	LeBlanc	Swilling
Diez	Lucas	Thompson
Doerge	Martiny	Toomy
Downer	McDonald	Townsend
Durand	McVea	Triche
Erdey	Montgomery	Waddell
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Broome	Hopkins	McCallum
Crowe	Jackson, M	Tucker
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery 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. 54—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact Section 2 of Act No. 29 of the 1996 Regular Session of the Legislature, as amended by Act No. 21 of the 1998 Regular Session of the Legislature, as amended by Act No. 28 of the 2000 Regular Session of the Legislature, relative to sales and use tax; to provide for the effectiveness of the exemption for boiler fuel; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Daniel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Riddle
Baylor	Honey	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Johns	Smith, J.H.—8th

Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Futrell	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Broome	Jackson, M	Smith, G.—56th
Crowe	McCallum	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 95—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 47:301(10)(t) and (18)(h), relative to state sales and use taxes; to define retail sale and use to exclude the acquisition and distribution of telephone directories distributed free of charge by advertising companies not affiliated with telephone service providers; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander, E	Heaton	Pitre
Alexander, R	Hebert	Powell
Ansardi	Hill	Quezaire
Arnold	Honey	Richmond
Baldone	Hopkins	Riddle
Baudoin	Hudson	Romero
Baylor	Hunter	Salter
Beard	Hutter	Scalise
Bowler	Iles	Schneider
Bruce	Jackson, L	Schwegmann
Bruneau	Johns	Shaw
Capella	Katz	Smith, G.—56th

Carter, R	Kennard	Smith, J.D.—50th
Cazayoux	Kenney	Smith, J.H.—8th
Crane	LaFleur	Smith, J.R.—30th
Curtis	Lancaster	Sneed
Damico	Landrieu	Stelly
Daniel	LeBlanc	Strain
Dartez	Lucas	Swilling
Diez	Martiny	Thompson
Doerge	McCallum	Toomy
Downer	McDonald	Townsend
Durand	McVea	Triche
Erdey	Montgomery	Tucker
Faucheux	Morrell	Waddell
Flavin	Morrish	Walsworth
Frith	Murray	Welch
Fruge	Nevers	Winston
Futrell	Odinet	Wooton
Gallot	Perkins	Wright
Glover	Psychaud	

Total—98

NAYS

Total—0

ABSENT

Broome	Devillier	Jackson, M
Carter, K	Farrar	
Crowe	Hammett	

Total—7

The Chair declared the above bill was finally passed.

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.

**HOUSE BILL NO. 130—**  
BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, AND HILL  
AN ACT

To amend and reenact R.S. 47:305(D)(1)(i) and (H), relative to the sales and use tax; to provide relative to trucks and automobiles used as demonstrators; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Riddle
Baylor	Honey	Romero
Beard	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th

Carter, R	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Crane	Kennard	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McCallum	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Futrell	Perkins	

Total—103

NAYS

Total—0

ABSENT

Broome	Jackson, M
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Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery 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. 135—**  
BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, AND HILL  
AN ACT

To amend and reenact Section 3 of Act No. 12 of the 1996 Regular Session of the Legislature, as amended by Act No. 10 of the 1998 Regular Session of the Legislature and by Act No. 28 of the 2000 Regular Session of the Legislature, relative to sales and use tax; to extend the time limitation of the exclusion for certain transactions involving motor vehicles purchased for subsequent lease; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Riddle
Baylor	Hopkins	Romero
Beard	Hudson	Salter
Bowler	Hunter	Scalise

# Page 8 HOUSE

7th Day's Proceedings - May 15, 2002

Bruce	Hutter	Schneider
Bruneau	Iles	Schwegmann
Capella	Jackson, L	Shaw
Carter, R	Johns	Smith, G.—56th
Cazayoux	Katz	Smith, J.D.—50th
Crane	Kennard	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LaFleur	Sneed
Damico	Lancaster	Stelly
Daniel	Landrieu	Strain
Dartez	LeBlanc	Swilling
Devillier	Lucas	Thompson
Diez	Martiny	Toomy
Doerge	McCallum	Triche
Downer	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinot	
Futrell	Perkins	

Total—100

NAYS

Carter, K  
Total—1

ABSENT

Broome  
Honey  
Total—4

Jackson, M  
Townsend

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery 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. 166— BY REPRESENTATIVES DEWITT AND HAMMETT AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, consideration of the above bill was deferred at this time.

## HOUSE BILL NO. 167— BY REPRESENTATIVES DEWITT AND HAMMETT AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, consideration of the above bill was deferred at this time.

## HOUSE BILL NO. 172— BY REPRESENTATIVES DEWITT AND HAMMETT AN ACT

To amend and reenact R.S. 47:297(D)(3), relative to the individual income tax; to extend the time period for which the credit for certain educational expenses incurred for each dependent child is inapplicable, inoperable, and of no effect; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, consideration of the above bill was deferred at this time.

## HOUSE BILL NO. 190— BY REPRESENTATIVE M. JACKSON AN ACT

To enact R.S. 47:201.1(E), relative to individual income tax; to authorize an exemption from composite return and payment requirements for nonresident partners or members for publicly traded partnerships; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Michael Jackson moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinet	
Gallot	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Broome	Carter, R
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Michael Jackson 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. 12—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact Section 2 of Act No. 7 of the 2000 Regular Session of the Legislature, relative to the imposition of the occupational license tax on utilities selling electricity or gas in more than one municipality; to extend the applicability of the law; and to provide for related matters.

Called from the calendar.

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	Futrell	Odinet
Alario	Gallot	Pierre
Alexander, E	Glover	Pinac
Alexander, R	Green	Pitre
Ansardi	Guillory	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McCallum	Waddell

Durand	McDonald	Walsworth
Erdey	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Morrish	Wright
Frith	Murray	
Fruge	Nevers	
Total—100		

NAYS

Scalise
Total—1

ABSENT

Broome	Perkins
Jackson, M	Psychaud
Total—4	

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.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

May 15, 2002

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

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

Senate Concurrent Resolution No. 7

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

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

**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:

# Page 10 HOUSE

7th Day's Proceedings - May 15, 2002

## **HOUSE RESOLUTION NO. 20—**

BY REPRESENTATIVE MORRELL

### **A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Delores Burrell Vanison of New Orleans.

Read by title.

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

## **HOUSE RESOLUTION NO. 21—**

BY REPRESENTATIVE LANCASTER

### **A RESOLUTION**

To amend and readopt House Rule 6.11(A)(1)(d) and (3) of the Rules of Order of the House of Representatives to allow committees to recommend calendar placement or recommittal for bills reported by substitute.

Read by title.

On motion of Rep. Lancaster, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

## **HOUSE CONCURRENT RESOLUTION NO. 40—**

BY REPRESENTATIVE WINSTON

### **A CONCURRENT RESOLUTION**

To recognize the contributions of direct support professionals to the health and care of the developmentally disabled citizens of this state and to designate May 16, 2002, as Direct Support Professionals Appreciation Day at the legislature.

Read by title.

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

Ordered to the Senate.

## **HOUSE CONCURRENT RESOLUTION NO. 41—**

BY REPRESENTATIVE JACK SMITH

### **A CONCURRENT RESOLUTION**

To memorialize the U.S. Congress and the Louisiana Congressional delegation to ensure appropriate funding during Fiscal Year 2003-2004 for the Cooperative Enforcement Initiative between the National Oceanic and Atmospheric Administration of the Department of Commerce and the states which border the Gulf of Mexico.

Read by title.

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

Ordered to the Senate.

## **Privileged Report of the Committee on Enrollment**

May 15, 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. 12—**

BY REPRESENTATIVE CAZAYOUX

### **A RESOLUTION**

To express the sincere and heartfelt condolences of the House of Representatives of the Legislature of Louisiana upon the death of Mr. Francis Audley Smith of New Roads.

## **HOUSE RESOLUTION NO. 13—**

BY REPRESENTATIVE CRANE

### **A RESOLUTION**

To recognize Wednesday, May 15, 2002, as Dental Hygiene Day in the state of Louisiana and to commend dental hygienists around the state for their outstanding contributions to the oral health of citizens of the state of Louisiana.

## **HOUSE RESOLUTION NO. 14—**

BY REPRESENTATIVE TRICHE

### **A RESOLUTION**

To declare May 14, 2002, as Diabetes Awareness Day in Louisiana.

## **HOUSE RESOLUTION NO. 15—**

BY REPRESENTATIVE LANDRIEU

### **A RESOLUTION**

To recognize and commend the Eucharistic Missionaries of Saint Dominic for seventy-five years of devotion to spiritual and humanitarian service in the state of Louisiana and throughout the world.

## **HOUSE RESOLUTION NO. 16—**

BY REPRESENTATIVE GALLOT

### **A RESOLUTION**

To commend the Grambling State University Chapter of the National Association for the Advancement of Colored People upon receiving the Southwest Region VI College Chapter of the Year Award.

## **HOUSE RESOLUTION NO. 17—**

BY REPRESENTATIVE QUEZAIRE

### **A RESOLUTION**

To commend the White Castle Boys High School Basketball Team upon winning the State District Championship.

## **HOUSE RESOLUTION NO. 18—**

BY REPRESENTATIVE HUDSON

### **A RESOLUTION**

To recognize and commend Mrs. Shirley Babineaux James, the recipient of the 2002 Service to Mankind award given by the Sunset Area Sertoma Club.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

## **Privileged Report of the Committee on Enrollment**

May 15, 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 Concurrent Resolutions have been properly enrolled:

**HOUSE CONCURRENT RESOLUTION NO. 25—**  
 BY REPRESENTATIVES GALLOT, R. ALEXANDER, AND MCCALLUM  
 AND SENATOR B. JONES

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mr. Leamon Lee Brown, Jr.

**HOUSE CONCURRENT RESOLUTION NO. 26—**  
 BY REPRESENTATIVE MONTGOMERY

**A CONCURRENT RESOLUTION**

To commend American Electric Power, the Conservation Fund, and the United States Fish and Wildlife Service for their commitment to environmental stewardship, protection of endangered habitats, and sequestration of carbon at the Catahoula Lake National Wildlife Refuge.

**HOUSE CONCURRENT RESOLUTION NO. 27—**  
 BY REPRESENTATIVE MONTGOMERY

**A CONCURRENT RESOLUTION**

To commend Richard L. Stalder, Secretary of the Louisiana Department of Public Safety and Corrections, upon his receipt of the 2002 E.R. Cass Correctional Achievement Award.

**HOUSE CONCURRENT RESOLUTION NO. 28—**  
 BY REPRESENTATIVES FLAVIN, GUILLORY, HILL, JOHNS, MORRISH,  
 AND STELLY AND SENATORS MOUNT AND THEUNISSEN

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana to the family of Robert S. Kleinschmidt, Sr.

**HOUSE CONCURRENT RESOLUTION NO. 29—**  
 BY REPRESENTATIVES FUTRELL, R. ALEXANDER, GALLOT, HUNTER,  
 KATZ, MCCALLUM, MCDONALD, THOMPSON, AND WALSWORTH  
 AND SENATORS BARHAM, ELLINGTON, B. JONES, C.D. JONES, AND  
 SMITH

**A CONCURRENT RESOLUTION**

To commend Chris Whitton on being named the Boys and Girls Club's 2002 Louisiana Youth of the Year.

**HOUSE CONCURRENT RESOLUTION NO. 30—**  
 BY REPRESENTATIVE SCHNEIDER

**A CONCURRENT RESOLUTION**

To commend the students, parents, teachers, and school board of St. Tammany Parish for their significant contributions toward the school district's receiving the highest District Performance Score in the state.

**HOUSE CONCURRENT RESOLUTION NO. 31—**  
 BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To commend William Dunckelman of Houma for being honored as one of America's top ten youth volunteers upon his receipt of the Prudential Spirit of Community Award.

Respectfully submitted,

DONALD RAY KENNARD  
 Chairman

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
 Administration of Criminal Justice**

May 15, 2002

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 2, by Riddle  
 Reported favorably. (7-0)

House Concurrent Resolution No. 21, by Morrell  
 Reported with amendments. (8-0)

DANIEL MARTINY  
 Chairman

**Report of the Committee on Ways and Means**

May 15, 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. 49, by Bruneau  
 Reported favorably. (11-0-1) (Regular)

House Bill No. 82, by Daniel  
 Reported favorably. (15-0-1) (Regular)

House Bill No. 114, by Landrieu  
 Reported with amendments. (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. 49—**  
 BY REPRESENTATIVE BRUNEAU  
 AN ACT

To amend and reenact R.S. 4:67(A), relative to boxing and wrestling; to increase the maximum amount of tax proceeds which can be collected by the State Boxing and Wrestling Commission per contest or exhibition; 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. 82—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:301(16)(g)(iv), relative to the sales and use tax; to extend the definition of tangible personal property as it applies to excluding certain transactions relating to manufactured homes to all tax authorities in the state; 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. 114—**

BY REPRESENTATIVE LANDRIEU

AN ACT

To amend and reenact R.S. 47:305(D)(1)(s) and (5), relative to sales and use tax exemptions; to provide an exemption from local sales and use taxes for certain medical devices; to provide an exemption from local sales taxes for the sale of prescription drugs under the Louisiana Children's Health Insurance Program; 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.

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 114 by Representative Landrieu

AMENDMENT NO. 1

On page 2, line 16, change "2002;" to "1999." and delete the remainder of the line and delete lines 17 through 19 in their entirety.

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.

**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 Thursday, May 16, 2002.

**Adjournment**

On motion of Rep. Kenney, at 4:05 P.M., the House agreed to adjourn until Monday, May 20, 2002, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, May 20, 2002.

ALFRED W. SPEER  
Clerk of the House