

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

ELEVENTH 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

Thursday, May 23, 2002

The House of Representatives was called to order at 10:00 A.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	Gallot	Peychaud
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
Broome	Hunter	Schneider
Bruce	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McCallum	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston

Flavin	Morrish	Wooton
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinot	
Total—103		

ABSENT

Bruneau	Perkins
Total—2	

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

Prayer

Prayer was offered by Rep. McCallum.

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. Faucheux, and under a suspension of the rules, the Journal of May 22, 2002, was corrected to reflect him as voting yea on final passage of House Bill No. 167.

On motion of Rep. Faucheux, and under a suspension of the rules, the Journal of May 22, 2002, was corrected to reflect him as voting nay on final passage of House Bill No. 172.

On motion of Rep. Frith, the Journal of May 22, 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 22, 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. 8
Returned without amendments.

House Concurrent Resolution No. 43
Returned without amendments.

House Concurrent Resolution No. 44
Returned without amendments.

House Concurrent Resolution No. 45
Returned without amendments.

House Concurrent Resolution No. 46
Returned without amendments.

House Concurrent Resolution No. 47
Returned without amendments.

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 22, 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. 22, 25, 26, 27, 28, 29, 31, 32, 33, 34, and 36

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

Suspension of the Rules

On motion of Rep. Riddle, 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. 29—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To designate the week of May 19 through 25, 2002, as Emergency Medical Services Week.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend and congratulate Mr. and Mrs. Joseph L. Cambre of Baton Rouge upon the occasion of their fiftieth wedding anniversary.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Deek and Leisa DeBlieux, co-owners of the Red, White, and Brew for their award as the Hammond Chamber of Commerce's Small Business People of the Year.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Dickie and Rickie Brocato, co-owners of the Crescent Bar and Package Liquor Company for being awarded the Hammond Chamber of Commerce's Small Business of the Year award.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR HINES AND REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To proclaim May 28, 2002, as "American Cancer Society Relay For Life Day".

Read by title.

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

Message from the Senate

SENATE BILLS

May 22, 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 Senate Bills:

Senate Bill No. 62

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

**Senate Bills and Joint Resolutions
on First Reading**

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

SENATE BILL NO. 62—

BY SENATORS LENTINI, BARHAM, CAIN, DUPRE, HEITMEIER, HOYT, MCPHERSON, MOUNT, ROMERO, SCHEDLER, SMITH, THEUNISSEN, THOMAS, BEAN AND GAUTREAUX AND REPRESENTATIVES ALARIO, BALDONE, CURTIS, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, DURAND, FARRAR, FLAVIN, FUTRELL, GUILLORY, HEATON, L. JACKSON, JOHNS, LANDRIEU, MONTGOMERY, ODINET, PITRE, RIDDLE, STELLY, STRAIN, TOWNSEND, TUCKER, WINSTON, WOOTON, FRUGE, POWELL, JACK SMITH AND WALSWORTH
AN ACT

To amend and reenact R.S. 47:305.1(C) and to enact R.S. 47:305.1(D), relative to sales and use tax as it applies to ships and ships' supplies; to define "foreign or interstate coastwise

commerce" with respect to the exemption provided for certain owners and operators of ships or vessels operating in such commerce; and to provide for related matters.

Read by title.

Introduction of Resolutions, House and House Concurrent

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

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Desiree Renay Gray on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. KaShonna Renee Conner on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Byrolynn N. Belvitt on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Charece E. Johnese on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Jalisha Vontrell Anderson on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

Read by title.

On motion of Rep. Morrell, 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 Municipal, Parochial and Cultural Affairs

May 23, 2002

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on May 22, 2002, I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 262, by Robert Carter
Reported favorably. (7-0-1) (Regular)

SHARON WESTON BROOME
Chairman

Suspension of the Rules

On motion of Rep. Broome, 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. 262—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 40:1501.6, relative to fire protection districts; to authorize fire protection districts in certain parishes to levy and collect sales and use taxes not to exceed one-half of one percent; to provide for voter approval; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

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

Under the rules, placed on the regular calendar.

Privileged Report of the Legislative Bureau

May 23, 2002

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 38
Reported with amendments.

Senate Bill No. 63
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

Rep. Montgomery asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 38—
BY SENATORS ELLINGTON, BARHAM, LENTINI, SMITH AND HOLDEN, CAIN AND SCHEDLER AND REPRESENTATIVES MONTGOMERY, TOWNSEND AND WOOTON

AN ACT

To amend R.S. 47:293(7) and to enact R.S. 47:293(6)(a)(vii), 297.3, 300.6(B)(2)(d), and 300.7(C)(2)(c), relative to income tax inclusions; to provide for an exclusion from income for shareholders of banks organized as S corporations; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 38 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, following "amend" and before "R.S." insert "and reenact"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 63—
BY SENATORS LENTINI, BARHAM, BEAN, CAIN, DUPRE, GAUTREAU, HEITMEIER, HOYT, MCPHERSON, MOUNT, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND THOMAS AND REPRESENTATIVES ALARIO, BALDONE, CURTIS, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, DURAND, FARRAR, FLAVIN, FRUGE, FUTRELL, GUILLORY, HEATON, L. JACKSON, JOHNS, LANDRIEU, MONTGOMERY, ODINET, PITRE, POWELL, RIDDLE, JACK SMITH, STELLY, STRAIN, TOWNSEND, TUCKER, WALSWORTH, WINSTON AND WOOTON

AN ACT

To amend and reenact R.S. 47:305.1(C) and to enact R. S. 47:305.1(D), relative to exclusions and exemptions from state

and local sales and use tax for ships and ships' supplies; to provide for an exemption for certain shipbuilding materials, equipment, and machinery from such tax; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**House and House Concurrent Resolutions
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. 37—
BY REPRESENTATIVE HUNTER AND SENATOR C.D. JONES
A CONCURRENT RESOLUTION

To urge and request the governor and state agencies to take steps to provide for the transfer or use of state land to or by the city of Monroe for the purpose of the enhancement and expansion of the Louisiana Purchase Gardens and Zoo.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 42—
BY REPRESENTATIVES TOWNSEND, HILL, JOHNS, AND MORRISH
A CONCURRENT RESOLUTION

To direct the secretary of the Department of Wildlife and Fisheries to place the coordination and administration of the hunter certification and education program under the office of wildlife.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**Senate Concurrent Resolutions
Reported by Committee**

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

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.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original Senate Concurrent Resolution No. 14 by Senators Gautreaux and Lambert

AMENDMENT NO. 1

On page 5, between lines 7 and 8, insert the following:

"(3) The chairman of the Senate Committee on Environmental Quality or his designee.

(4) The chairman of the House Committee on the Environment."

AMENDMENT NO. 2

On page 5, lines 8 through 28, redesignate item numbers "(3)" through "(13)" as item numbers "(5)" through "(15)"

AMENDMENT NO. 3

On page 6, line 2, change "(14)" to "(16)"

AMENDMENT NO. 4

On page 6, line 4, change "(15)" to "(17)"

AMENDMENT NO. 5

On page 6, line 6, change "(16)" to "(18)"

AMENDMENT NO. 6

On page 6, delete line 8 in its entirety and insert in lieu thereof the following:

"(19) The chancellor of the Louisiana State University Agricultural Center, or his designee."

AMENDMENT NO. 7

On page 6, line 9, change "(18)" to "(20)"

AMENDMENT NO. 8

On page 6, line 11, change "(19)" to "(21)"

AMENDMENT NO. 9

On page 6, line 13, change "(20)" to "(22)"

AMENDMENT NO. 10

On page 6, between lines 14 and 15, insert the following:

"(23) The president of the Delta Chapter of the Sierra Club, or his designee.

(24) The executive director of the Louisiana Environmental Action Network, or his designee.

(25) The president of the Louisiana Chemical Association, or his designee."

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

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

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.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original Senate Concurrent Resolution No. 17 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 9, change "three" to "five" and after "of" insert "Jefferson, Vermilion,"

AMENDMENT NO. 2

On page 2, line 16, change "fifteen voting" to "seventeen"

AMENDMENT NO. 3

On page 2, line 18, change "Association, Inc." to "Organization."

AMENDMENT NO. 4

On page 2, between lines 26 and 27, insert the following:

"(6) One member appointed by the chief executive of the Jefferson Marine Fisheries Association."

AMENDMENT NO. 5

On page 2, line 27, change "(6)" to "(7)"

AMENDMENT NO. 6

On page 3, at the beginning of line 1, before "Lafourche" insert "Jefferson, Vermilion," and after "Terrebonne" delete "or the town of Grand Isle"

AMENDMENT NO. 7

On page 3, line 4, before "Lafourche" insert "Jefferson, Vermilion," and after "Terrebonne" delete "or the town of Grand Isle"

AMENDMENT NO. 8

On page 3, line 7, change "(7)" to "(8)"

AMENDMENT NO. 9

On page 3, lines 9 and 12, before "Lafourche" insert "Jefferson, Vermilion," and after "Terrebonne" delete "or the town of Grand Isle"

AMENDMENT NO. 10

On page 3, line 15, change "(8)" to "(9)"

AMENDMENT NO. 11

On page 3, lines 17 and 20, before "Lafourche" insert "Jefferson, Vermilion," and after "Terrebonne" delete "or the town of Grand Isle"

AMENDMENT NO. 12

On page 3, line 23, change "(9)" to "(10)"

AMENDMENT NO. 13

On page 3, line 25, before "Lafourche" insert "Jefferson, Vermilion," and after "Terrebonne" delete "or the town of Grand Isle"

AMENDMENT NO. 14

On page 3, line 28, change "(10)" to "(11)"

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

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

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

HOUSE BILL NO. 171—
BY REPRESENTATIVES DEWITT AND HAMMETT
AN ACT

To amend and reenact R.S. 47:293(2)(b), relative to the individual income tax; to limit the deductibility of excess federal itemized deductions; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

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.

On motion of Rep. Hammett, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

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.

On motion of Rep. Hammett, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

Suspension of the Rules

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

Suspension of the Rules

On motion of Rep. LeBlanc, House Rule 8.15 (A) was suspended to permit the consideration of House Bill No. 1 on final passage at this time.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended to make House Bill No. 1 Special Order of the Day No. 1 for Thursday, May 23, 2002.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to take up and consider Special Order of the Day at this time.

Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

HOUSE BILL NO. 1—
BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 13, delete lines 31 and 32 in their entirety

AMENDMENT NO. 2

On page 39, line 29, after "Positions" change "(1)" to "(9)"

AMENDMENT NO. 3

On page 49, line 52, change "13%" to "18%"

AMENDMENT NO. 4

On page 62, line 21, after "to the" and before "Program" change "Cultural Development" to "Arts"

AMENDMENT NO. 5

On page 63, delete lines 34 and 35 and insert:

"through the Marketing Program for the
Lester E. Kabacoff School of Hotel, Restaurant"

AMENDMENT NO. 6

On page 63, delete line 45 and insert the following:

"State General Fund by:
Fees and Self-generated Revenues \$ 3,300,000"

AMENDMENT NO. 7

On page 67, between lines 31 and 32, insert the following:

"Payable out of the State General Fund (Direct)
through the Intermodal Program to the Grand
Bayou Reservoir Commission for operating
expenses \$ 146,355"

AMENDMENT NO. 8

On page 67, delete lines 43 through 46 in their entirety

AMENDMENT NO. 9

On page 117, line 12, change "emergency" to "nonemergency"

AMENDMENT NO. 10

On page 122, line 17, change "\$191,795" to "\$191,794"

AMENDMENT NO. 11

On page 127, line 7, change "\$661,367,680" to "\$668,296,548"

AMENDMENT NO. 12

On page 127, line 20, change "\$686,444,683" to "\$693,373,551"

AMENDMENT NO. 13

On page 127, line 27, change "\$530,243,005" to "\$537, 171,873"

AMENDMENT NO. 14

On page 127, line 28, change "\$686,444,683" to "\$693,373,551"

AMENDMENT NO. 15

On page 136, line 16, change "\$34,828,383" to "\$34,728,383"

AMENDMENT NO. 16

On page 137, lines 26, 28, and 33, change "\$1,779,603" to "\$1,779,063"

AMENDMENT NO. 17

On page 148, after line 42, insert the following:

"Payable out of the State General Fund (Direct)
to the Community Support Program for
community capacity building \$ 4,881,575"

AMENDMENT NO. 18

On page 150, delete lines 12 through 14 in their entirety

AMENDMENT NO. 19

On page 164, line 13, change "Position" to "Positions"

AMENDMENT NO. 20

On page 165, between lines 8 and 9, insert the following:

"Payable out of the State General Fund (Direct)
to the Office of the Secretary for the
LA HOPE Institute \$ 150,000"

AMENDMENT NO. 21

On page 174, delete lines 11 through 13 in their entirety

AMENDMENT NO. 22

On page 185, between lines 9 and 10, insert the following:

"Payable out of the State General Fund (Direct)
for distribution to local sales tax jurisdictions
pursuant to R.S. 47:302(K) \$ 262,899"

AMENDMENT NO. 23

On page 185, delete lines 19 through 21 in their entirety

AMENDMENT NO. 24

On page 187, between lines 46 and 47, insert

"State General Fund (Direct): \$ 580,000"

AMENDMENT NO. 25

On page 187, at the end of line 48, change "\$745,000" to "\$165,000"

AMENDMENT NO. 26

On page 199, delete lines 31 through 36 in their entirety

AMENDMENT NO. 27

On page 209, at the end of line 17, change "\$500,000" to "\$600,000"

AMENDMENT NO. 28

On page 255, between lines 24 and 25, insert the following:

"Provided, however, that the program performance standard for
"Administration/Support Services Program expenditures as a
percentage of the total appropriation" shall be "23.9%"

AMENDMENT NO. 29

On page 255, line 25, after "for the" and before "performance" delete
"supporting"

Page 8 HOUSE

11th Day's Proceedings - May 23, 2002

AMENDMENT NO. 30

On page 255, at the beginning of line 26, change "Administrative" to "Administration"

AMENDMENT NO. 31

On page 268, delete line 30, and insert the following:

"development/technical assistance activities 100%

AMENDMENT NO. 32

On page 273, line 49, change "Youth Center" to "Youth, Inc."

AMENDMENT NO. 33

On page 275, between lines 8 and 9, insert the following:

"FOR:

Salary Supplement for Support Personnel \$ 8,000,000

TOTAL EXPENDITURES \$ 8,000,000

FROM:

State General Fund (Direct) \$ 8,000,000

TOTAL MEANS OF FINANCING \$ 8,000,000"

AMENDMENT NO. 34

On page 275, delete lines 17 through 24 in their entirety

AMENDMENT NO. 35

On page 311, at the end of line 15, delete "Act" and delete lines 16 and 17 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 48, between lines 36 and 37, insert the following:

"Payable out of the State General Fund (Direct) to the Animal Health Services Program for DNA testing on DeSoto cattle and related expenses by the Louisiana State University Agricultural Center \$ 20,000"

AMENDMENT NO. 2

On page 52, between lines 8 and 9, insert the following:

"Provided, however, that the supporting performance indicator "Number of standard insurers to which Key Agency, Inc. has access" shall be changed to "Number of standard companies to which small/disadvantaged/minority agents have access."

AMENDMENT NO. 3

On page 60, between lines 42 and 43, insert the following:

"Payable out of the State General Fund (Direct) to the Parks and Recreation Program for operating expenses \$ 550,000"

AMENDMENT NO. 4

On page 60, line 47, change "4,279,120" to "3,729,120"

AMENDMENT NO. 5

On page 113, between lines 33 and 34, insert the following:

"For Fiscal Year 2002-2003, out of the funds appropriated herein to the Medicaid pharmacy program, the secretary and the Bureau of Health Services Financing shall maintain payments for Estimated Acquisition Cost for drugs at 86.5% of the Average Wholesale Price (AWP) for independent pharmacies and at 85% of the Average Wholesale Price (AWP) for chain pharmacies."

AMENDMENT NO. 6

On page 121, between lines 16 and 17, insert the following:

"EXPENDITURES:

Payments to Public Providers -

For payments to state operated nursing homes \$ 36,234

TOTAL EXPENDITURES \$ 36,234

MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:

Louisiana Medical Assistance Trust Fund \$ 10,495

Federal Funds \$ 25,739

TOTAL MEANS OF FINANCING \$ 36,234"

AMENDMENT NO. 7

On page 130, between lines 41 and 42, insert the following:

"Payable out of the State General Fund (Direct) for the Community Women's Health Center (Northwest Louisiana Breast Cancer Detection Center) for administrative costs \$ 100,000"

AMENDMENT NO. 8

On page 137, line 37, change "750,000" to "962,345"

AMENDMENT NO. 9

On page 171, line 39, change "2,069,807" to "2,159,903"

AMENDMENT NO. 10

On page 209, between lines 23 and 24, insert the following:

"Payable out of the State General Fund (Direct) for the Louisiana Endowment for the Humanities \$ 450,000"

AMENDMENT NO. 11

On page 210, delete line 4 in its entirety

AMENDMENT NO. 12

On page 216, between lines 18 and 19, insert the following:

Objective: To increase the Fall Headcount enrollment for all programs at the LSU Health Sciences Center in New Orleans by 4% from Fall 2000 baseline from 2,019 to 2,099 by Fall 2002.

Performance Indicator:
Percentage change for Fall headcount enrollment over Fall 2000 baseline year 4%
Fall headcount enrollment 2,099%

AMENDMENT NO. 13

On page 221, between lines 20 and 21, insert the following:

"Provided, however, that the key objective "To maintain African-American enrollment of at least 10% of the entering class in Fiscal Year 2002-2003" and associated performance indicator shall be reported as a supporting objective and performance indicator beginning Fiscal Year 2002-2003.

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives LeBlanc and Daniel to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 15, line 22, change "86,138,829" to "82,888,829"

AMENDMENT NO. 2

On page 17, line 7, change "184,283,888" to "181,033,888"

AMENDMENT NO. 3

On page 17, line 9, change "52,256,090" to "49,006,090"

AMENDMENT NO. 4

On page 17, line 18, change "184,283,888" to "181,033,888"

AMENDMENT NO. 5

On page 18, between lines 21 and 22, insert the following:

"Payable out of the State General Fund (Direct) for operating expenses of the Executive Administration Program \$ 3,250,000"

AMENDMENT NO. 6

On page 214, between lines 5 and 6, insert the following:

"Payable out the State General Fund (Direct) to the Louisiana State University and A&M College for expenses related to the Governor's Information Technology Initiative \$ 3,250,000"

AMENDMENT NO. 7

On page 222, delete lines 43 through 45 in their entirety

AMENDMENT NO. 8

On page 226, between lines 24 and 25, insert the following:

"Payable out of the State General Fund (Direct) to the Southern University - A&M College for expenses related to the Governor's Information Technology Initiative \$ 500,000"

AMENDMENT NO. 9

On page 230, delete lines 36 through 38 in their entirety

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc, Thompson, and Hammett to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 88, line 45, change "366" to "732"

AMENDMENT NO. 2

On page 88, line 45, change "17,138,772" to "34,338,190"

AMENDMENT NO. 3

On page 90, line 46, change "87,710,255" to "104,909,673"

AMENDMENT NO. 4

On page 90, line 48, change "84,522,318" to "101,721,736"

AMENDMENT NO. 5

On page 90, line 56, change "87,710,255" to "104,909,673"

AMENDMENT NO. 6

On page 91, delete lines 1 and 2 in their entirety

AMENDMENT NO. 7

On page 91, delete lines 24 through 30 in their entirety

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

Motion

On motion of Rep. LeBlanc, the House resolved itself into a Committee of the Whole House to take into consideration House Bill No. 1.

Acting Chairman

Rep. Alario in the Chair.

House Business Resumed

Speaker DeWitt in the Chair

Page 10 HOUSE

11th Day's Proceedings - May 23, 2002

The committee having risen, the chairman, Rep. Alario, reported to the House that which the Committee of the Whole House had had under consideration:

HOUSE BILL NO. 1—

BY REPRESENTATIVE LEBLANC

AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Reported with amendments.

The committee amendments were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Rep. Green in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 13, between lines 30 and 31, insert the following:

"Provided, however, that of the funds appropriated herein for the Office of Urban Affairs and Development, such funds shall be allocated as follows: forty-five percent (45%) shall be allocated to Senate district numbers 2, 3, 4, 5, 14, 15, 24, 34, and 39; forty-five percent (45%) shall be allocated and distributed equally to House district numbers 2, 3, 4, 11, 17, 26, 29, 34, 40, 44, 58, 61, 67, 87, 91, 93, 96, 97, 99, 100, and 101; the remaining ten percent (10%) shall be allocated at the discretion of the governor."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Tucker, Heaton, and Landrieu in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 13, between lines 30 and 31, insert the following:

"Provided, however, that of the funds appropriated herein for the Office of Urban Affairs and Development, such funds shall be allocated as follows: forty-five percent (45%) shall be allocated to Senate district numbers 2, 3, 4, 5, 6, 7, 14, 15, 24, 34, and 39; forty-five percent (45%) shall be allocated and distributed equally to House district numbers 2, 3, 4, 11, 17, 21, 26, 29, 34, 40, 44, 58, 61, 67, 72, 86, 87, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, and 103; the remaining ten percent (10%) shall be allocated at the discretion of the governor, unless waived by the Senator or Representative of said district."

AMENDMENT NO. 2

Delete the Amendment proposed by Representative Green designated A-47A adopted by the Committee of the Whole House on May 23, 2002

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Richmond, Karen Carter, Nevers, Strain, Baldone, Pitre, Walsworth, and Waddell, in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 13, delete lines 17 through 30 in their entirety

AMENDMENT NO. 2

Page 13, between lines 30 and 31, insert the following:

"Payable out of the State General Fund (Direct) to provide grant awards to areas of the state which shall only be distributed according to the following provisions:

(1) Grants shall be available for projects, programs, or services including, but not limited to: capital outlay projects; economic development projects; educational programs, and elderly and youth services, and only to those entities which will utilize the funds to achieve a measurable improvement in health, environmental or living conditions, or a measurable impact on economic development in the area in which the project or program is funded.

(2) Grants shall be available to public entities, including the state and its agencies and subdivisions and private, non-profit entities for projects or programs in the parish.

(3) Funds shall be allocated to and awarded in equal amounts to each House and Senate legislative district.

(4) Grants shall be available only to entities which can demonstrate that they are supported by funding from other sources, and no grant funds shall be used for administrative expenses.

(5) All applicants must submit data relative to the service population or geographic area to be served which, at a minimum, shall detail the socio-economic impact of a proposed project or grant. No grant shall be considered which is not accompanied by a letter of support from the member of the legislature who represents the district to which the particular grant is allocated.

(6) Funds shall be distributed to grant recipients on a monthly basis only upon submission of invoices, and all funds must be paid into a separate bank account from any other account the recipient may have.

(7) The office of the governor shall administer this program and may establish rules and regulations to implement the same \$ 10,130,720"

AMENDMENT NO. 3

On page 300, delete lines 28 through 34 in their entirety and insert the following:

"Payable out of the State General Fund (Direct) to provide grant awards to areas of the state which shall only be distributed according to the following provisions:

(1) Grants shall be available for projects, programs, or services including, but not limited

to: capital outlay projects; economic development projects; educational programs, and elderly and youth services, and only to those entities which will utilize the funds to achieve a measurable improvement in health, environmental or living conditions, or a measurable impact on economic development in the area in which the project or program is funded.

(2) Grants shall be available to public entities, including the state and its agencies and subdivisions and private, non-profit entities for projects or programs in the parish.

(3) Funds shall be allocated to and awarded in equal amounts to each House and Senate legislative district.

(4) Grants shall be available only to entities which can demonstrate that they are supported by funding from other sources, and no grant funds shall be used for administrative expenses.

(5) All applicants must submit data relative to the service population or geographic area to be served which, at a minimum, shall detail the socio-economic impact of a proposed project or grant. No grant shall be considered which is not accompanied by a letter of support from the member of the legislature who represents the district to which the particular grant is allocated.

(6) Funds shall be distributed to grant recipients on a monthly basis only upon submission of invoices, and all funds must be paid into a separate bank account from any other account the recipient may have.

(7) The office of the governor shall administer this program and may establish rules and regulations to implement the same \$ 9,153,051"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Strain in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 24, after line 57, insert the following:

"Payable out of the State General Fund by Statutory Dedications from the Tobacco Tax Health Care Fund to State Programs for the D.A.R.E. Program in the event House Bill 157 of the 2002 Regular Session of the Legislature is enacted into law \$ 2,917,000"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Beard in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 56, between lines 24 and 25, insert the following:

"Provided, however, that the Table of Organization in the Business Services Program shall be increased by three (3) positions for the Louisiana Film and Video Commission."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Futrell in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 64, line 5, change "1,410,080" to "1,304,493"

AMENDMENT NO. 2

On page 64, line 23, change "23,526,600" to "21,888,916"

AMENDMENT NO. 3

On page 64, line 39, change "24,936,680" to "23,193,409"

AMENDMENT NO. 4

On page 64, line 47, change "23,280,842" to "21,537,571"

AMENDMENT NO. 5

On page 64, line 48, change "24,936,680" to "23,193,409"

AMENDMENT NO. 6

On page 65, line 18, change "3,980,696" to "3,715,750"

AMENDMENT NO. 7

On page 66, line 23, change "1,003,975" to "934,337"

AMENDMENT NO. 8

On page 67, line 1, change "10,910,145" to "10,862,059"

AMENDMENT NO. 9

On page 67, line 21, change "15,894,816" to "15,512,146"

AMENDMENT NO. 10

On page 67, line 29, change "5,110,454" to "4,727,784"

AMENDMENT NO. 11

On page 67, line 31, change "15,894,816" to "15,512,146"

AMENDMENT NO. 12

On page 68, line 3, change "12,944,249" to "12,694,230"

AMENDMENT NO. 13

On page 69, line 1, change "86,356,660" to "82,818,908"

AMENDMENT NO. 14

On page 70, line 5, change "216,643,329" to "202,557,041"

Page 12 HOUSE

11th Day's Proceedings - May 23, 2002

AMENDMENT NO. 15

On page 70, line 30, change "337,855,089" to "319,981,030"

AMENDMENT NO. 16

On page 70, line 38, change "238,702,690" to "220,828,631"

AMENDMENT NO. 17

On page 70, line 41, change "337,855,089" to "319,981,030"

AMENDMENT NO. 18

On page 70, after line 46, insert the following:

"Provided, however, that it is the intent of the Legislature of Louisiana that \$20,000,000 of State General Fund by Statutory Dedications from the Transportation Trust Fund-Regular shall be added to the Fiscal Year 2002-2003 capital outlay appropriation for the Department of Transportation and Development, Highway Priority Program, and designated for projects on state highways that are ineligible for federal funds."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Futrell in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 113, between lines 33 and 34, insert the following:

"Provided, however, that of the amounts appropriated above, the Department of Health and Hospitals shall not reduce separate well-baby reimbursement rates paid to private hospitals that perform 1,500 or more Medicaid deliveries per year below the Medicaid rates paid during FY 2001-2002."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Thompson, LeBlanc, Frith, Baldone, Baudoin, Baylor, Bruce, R. Carter, Cazayoux, Crowe, Darte, Devillier, Diez, Doerge, Downer, Durand, Erdey, Farrar, Fauchaux, Flavin, Fruge, Gallot, Hammett, Hebert, Hill, Hopkins, Hudson, Hutter, Iles, Johns, Katz, Kennard, Kenney, LaFleur, McCallum, McDonald, McVea, Montgomery, Morrish, Nevers, Perkins, Pinac, Pitre, Powell, Quezaire, Riddle, Salter, Schneider, Shaw, Jack, Smith, Jane Smith, John Smith, Gary Smith, Strain, Townsend, Triche, Waddell, Walsworth, Winston, Wooton, and Wright in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 114, on line 31, after "hospitals," and before "small" change "including" to "except"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Triche in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 168, between lines 11 and 12, insert the following:

"Payable out of Federal Funds through the Child Care and Development Block Grant for transfer to the Department of Health and Hospitals, Office for Citizens with Developmental Disabilities for inclusive child care and parental training services for disabled infants \$ 500,000"

AMENDMENT NO. 2

On page 169, line 12, change "\$5,500,000" to "6,000,000"

AMENDMENT NO. 3

On page 171, delete lines 40 through 43 in their entirety

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Scalise, Capella, and Beard in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 169, line 47, change "3,000,000" to "1,500,000"

AMENDMENT NO. 2

On page 171, between lines 43 and 44, insert the following:

"Within the Department of Social Services, Office of Family Support for abortion alternative services administered by pregnancy crisis centers \$ 1,500,000"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Strain in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 214, between lines 5 and 6, insert the following:

"Payable out of State General Fund (Direct) for the Equine Health Studies Program at the Louisiana State University School of Veterinary Medicine, only in the event and to the extent that the Revenue Estimating Conference recognizes additional revenues derived from the conduct of slot machine gaming at the licensed eligible facility in Bossier Parish as defined in R.S. 27:353 \$ 1,000,000"

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Diez and Quezaire in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 296, between lines 14 and 15, insert the following:

"Provided, however, that of the funds appropriated herein out of the Ascension Parish Visitor Enterprise Fund, \$60,000 shall be allocated and distributed to the city of Donaldsonville for tourism promotion, and \$60,000 shall be allocated and distributed to the Ascension Community Theater."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Richmond, Karen Carter, Nevers, Strain, Baldone, Pitre, Walsworth, and Waddell, in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

Delete the set of three amendments proposed by Representatives Richmond, et al, designated as A-58, adopted by the Committee of the Whole House on May 23, 2002.

AMENDMENT NO. 2

Delete Amendment No. 1 of the set of two amendments proposed by Representatives Tucker, et al, designated as A-54-A, adopted by the Committee of the Whole House on May 23, 2002.

AMENDMENT NO. 3

On page 300, delete lines 28 through 34 in their entirety and insert the following:

"Payable out of the State General Fund (Direct) to provide grant awards to areas of the state which shall only be distributed according to the following provisions:

(1) Grants shall be available for projects, programs, or services including, but not limited to: capital outlay projects; economic development projects; educational programs, and elderly and youth services, and only to those entities which will utilize the funds to achieve a measurable improvement in health, environmental or living conditions, or a measurable impact on economic development in the area in which the project or program is funded.

(2) Grants shall be available to public entities, including the state and its agencies and subdivisions and private, non-profit entities for projects or programs.

(3) Funds shall be allocated to and awarded in equal amounts to each House and Senate legislative district.

(4) All applicants must submit data relative to the service population or geographic area to be served which, at a minimum, shall detail the socio-economic impact of a proposed project or grant. No grant shall be considered which is not accompanied by a letter of support from the member of the legislature who represents the district to which the particular grant is allocated.

(5) The office of the governor shall administer this program and may establish rules and regulations to implement the same \$ 9,153,051"

AMENDMENT NO. 4

On page 13, delete lines 17 through 30 in their entirety

AMENDMENT NO. 5

On page 13, between lines 30 and 31, insert the following:

"Payable out of the State General Fund (Direct) to provide grant awards to areas of the state which shall only be distributed according to the following provisions:

(1) Grants shall be available for projects, programs, or services including, but not limited to: capital outlay projects; economic development projects; educational programs, and elderly and youth services, and only to those entities which will utilize the funds to achieve a measurable improvement in health, environmental or living conditions, or a measurable impact on economic development in the area in which the project or program is funded.

(2) Grants shall be available to public entities, including the state and its agencies and subdivisions and private, nonprofit entities for projects or programs.

(3) Funds shall be allocated to and awarded in equal amounts to each House and Senate legislative district.

(4) All applicants must submit data relative to the service population or geographic area to be served which, at a minimum, shall detail the socio-economic impact of a proposed project or grant. No grant shall be considered which is not accompanied by a letter of support from the member of the legislature who represents the district to which the particular grant is allocated.

(5) The office of the governor shall administer this program and may establish rules and regulations to implement the same \$ 10,130,720"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinot
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	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kennard	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling

Page 14 HOUSE

11th Day's Proceedings - May 23, 2002

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—103

NAYS

Romero
Total—1

ABSENT

Perkins
Total—1

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. LeBlanc, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 243—
BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2001-2002 Fiscal Year; and to provide for related matters.

Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 243 by Representative LeBlanc

AMENDMENT NO. 1

On page 6, line 24, after "from the" and before "Live" change "Pari-mutuel" to "Pari-Mutuel"

AMENDMENT NO. 2

On page 7, at the end of line 24, after "more than" delete the remainder of the line and insert "Nine Million, Seven Hundred Fifty-Eight Thousand Eight Hundred Twenty-Seven and No/100 (\$9,758,827) Dollars."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—104

NAYS

Total—0

ABSENT

Perkins
Total—1

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. 266 (Substitute for House Bill No. 132 by Representative Townsend)—
 BY REPRESENTATIVES TOWNSEND, DANIEL, FARRAR, AND MONTGOMERY

AN ACT

To amend and reenact R.S. 22:1065(A), relative to insurance taxes; to provide for an increase in the minimum annual license tax assessed upon the business of issuing certain insurance policies, contracts, and obligations for the year 2002; to provide for the use thereof; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Townsend, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 266 by Representative Townsend

AMENDMENT NO. 1

On page 2, at the beginning of line 26, delete "11:62(3)" and insert in lieu thereof "11:103(C)(2)(b)(i)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 266 by Representative Townsend

AMENDMENT NO. 1

On page 1, at the end of line 4, insert a semi-colon ";" and at the beginning of line 5, delete "for the year 2002;"

AMENDMENT NO. 2

On page 2, delete line 10, and at the beginning of line 11, delete "December 31, 2002, the" and insert in lieu thereof "(2)(a) The"

AMENDMENT NO. 3

On page 2, at the beginning of line 17, delete "during the Fiscal Year 2001-2002"

AMENDMENT NO. 4

On page 2, line 19, delete "Subparagraph (c)" and insert in lieu thereof "Subparagraphs (c) and (d)"

AMENDMENT NO. 5

On page 2, delete line 20 and on line 21, delete "(a) of this Paragraph and allocated" and insert in lieu thereof "(c) For the year beginning

January 1, 2002, and ending December 31, 2002, amounts received from the excess collections"

AMENDMENT NO. 6

On page 2, line 23, after "System" delete the period "." and insert in lieu thereof "up to the amount certified by the legislative actuary as being necessary to meet any increase in the employer contributions required over and above the statutory minimum set forth in R.S. 11:103(C)(2)(b)(i)."

AMENDMENT NO. 7

On page 3, line 1, after "remaining" delete the remainder of the line and delete line 2 in its entirety and insert in lieu thereof:

"shall be disbursed as provided in Subparagraph (d) of this Paragraph.

(d) For any year beginning on or after January 1, 2003, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of the State of Louisiana relative to the Bond Security and Redemption Fund, an amount equal to the excess collections as provided in Subparagraph (b) of this Paragraph shall be appropriated to the Department of Public Safety and Corrections, office of state police. Such funds shall be used exclusively for pay increases for members of the state police service who are not persons in training and any increase in required employer contributions to the Louisiana State Police Retirement System associated with such pay increases. Such funds shall not be used for any pay increase for which the required employer contributions to the Louisiana State Police Retirement System are not paid from such funds. Any monies not used for these purposes shall revert to the state general fund.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Downer
Durand
Erdey
Farrar
Faucheux
Flavin
Frith
Total—102

McCallum
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Triche
Tucker
Waddell
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Lancaster
Total—3

Perkins
Walsworth

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Townsend 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. 157—

BY REPRESENTATIVES LANDRIEU, K. CARTER, DARTEZ, HUNTER, AND L. JACKSON AND SENATOR BAJOIE

AN ACT

To enact R.S. 47:841(B)(4) and (5) and 841.1, relative to the tobacco tax; to increase the tax on cigarettes; to provide for deposit and use of proceeds from the tax; to provide for an effective date; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Landrieu, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

Rep. Landrieu moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, R	Frith	Odinot
Ansardi	Futrell	Peychaud
Arnold	Gallot	Pierre
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Hill	Richmond
Broome	Honey	Riddle
Bruce	Hudson	Salter
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Landrieu	Strain
Dartez	LeBlanc	Swilling
Devilleier	Lucas	Thompson

Diez
Doerge
Downer
Durand
Erdey
Farrar
Faucheux
Flavin
Total—85

Martiny
McCallum
McDonald
Montgomery
Morrell
Morrish
Murray
Nevers
Toomy
Townsend
Waddell
Welch
Wooton
Wright

NAYS

Mr. Speaker
Alario
Alexander, E
Bowler
Total—12

Fruge
Hebert
Hopkins
Katz
Lancaster
McVea
Pinac
Tucker

ABSENT

Glover
Heaton
Perkins
Total—8

Romero
Scalise
Triche
Walsworth
Winston

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Landrieu 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. 199—

BY REPRESENTATIVE LEBLANC

AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 199 by Representative LeBlanc

AMENDMENT NO. 1

On page 4, after line 47, insert the following:

"Payable out of the State General Fund by Interagency Transfers to the Division of Risk Litigation for salaries and related benefits for three (3) positions \$ 167,041"

AMENDMENT NO. 2

On page 5, between lines 40 and 41, insert the following:

"Payable out of the State General Fund by Interagency Transfers for the lease of vehicles to state agencies \$ 423,765"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinot
Alario	Glover	Psychaud
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Hammett	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Honey	Riddle
Beard	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	Landriou	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Doerge	Martiny	Townsend
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Futrell	Nevers	
Total—101		

NAYS

Total—0

ABSENT

Bowler	Perkins
Fruge	Walsworth
Total—4	

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. Riddle, 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

SENATE BILLS

May 23, 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 Senate Bills:

Senate Bill Nos. 11 and 70

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

Senate Bills and Joint Resolutions on First Reading

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

SENATE BILL NO. 11—
BY SENATOR HINES

AN ACT

To enact R.S. 47:305.14(A)(5), relative to sales tax; to provide for an exemption to the state and political subdivisions sales and use tax for nonprofit organizations; to provide for an exemption from such taxes for nonprofit literacy organizations; to provide for certain definitions; and to provide for related matters.

Read by title.

SENATE BILL NO. 70—

BY SENATORS LENTINI, BARHAM, CAIN, DUPRE, HEITMEIER, HOYT, MCPHERSON, MOUNT, SCHEDLER, SMITH, THEUNISSEN, THOMAS, BEAN, GAUTREAU, ROMERO AND ULLO AND REPRESENTATIVES ALARIO, BALDONE, CURTIS, DAMICO, DANIEL, DARTEZ, DIEZ, DOWNER, DURAND, FARRAR, FLAVIN, FUTRELL, GUILLORY, HEATON, L. JACKSON, JOHNS, LANDRIEU, MONTGOMERY, ODINET, PITRE, RIDDLE, STELLY, STRAIN, TOWNSEND, TUCKER, WINSTON, WOOTON, FRUGE, POWELL, JACK SMITH AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:305.1(C) and to enact R.S. 47:305.1(D), relative to exclusions and exemptions from state and local sales and use tax for ships and ships' supplies; to provide for an exemption for certain shipbuilding materials, equipment, and machinery from such tax; to define "foreign or interstate coastwise commerce" with respect to the exemption

provided for certain owners and operators of ships or vessels operating in such commerce; and to provide for related matters.

Read by title.

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

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

HOUSE RESOLUTION NO. 28—

BY REPRESENTATIVE BEARD

A RESOLUTION

To commend the Parkview Baptist High School Baseball Team upon winning the Class 3-A State Championship.

Read by title.

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

HOUSE RESOLUTION NO. 29—

BY REPRESENTATIVE L. JACKSON

A RESOLUTION

To proclaim Wednesday May 29, 2002, as "Hibernia People For Good Government Day" in the Louisiana House of Representatives

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVES KENNARD, CRANE, DANIEL, ODINET, AND SALTER

A CONCURRENT RESOLUTION

To commend and congratulate Britni Sneed upon the completion of her outstanding legacy at Louisiana State University and for her unparalleled contributions to LSU softball.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To commend the members of the Stanley High School Baseball Team of Stanley upon winning the Class C Baseball State Championship.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Board of Trustees of the Teachers' Retirement System of Louisiana to take all action possible to preserve and enhance the amount of funds in the system's employee experience account.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVE TRICHE AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Kirby J. Ducote for thirty-five years of dedicated and highly effective service as the public policy liaison for the Roman Catholic bishops of Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation to request the United States Department of Agriculture to authorize the inclusion of fresh fruits and vegetables to the foods provided to women and children participating in the Special Supplemental Nutrition Program of Women, Infants, and Children (WIC).

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

May 23, 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. 27—

BY REPRESENTATIVE FUTRELL

A RESOLUTION

To commend Dr. B.G. Buchanan, Sr., pastor of Central Baptist Church in Baton Rouge, for his many accomplishments and for twenty-five years of devoted service to the church and its members.

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 23, 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. 43—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To commend the Girl Scouts of the USA on the ninetieth anniversary of girl scouting.

HOUSE CONCURRENT RESOLUTION NO. 44—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To endorse the Canine Good Citizen programs sponsored by the American Kennel Club.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To encourage the citizens of Louisiana to recognize the importance of the principles of the Declaration of Independence.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVES DANIEL, BEARD, BROOME, CRANE, FUTRELL, HONEY, M. JACKSON, KENNARD, MCVEA, PERKINS, AND WELCH AND SENATORS DARDENNE, FIELDS, FONTENOT, HOLDEN, LAMBERT, AND MARIONNEAUX

A CONCURRENT RESOLUTION

To commend the coaches and members of the boys basketball team, girls golf team, boys golf team, and girls tennis team of Louisiana State University Laboratory High School for winning the Louisiana Class 2A state championships.

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVES TRICHE, BALDONE, DOWNER, PITRE, AND WOOTON

A CONCURRENT RESOLUTION

To commend Army Reserve Lieutenant Colonel Myron M. Fonseca upon being selected to take command of the 260th Quartermaster Battalion (PS).

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.

Suspension of the Rules

On motion of Rep. Johns, the rules were suspended to permit the Committee on Civil Law and Procedure to meet upon adjournment on Thursday, May 23, 2002, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 68

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet upon adjournment on Thursday, May 23, 2002, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 31, 36, 80, 98, 100, 122, 158, 183, 226, 237, 241, 252, and 260

Leave of Absence

Rep. Bruneau- 1/2 day

Rep. Perkins - 1 day

Adjournment

On motion of Rep. Kenney, at 4:35 P.M., the House agreed to adjourn until Tuesday, May 28, 2002, at 4:30 P.M.

The Speaker of the House declared the House adjourned until 4:30 P.M., Tuesday, May 28, 2002.

ALFRED W. SPEER
Clerk of the House

