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

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
Quezaire

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
WOOTON

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.

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 GAUTREAUX, CHAISON, DUPRE, HOLLIS, LAMBERT, MARIONNEAUX, 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 GAUTREAUX 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.

**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.

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, Sections 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 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:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tr>
<td>Mr. Speaker Futrell Perkins</td>
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<tr>
<td>Alario Gallot Peychaud</td>
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<tr>
<td>Alexander, E Glover Pierre</td>
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<td>Alexander, R Green Pinac</td>
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<tr>
<td>Ansardi Guillory Pitre</td>
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<td>Arnold Hammett Powell</td>
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<td>Baldone Heaton Quezaire</td>
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<td>Baudoin Hebert Richmond</td>
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<td>Baylor Hill Riddle</td>
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<td>Beard Honey Romero</td>
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<td>Bowler Hudson Salter</td>
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<td>Bruce Hunter Scalise</td>
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<td>Bruneau Hutter Schneider</td>
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<td>Capella Iles Schwegmann</td>
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<td>Carter, K Jackson, L Shaw</td>
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<td>Carter, R Johns Smith, G.—56th</td>
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<td>Cazayoux Katz Smith, J.D.—50th</td>
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<tr>
<td>Crane Kenard Smith, J.H.—8th</td>
</tr>
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83
Curtis Kenney Smith, J.R.—30th
Damico LaFleur Sneed—30th
Daniel Lancaster Stelly—Strain
Dartez Landrieu Townsend
Devillier LeBlanc Toomy—Sneed
Diez Lucas Townsend
Doerge Martiny Toomy
Downer McDonald Triche—Sneed
Durand McVea Wooton
Erdey Montgomery Waddell
Farrar Morrell Wooton
Faucieux Morrish Wooton
Flavin Murray Wright
Frith Nevers Wooton—Triche
Fruge Odet Wright—Triche
Total—99

NAYS Fruge Odinet
Futrell Perkins
Total—0
Total—100

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.

Rep. Daniel moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot Peychaud
Alario Glover Pierre
Alexander, E Green Pinac
Alexander, R Guillory Pitre
Ansardi Hammett Powell
Arnold Heaton Quezaire
Baldone Hbert Richmond
Baudoin Hill Riddle
Baylor Honey Romero
Beard Hopkins Salter
Bowler Hudson Scalice
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 Tucker
Downer McDonald Waddell
Durand McVea Walsworth
Erdey Montgomery Walsworth
Farrar Morrell Welch
Faucieux Morrish Winston
Flavin Murray Wooton
Frith Nevers Wright
Fruge Odet Perkins
Total—5

NAYS
Broome Jackson, M Smith, G.—56th
Crowe McCallum
Total—0

ABSENT

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 tax; to provide for related matters.

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 Scalice
Bowler Iles Schneider
Bruce Jackson, L Schwegmann
Bruneau Johns Shaw
Capella Katz Smith, G.—56th

Total—5

NAYS

Total—0
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
Alario
Alexander, E
Alexander, R
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Capella
Carter, K
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hill
Honey
Hopkins
Hudson
Hutter
Iles
Jackson, L
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Riddle
Romero
Salter
Scalise
Schwegmann
Shaw
Smith, G.—56th

NAYS

Total—98

NAYS

Total—0

ABSENT

Broome
Carter, K
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 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 provide 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
Alario
Alexander, E
Alexander, R
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Capella
Carter, K
Carter, R
C Cayayoux
Crane
Curtis
Damico
Durtiez
Diez
Doerge
Downer
Durand
Erdey
Faucuehx
Flavin
Frith
Fruge
Futrell
Gallot
Glover
Total—98

NAYS

Total—0

ABSENT

Broome
Carter, K
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.
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. 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 Kennard Smith, J.H.—8th
Crowe Kenney Smith, J.R.—30th
Curtis LaFleur Sneed
Damico Lancaster Stelly
Daniel Landrieu Strain
Dartez LeBlanc Swilling
Diez Martiny Toomy
Doerge McCallum Triche
Downer McDonald Tucker
Durand McVea Waddell
Erdey Montgomery Walsworth
Farrar Morrish Winston
Fratoni Murray Wooton
Fruge Nevers Wright
Gloster Perkins

NAYS

Carter, K

ABSENT

Broome Jackson, M

Honey Townsend

Total—100

Total—1

Total—4
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.

SIGNED SENATE CONCURRENT RESOLUTIONS
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 Guilory Powell
Arnold Hammett Quezaire
Baldone Heaton Richmond
Baudoin Hebert Riddle
Baylor Hill Romero
Beard Honey Salter
Bowler Hopkins Schneider
Bruce Hudson Schwegmann
Bruno 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
Deville LeBlanc Townsend
Diez Lucas Triche
Doerge Martiny Tucker
Downer McCallum Waddell

NAYS

Durand McDonald Walsworth
Erdey McVea Welch
Farrar Montgomery Winston
Faucheux Morrell Wooton
Flavin Morish Wright
Frith Murray
Fruge Nevers

Total—103

Total—100

NAYS

Scalise

Total—1

ABSENT

Broome Perkins

Jackson, M Peychaud

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:
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, GUILLOIREY, 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