The House of Representatives was called to order at 2:00 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
Alario
Alexander, E
Alexander, R
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Diez
Doerge
Downer
Durand
Erdey
Farrar
Faucheux

Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kennard
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martin
McCullum
McDonald
McVea
Montgomery
Morrell

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Riddle
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Stelly
Strain
Swilling
Toomy
Townsend
Triche
Tucker
Waddell
Walsworth
Welch
Winston

ABSENT

Devillier
Total—2

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

Prayer

Prayer was offered by Rev. Roy Betmiller.

Pledge of Allegiance

Rep. Hutter 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. Alario, the reading of the Journal was dispensed with.


Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

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. 35
Returned without amendments.

House Concurrent Resolution No. 57
Returned without amendments.

House Concurrent Resolution No. 58
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

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. 35, 43, and 47

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

Suspension of the Rules

On motion of Rep. Honey, 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. 35—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION
To urge and request the State Board of Elementary and Secondary Education to study the Wireless Classroom Project being implemented in the state of Georgia and the feasibility of implementing similar pilot programs in Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR C. JONES
A CONCURRENT RESOLUTION
To direct the Department of Health and Hospitals to take all steps necessary to maximize the reimbursement to schools of the cost of administering and providing medical and related services needed by Medicaid-eligible special education students.

Read by title.

On motion of Rep. Rodney Alexander, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare, under the rules.

SENATE CONCURRENT RESOLUTION NO. 47—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals to reapply for a Medicaid Infrastructure Grant for calendar years 2003 through 2006 to develop the infrastructure necessary to establish and implement an optional categorically needy Medicaid eligibility group for working individuals with disabilities, commonly referred to as the Medicaid Buy-in program.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Alexander to Original Senate Concurrent Resolution No. 47 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 16, after "programs" delete the remainder of the line and delete lines 17 through 19 and insert a semicolon ";" and "and" and the following:

"WHEREAS, the Department of Health and Human Services, Center for Medicare and Medicaid Services, has grant funds available to states to assist in the planning and designing of Medicaid Buy-in programs which require no state matching funds for such infrastructure development; and"

On motion of Rep. Rodney Alexander, the amendments were adopted.

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

Privileged Report of the Legislative Bureau

June 3, 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. 36
Reported without amendments.

Senate Bill No. 47
Reported without amendments.

Senate Bill No. 48
Reported without amendments.

Senate Bill No. 58
Reported without amendments.

Senate Bill No. 78
Reported with amendments.

Respectfully submitted,
JOE SALTER
Chairman

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Broome 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. 36—
BY SENATOR FIELDS
AN ACT
To enact Part III of Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9097, relative to the levy of taxes in East Baton Rouge Parish; to authorize the levy of a tax or parcel fee in a specified area of the city; to provide relative to the amount, duration, collection, and use of revenue from such tax or fee; to authorize the creation of a special taxing district for the Concord Homeowners Association; to provide for the boundaries, purpose, and taxing authority of the district; and to provide for related matters.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 47—
BY SENATOR JOHNSON
AN ACT
To amend and reenact R.S. 33:9072(D)(1) and to enact R.S. 33:9076, relative to the levy of taxes in municipalities; to authorize the levy and renewal of taxes or parcel fees in specified areas or special districts within such municipalities; to provide relative to the amount, duration, collection, and use of revenue from such taxes or fees; to provide for the term of the special tax or fee; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 48—
BY SENATOR JOHNSON
AN ACT
To enact R.S. 33:9073.1, relative to the levy of taxes in municipalities; to authorize the levy and renewal of taxes or parcel fees in specified areas or special districts within such municipalities; to provide relative to the amount, duration, collection, and use of revenue from such taxes or fees; to create special taxing districts; to provide for the creation, boundaries, governance, and purpose of such districts; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 48 by Senator Johnson

AMENDMENT NO. 1
On page 1, between lines 8 and 9, insert the following:

"Notice of intention to introduce this Act has been published."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 58—
BY SENATOR BARHAM
AN ACT
To amend and reenact R.S. 47:603, relative to the corporation franchise tax; to exclude from borrowed capital certain indebtedness of vehicle, boat, and equipment dealers; to provide for an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 78—
BY SENATOR JOHNSON AND REPRESENTATIVE LUCAS
AN ACT
To enact R.S. 33:2740.54, relative to economic development; to create an economic development district in the lower ninth ward of the city of New Orleans; to provide for governance and administration of the district; to provide for the powers and duties of the governing authority, including the authority to levy taxes and issue bonds subject to voter approval; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 78 by Senator Johnson

AMENDMENT NO. 1
On page 1, between lines 7 and 8, insert the following:

"Notice of intention to introduce this Act has been published."

AMENDMENT NO. 2
On page 7, line 3, after "approved by" and before "the city" delete "a majority of".

AMENDMENT NO. 3
On page 7, at the end of line 3, after "council" insert a period "." and delete the remainder of line 3, and the beginning of line 4, delete "who vote on the proposition at such election." and insert the following:

"The tax shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district voting on the proposition at an election held for that purpose in accordance with the Louisiana Election Code."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:
LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 78 by Senator Johnson

AMENDMENT NO. 1

On page 4, line 27, following "for" and before "Orleans" delete "the"

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

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

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To create a task force to study the current trends in admissions and re-admissions to and discharges from developmental centers and the community capacity to meet the needs of persons with developmental disabilities who are involved with the judicial system, as well as persons with complex medical and behavioral problems being admitted to state developmental centers; and to make recommendations from these findings for supports/services planning and policy development.

Read by title.

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 42—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:6016, relative to tax credits; to grant a refundable credit against income and corporate franchise tax for the purchase of certain items from certain contractors employing inmate labor; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 57—

BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 47:305(D)(5), relative to exclusions and exemptions from sales and use taxes; to provide or authorize an exemption for the sale, administration, or procurement of certain prescription drugs from local sales taxes; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 72—

BY SENATOR MALONE

AN ACT

To enact R.S. 33:2711.15, relative to municipal sales and use taxes; to authorize the governing body of the city of Shreveport to levy and collect an additional sales and use tax; to provide for voter approval; to provide for terms and renewals; to provide for a termination date of such authority; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 86 (Substitute for Senate Bill No. 84 by Senator Ellington)—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:301(10)(v), (13)(g) and (h), and (18)(i), relative to sales and use taxes; to provide for the taxation of the sale or other disposition of certain tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for applicability of the Act to certain claims and actions; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Reconsideration

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

HOUSE BILL NO. 100—

BY REPRESENTATIVES DAMICO AND DOWNER AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e) and to enact R.S. 30:2532(B)(3), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the Keep Louisiana Beautiful Fund; to provide relative to the use of such funds; and to provide for related matters.

Read by title.

On motion of Rep. Damico, 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. Pierre, the rules were suspended in order to take up and consider Senate Concurrent Resolutions on Third Reading for Final Consideration at this time.
Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 39—
BY SENATOR ROMERO AND REPRESENTATIVE PIERRE
A CONCURRENT RESOLUTION
To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2002-2003, as adopted by the Wetlands Conservation and Restoration Authority.

Read by title.

Rep. Pierre moved the concurrence of the resolution.

By a vote of 87 yeas and 0 nays, the resolution was concurred in.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 82—
BY REPRESENTATIVES DANIEL, DIEZ, FAUCHEUX, FLAVIN, FUTRELL, HEBERT, HUDSON, QUEZAIRE, AND WALSWORTH
AN ACT
To amend and reenact R.S. 47:301(16)(g)(iii) and (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.

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

HOUSE BILL NO. 95—
BY REPRESENTATIVE DEWITT
AN ACT
To amend and reenact R.S. 47:301(10)(t) and (18)(h), relative to state sales and use taxes; to define retail sale and use to exclude the acquisition and distribution of telephone directories distributed free of charge by advertising companies not affiliated with telephone service providers; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 95 by Representative DeWitt

AMENDMENT NO. 2
On page 1, line 6, after "date;" insert "to define cold storage relative to the imposition of sales taxes;"

AMENDMENT NO. 3
On page 1, line 8, after "47:301(10)(t)" insert ", (14)(f),"

AMENDMENT NO. 4
On page 2, between lines 7 and 8 insert:

"(14) "Sales of services" means and includes the following:

* * *

(f) The furnishing of cold storage space, except that space which is furnished pursuant to a bailment arrangement and the furnishing of the service of preparing tangible personal property for cold storage where such service is incidental to the operation of storage facilities; and

* * *"

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

ROLL CALL
The roll was called with the following result:

YEAS

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 Hill Quezaire
Baylor Honey Richmond
Beard Hopkins Riddle
Bowler Hudson Salter
Browne Hunter Scalise
Bruneau Hutter Schneider
Capella Iles Schwegmann
Carter, K Jackson, L Shaw
Carter, R Jackson, M Smith, G.—56th
Cazayoux Johns Smith, J.H.—8th
Crae Johns Smith, J.R.—30th
Cron Kacz Smith, J.D.—50th
Crowe Kennard Smith, J.R.—30th
Curtis Kenney Sneed
Damico LaFleur Stelly
Daniel Lancaster Stingle
Devillier Landrieu Swilling
Diez LeBlanc Thompson
Doerge Lucas Toomy
Downer Martiny Townsend
Durand McDonald Triche
Erdey McVea Tucker
Farrar Montgomery Waddell
Faucheux Morrell Walsworth
Flavin Morrish Welch
Frith Murray Winston
Fruge Nevers Wright
Total—99
The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 141—
BY REPRESENTATIVES HAMMETT AND DEWITT
AN ACT
To amend and reenact R.S. 47:606(A)(1)(e) through (k) and to enact R.S. 47:287.95(K) and (L) and 606(A)(1)(l) and (m), relative to corporation income and franchise tax apportionment by telephone, television, and radio businesses; to provide for attribution of revenue to Louisiana; to provide for an effective date; and to provide for related matters.

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Frith Nevers
Alario Fruge Odinet
Alexander, E Futrell Peychaud
Alexander, R Gallot Pierre
Ansardi Glover Pinac

NAYS
Total—0

ABSENT
Bruce Hebert Romero
Dartez McCallum Wooton
Total—6
Arnold        Green        Pire
Baldone       Guillory     Powell
Baudoin       Hammett     Quezaire
Baylor        Heaton      Richmond
Beard         Hill         Riddle
Bowler        Honey       Salter
Broome        Hopkins     Schneider
Bruce         Hunter      Schwegmann
Bruneau       Hutter      Shaw
Capella       Iles         Smith, G.—56th
Carter, K     Jackson, L  Smith, J.D.—50th
Carter, R     Johns        Smith, J.H.—8th
Cazayoux      Katz         Smith, J.R.—30th
Crane         Kennard     Sneed
Crowe         Kenney      Stelly
Curtis        LaFleur     Strain
Damico        Lancaster   Swilling
Daniel        Landrieu    Thompson
Devillier     LeBlanc     Toomy
Diez          Lucas        Townsend
Doerge        Martiny     Triche
Downer        McDonald    Tucker
Durand        McVea       Waddell
Erdey         Montgomery  Walsworth
Farrar        Morrell     Welch
Fauqueux      Morriah     Winston
Flavin        Murray      Wright

Total—96

NAYS
Romero       Scalise

Total—2

ABSENT
Dartez        Jackson, M  Wooton
Hebert        McCallum
Hudson        Perkins

Total—7

The amendments proposed by the Senate were concurred in by the House.

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.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 190 by Representative M. Jackson

AMENDMENT NO. 1
On page 1, line 3, delete "return and"

AMENDMENT NO. 2
On page 1, line 12, delete "composite return and"

AMENDMENT NO. 3
On page 1, at the end of line 15, after "number" delete the remainder of the line and insert a period "." and delete line 16, and insert:

"The secretary may request"

AMENDMENT NO. 4
On page 2, line 1, change "The" to "If granted, the"

AMENDMENT NO. 5
On page 2, at the end of line 4, insert:

"The secretary may revoke the exemption if the secretary determines that the nonresident partners are not filing and paying individual income taxes on their own behalf."

AMENDMENT NO. 6
On page 2, between lines 4 and 5, insert:

"(3) Publicly traded partnerships shall file a composite return that includes all nonresident partners who were partners on December thirty-first of the year prior to the due date of the return."

AMENDMENT NO. 7
On page 2, line 5, change "(3)" to "(4)"

Rep. Michael Jackson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

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

Total—96

NAYS
Romero       Scalise

Total—2

ABSENT
Dartez        Jackson, M  Wooton
Hebert        McCallum
Hudson        Perkins

Total—7
Flavin    Morrish    Wright
Frith      Murray     Nevers
Frige      Murray     Nevers
Total—97
NAYS
Total—0
ABSENT
Carter, R McCallum Welch
Dartez Peychaud Wooton
Hebert Smith, J.H.—8th
Total—8
The amendments proposed by the Senate were concurred in by the House.

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. 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. Alario, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 4—
BY REPRESENTATIVE ALARIO
A JOINT RESOLUTION
Proposing to amend Article VII, Section 20(A)(1) of the Constitution of Louisiana, to increase the homestead exemption in accordance with the increase in the Consumer Price Index; 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.

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

HOUSE BILL NO. 241—
BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, DURAND, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HEBERT, HUTTER, JOHNS, LEBLANC, M RRISH, ODINET, PIERRE, PINAC, PITRE, ROMERO, GARY SMITH, JACK SMITH, STELLEY, TRICHE, AND WOOTON AND SENATORS CHAISON, DUPRE, GAUTREAUX, HOYT, MOUND, ROMERO, THEUNISSEN, AND ULLO
AN ACT
To enact R.S. 56:506 and to repeal R.S. 56:505, relative to seafood taken in state waters or imported into the state; to levy an excise tax on shrimp taken in state waters or imported into the state; to provide for the administration, collection, and enforcement of the tax; to provide for civil and criminal penalties; to provide for use of the avails derived from the tax; to repeal the severance tax on saltwater shrimp taken in state waters; to provide for an effective date; and to provide for related matters.
Read by title.

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

HOUSE BILL NO. 223—
BY REPRESENTATIVE DIEZ
AN ACT
To amend and reenact R.S. 47:462(B)(3)(a), 463(A)(1)(b) and (2), and 481, relative to the vehicle registration license tax; to provide for an additional tax on certain trucks and private passenger vehicles; to provide for disposition of the proceeds of the tax; to provide for an effective date; and to provide for related matters.
Read by title.

Motion
On motion of Rep. Alario, the bill was returned to the calendar.
HOUSE BILL NO. 31—
BY REPRESENTATIVE STELLY
A JOINT RESOLUTION
Proposing to amend Article VII, Section 4(A) and to add Article VII, Section 2.2 of the Constitution of Louisiana, relative to the limitations on the power of taxation; to provide for the limitation of the rates and brackets for the individual income tax; to prohibit the imposition of state sales and use tax on certain items; to provide for the submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 55—
BY REPRESENTATIVE FAUCHEUX
AN ACT
To enact R.S. 47:297(M), relative to individual income tax credits; to authorize a credit for federally qualifying long-term care insurance premiums paid by individuals; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Faucheux moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker    Gallot    Odinet
Alario        Glover    Perkins
Alexander, E  Green    Pschaud
Alexander, R   Guillory  Pierre
Ansardi       Hammett  Pinac
Arnold         Heaton    Pitre
Baldone       Hebert    Powell
Baudoin       Hill      Quezaire
Bayor         Honey    Richmond
Beard          Hopkings  Riddle
Bowler        Hudson    Romero
Broome        Hunter    Salter
Bruce          Hutter   Scalise
Bruneau       Iles      Schneider
Capella       Jackson, L  Schwemmann
Carter, K      Jackson, M  Shaw
Cazayoux      Johns     Smith, G.—56th
              Katz      Smith, J.H.—8th
              Kennard   Smith, J.R.—30th
              Kenney   Sneed
              LaFleur  Stelly
              Lancaster  Strain
              Landrieu  Swilling
              LeBlanc  Thompson
              Lucas    Toomy
              Martiny  Townsend
              McCullum  Triche
              McDonald  Tucker
              McVea     Waddell
              Morrey    Walworth
              Morrell  Welch
              Morrish  Winston

Total—102

NAYS

Fruge     Murray     Wooton
Futrell  Nevers     Wright

Total—0

ABSENT

Carter, R  Daniel    Smith, J.D.—50th
Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Faucheux 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. 58—
BY REPRESENTATIVE HEBERT
A JOINT RESOLUTION
Proposing to amend Article VII, Section 18(G)(1)(a)(i) and (ii) (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.

Read by title.

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

HOUSE BILL NO. 178—
BY REPRESENTATIVE DANIEL
AN ACT
To amend and reenact R.S. 47:305(D)(1)(t), relative to sales and use taxes; to provide for an exclusion for certain dental devices; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 225—
BY REPRESENTATIVES DURAND, BAYLOR, FAUCHEUX, GLOVER, HILL, L. JACKSON, AND ODINET
AN ACT
To amend and reenact R.S. 47:297(H)(2) and (3), relative to the individual income tax; to provide a credit for dentists who practice in designated underserved areas; and to provide for related matters.

Read by title.

Motion
On motion of Rep. Durand, the bill was moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker    Futrell    Perkins
Alario        Gallot    Pierre
Alexander, E  Glover    Pinac
Ansardi       Green     Pitre

Total—96

NAYS

Frugé     Murray     Wooton
Futrell  Nevers     Wright

Total—0

ABSENT

Carter, R  Daniel    Smith, J.D.—50th
Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.
HOUSE BILL NO. 234—
BY REPRESENTATIVE DANIEL
AN ACT
To enact R.S. 47:301(10)(v), (13)(g) and (h), and (18)(i), relative to sales and use taxes; to provide for the taxation of the sale or other disposition of tangible personal property by a dealer in connection with the sale or use of mobile telecommunications services; to provide for applicability of the tax to certain existing claims and actions; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 256—
BY REPRESENTATIVE MONTGOMERY
AN ACT
To enact Chapter 42 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9601 through 9610, and R.S. 45:781(C) and to amend and reenact R.S. 47:301(14)(i)(ii)(bb)(XV) and R.S. 45:781(A), relative to the taxation of telecommunications services; to create and establish a Louisiana Communications Tax District; to provide for the governance of the district by a board of directors; to provide for the authority, duties, powers, and responsibilities of the district and its board of directors; to authorize the district to levy and collect a statewide excise tax on all communications services in lieu of other local taxes, charges, or fees imposed on providing communications services; to provide for the distribution of the proceeds of such tax to the local governmental subdivisions of the state; to prohibit the enforcement of existing obligations to pay certain local taxes, charges, and fees; to provide that local governmental subdivisions shall have and retain the authority to regulate and manage their roads and rights-of-way in exercising their police power; to provide for definitions; to provide for an effective date; 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. 256 by Representative Montgomery

AMENDMENT NO. 1
On page 1, line 4, following “47:301(14)(i)(ii)(bb)(XV)” and before “and” insert “, as amended by Section 1 of Act 1175 of the 2001 Regular Session,”

AMENDMENT NO. 2
On page 10, line 6, following “through” and before “of” change “E” to “D”

AMENDMENT NO. 3
On page 14, line 9, following “47:301(14)(i)(ii)(bb)(XV)” and before “is” insert “, as amended by Section 1 of Act 1175 of the 2001 Regular Session,”

AMENDMENT NO. 4
On page 14, between lines 11 and 12 insert the following:

“As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:"

AMENDMENT NO. 5
On page 18, line 3, following "Section 5." and before "Act" change "This" to "Sections 2 and 3 of this"

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

Rep. Montgomery sent up floor amendments which were read as follows:
HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Engrossed House Bill No. 256 by Representative Montgomery

AMENDMENT NO. 1

On page 12, line 12, after "Section;" and before "and" insert the following:
"payments made by communications service providers to local governmental subdivisions in settlement of franchise fee lawsuits entered into prior to the effective date of this Act;"

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

Suspension of the Rules

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 256 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 4, after "(XV)" and before "and", insert ", 301(14(i)(ii)(cc)(II)(bbb),"

AMENDMENT NO. 2

On page 14, line 9, after "(XV)", delete the remainder of the line and insert "and 301(14)(i)(ii)(cc)(II)(bbb) are hereby amended and"

AMENDMENT NO. 3

On page 16, between lines 14 and 15, insert the following:
"(cc)(I)"

* * *

(II) Notwithstanding any provision of law to the contrary, with respect to sales of interstate telecommunication services to any person for use in the operation of one or more call centers:

* * *

(bbb) The tax imposed pursuant to this Chapter shall not exceed twenty-five thousand five hundred dollars per calendar year with respect to such sales reflected on bills submitted on or after July 1, 2003.

* * *

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed House Bill No. 256 by Representative Montgomery

AMENDMENT NO. 1

On page 13, at the end of line 26, insert the following:
"A local governmental subdivision may, in the exercise of its police power, require a provider of communications services to relocate communications facilities within a road or road right-of-way to facilitate improvements to such a road maintained by the local governmental subdivision, with all costs and expenses related thereto being the responsibility of the communications services provider."

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

Point of Order

Rep. Crowe asked for a ruling from the Chair as to whether House Bill No. 256 would require a favorable vote of two-thirds of the elected members.

Ruling of the Chair

The Chair ruled that under Art. 6, Sec. 30.1(B), the collection of a tax on behalf of the state requires the favorable vote of two-thirds of the elected members. This bill does not collect a tax on behalf of the state and therefore requires a favorable vote of a majority of the elected members.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Hammett Morrell
Alexander, R Honey Morrish
Baylor Hunter Murray
Broome Iles Odetin
Curtis Jackson, L Pinac
Dartez Kenney Salier
Doerge Landrieu Toomy
Durand Lucas Townsend
Gallot McVea
Glover Montgomery
Total—28

NAYS

Alario Fruge Pitre
Alexander, E Futrell Powell
Ansardi Green Quezaire
Arnold Guillory Richmond
Baldone Heaton Romero
Beard Hebert Scalis
Bowler Hill Schneider
Bruneau Hopkins Schwegmann
Capella Hutter Shaw
Carter, R Jackson, M Smith, G.—56th
Cayzayoux Katz Smith, G.—56th
Crane LaFleur Swilling
Crowe Lancaster Thompson
Damico LeBlanc Triche
Diez McCulm Tucker
Downer McDonald Waddell

307
Farrar Nevers Walsworth
Faucheux Perkins Winston
Frith Pierre Wright
Total—56

ABSENT

Baudoin Hudson Smith, J.H.—8th
Bruce Johns Smith, J.R.—30th
Carter, K Kennard Sneed
Daniel Martiny Stelly
Devillier Peychaud Welch
Erdey Riddle Wooton
Flavin Smith, J.D.—50th
Total—21

The Chair declared the above bill failed to pass.

Rep. Futrell moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

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

Suspension of the Rules

On joint motion of Reps. Hebert, Richmond, Swilling, and Thompson and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Speaker Pro Tempore Bruneau in the Chair

HOUSE BILL NO. 31—
BY REPRESENTATIVE STELLY

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(A) and to add Article VII, Section 2.2 of the Constitution of Louisiana, relative to the limitations on the power of taxation; to provide for the limitation of the rates and brackets for the individual income tax; to prohibit the imposition of state sales and use tax on certain items; to provide for the submission of the proposed amendment to the electors; to provide for an effective date; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Stelly, 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. Shaw sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shaw to Engrossed House Bill No. 31 by Representative Stelly

AMENDMENT NO. 1

On page 3, at the end of line 9 insert the following:

“The schedule of brackets provided for in Title 47 of the Louisiana Revised Statutes shall be annually increased by an amount equal to the Consumer Price Index, as determined by the secretary of the Department of Revenue based on nationally published reports.”

Rep. Shaw moved the adoption of the amendments.


By a vote of 31 yeas and 64 nays, the amendments were rejected.

Rep. Stelly moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Glover Nevers
Alario Green Odinet
Alexander, R Guillory Perkins
Arnold Hammett Peychaud
Bal登 Heaton Pierre
Baudoin Hill Pinac
Bayor Honey Pitre
Broome Hopkins Powell
Bruce Hudson Quezare
Carter, K Hunter Richmond
Cazayoux Iles Riddle
Curtis Jackson, L Salter
Damico Jackson, M Schwegmann
Daniel Johns Smith, G.—56th
Dartez Kenney Smith, J.D.—50th
Diez LaFleur Stelly
Doerge Landrieu Strain
Durand LeBlanc Swilling
Erdey Lucas Thompson
Farrar McDonald Townsend
Faucheux McVea Triche
Flavin Montgomery Welch
Frith Morrell Wooton
Futrell Morrish
Gallot Murray
Total—73

NAYS

Alexander, E Fruge Shaw
Ansardi Hebert Smith, J.H.—8th
Beard Hutter Smith, J.R.—30th
Bowler Katz Toomy
Bruneau Kennard Tucker
Capella Lancaster Waddell
Carter, R McCallum Walsworth
Crate Romero Winston
Crowe Scalice Wright
Downer Schneider
Total—29

ABSENT

Devillier Martiny Sneed
Total—3

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. Stelly 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. Hutter, and under a suspension of the rules, the above roll call was corrected to reflect her as voting nay.

HOUSE BILL NO. 36—
BY REPRESENTATIVE STELLY
AN ACT
To amend and reenact R.S. 47:32(A), 112(A), 287.445(C), 293(6)(a)(iv) and (7), 295, and 1623(D) and to repeal R.S. 47:112(B) and (C), 293(2) and (6)(a)(i), and 296, relative to the individual income tax; to revise the tax brackets; to repeal the deduction for excess federal itemized deductions; to authorize the secretary of the Department of Revenue to promulgate income tax and withholding tax tables; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Stelly moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Alexander, R</th>
<th>Arnold</th>
<th>Baldone</th>
<th>Baudoin</th>
<th>Baylor</th>
<th>Broome</th>
<th>Carter, K</th>
<th>Cazayoux</th>
<th>Curtis</th>
<th>Damico</th>
<th>Daniel</th>
<th>Dartez</th>
<th>Diez</th>
<th>Doerge</th>
<th>Durand</th>
<th>Erdey</th>
<th>Farrar</th>
<th>Faucheux</th>
<th>Flavin</th>
<th>Frith</th>
<th>Gallot</th>
<th>Glover</th>
<th>Green</th>
<th>Total—70</th>
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<tr>
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<td>Guiliolry</td>
<td>Hamett</td>
<td>Heaton</td>
<td>Hill</td>
<td>Honey</td>
<td>Hudson</td>
<td>Hunter</td>
<td>Hutter</td>
<td>Iles</td>
<td>Jackson, L</td>
<td>Jackson, M</td>
<td>Johns</td>
<td>Kennard</td>
<td>Kenney</td>
<td>LaFleur</td>
<td>Landrieu</td>
<td>LeBlanc</td>
<td>Lucas</td>
<td>McDonald</td>
<td>McVeA</td>
<td>Montgomery</td>
<td>Morrell</td>
<td>Morris</td>
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<td></td>
<td>Murray</td>
<td>Nevers</td>
<td>Odinet</td>
<td>Peychaud</td>
<td>Pierre</td>
<td>Powell</td>
<td>Quezaire</td>
<td>Richmond</td>
<td>Riddle</td>
<td>Salter</td>
<td>Schwegmann</td>
<td>Smith, G.—56th</td>
<td>Smith, J.D.—50th</td>
<td>Smith, J.H.—8th</td>
<td>Stelly</td>
<td>Swilling</td>
<td>Townsend</td>
<td>Welch</td>
<td>Wooton</td>
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</table>

NAYS

<table>
<thead>
<tr>
<th>Alario</th>
<th>Alexander, E</th>
<th>Ansardi</th>
<th>Beard</th>
<th>Bowler</th>
<th>Bruneau</th>
<th>Capella</th>
<th>Carter, R</th>
<th>Crane</th>
<th>Crowe</th>
<th>Downer</th>
<th>Total—31</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fruge</td>
<td>Futrell</td>
<td>Hebert</td>
<td>Katz</td>
<td>Lancaster</td>
<td>McCallum</td>
<td>Perkins</td>
<td>Pitre</td>
<td>Romero</td>
<td>Scalise</td>
<td>Schneider</td>
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</tr>
<tr>
<td>Shaw</td>
<td>Smith, J.R.—30th</td>
<td>Toomy</td>
<td>Triche</td>
<td>Tucker</td>
<td>Waddell</td>
<td>Walsworth</td>
<td>Winston</td>
<td>Wright</td>
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</tr>
</tbody>
</table>

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

Speaker DeWitt in the Chair

HOUSE BILL NO. 241—
BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, DURAND, FAUCHEUX, FLAVIN, FRITHE, GUILLORY, HEBBERT, HUTTER, JOHNS, LEBLAC, MОРРИSH, ODINET, PIERRE, PINAC, PITRE, ROMERO, GARY SMITH, JACK SMITH, STELLY, TRICHE, AND WOOTON AND SENATORS CHAISON, DUPRE, GAUTREAUX, HOYT, MOUNT, ROMERO, THEUNISSEN, AND ULLO
AN ACT
To enact R.S. 56:506 and to repeal R.S. 56:505, relative to seafood taken in state waters or imported into the state; to levy an excise tax on shrimp taken in state waters or imported into the state; to provide for the administration, collection, and enforcement of the tax; to provide for civil and criminal penalties; to provide for use of the avails derived from the tax; to repeal the severance tax on saltwater shrimp taken in state waters; to provide for an effective date; and to provide for related matters.

Suspension of the Rules

On motion of Rep. Downer, 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. Downer moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Mr. Speaker</th>
<th>Alario</th>
<th>Alexander, E</th>
<th>Alexander, R</th>
<th>Ansardi</th>
<th>Arnold</th>
<th>Baldone</th>
<th>Baudoin</th>
<th>Beard</th>
<th>Bowler</th>
<th>Bruneau</th>
<th>Capella</th>
<th>Carter, R</th>
<th>Crane</th>
<th>Crowe</th>
<th>Downer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Futrell</td>
<td>Gallot</td>
<td>Glover</td>
<td>Green</td>
<td>Guillory</td>
<td>Hammett</td>
<td>Heaton</td>
<td>Hebert</td>
<td>Hill</td>
<td>Hopkins</td>
<td>Hopkins</td>
<td>Hudson</td>
<td>Hunter</td>
<td>Iles</td>
<td>Schwegmann</td>
<td>Jackson, M</td>
</tr>
<tr>
<td>Perkins</td>
<td>Peychaud</td>
<td>Pierre</td>
<td>Pinac</td>
<td>Pitre</td>
<td>Powell</td>
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<td>Salter</td>
<td>Scalise</td>
<td>Schwegmann</td>
<td>Shaw</td>
<td>Smith, G.—56th</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ABSENT

Bruce | Devillier | Martiny |
Sned | Sneed |
Total—4

The title of the above bill was read and adopted.
Cazayoux — Johns — Smith, J.H. — 8th
Crane — Katz — Smith, J.R. — 30th
Crowe — Kennard — Snead
Curtis — Kenney — Stelly
Damico — LaFleur — Strain
Daniel — Lancaster — Swilling
Dartez — Landrieu — Toomy
Devillier — LeBlanc — Townsend
Diez — Lucas — Triche
Doerge — Martiny — Waddell
Downer — McCullum — Walsworth
Durand — McDonald — Welch
Erdey — McVea — Winston
Farrar — Montgomery — Wooton
Faucheux — Morrisey — Wright
Flavin — Murray — Wright
Frith — Nevers — Wright
Fruge — Odinet — Wright

Total — 104

NAYS

Morrell
Total — 1

ABSENT

Total — 0

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. Downer 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. 58—

A JOINT RESOLUTION

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Engrossed House Bill No. 58 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2 after "Section" and before "of" change "18(G)(1)(a)(ii) and (iii) and (2)(a)" to "18(G)(1)(a) and (2)(a)"

AMENDMENT NO. 2

On page 1, line 5 after "shall" delete the remainder of the line and insert "not be required to reapply and requalify annually; to provide for"

AMENDMENT NO. 3

On page 1, at the beginning of line 12, change "18(G)(1)(a)(ii) and (iii) and (2)(a)" to "18(G)(1)(a) and (2)(a)"

AMENDMENT NO. 4

On page 1, delete lines 17 and 18 and insert the following:

“(a)(i) The assessment of residential property receiving the homestead exemption which is owned and occupied by any person or persons sixty-five years of age or older and who meet all of the other requirements of this Section shall not be increased above the total assessment of that property for the first year that the owner qualifies for and receives the special assessment level. Unless the owner fails to qualify for and receive the special assessment level in a subsequent year, such property of an owner who has failed to qualify for the special assessment level in one year and who requalifies in a subsequent year shall be assessed at the level at which it was assessed for the most recent year the owner failed to receive the special assessment level.”

AMENDMENT NO. 5

On page 2, line 11 after "Government." delete the remainder of the line and delete lines 12 through 14

The title of the above bill was read and adopted. five years”

AMENDMENT NO. 6

On page 2, line 16 after "level" and before "by" delete "once every five years".

AMENDMENT NO. 7

On page 2, at the end of line 24, delete "eligible" and delete lines 25 and 26 and insert "the owner of the property."

AMENDMENT NO. 8

On page 3, at the end of line 9, delete "apply for" and delete lines 10 through 12 and insert "not be required to reapply annually. (Amends Article VII, Section 18(G)(1)(a) and (2)(a))”

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker — Futrell — Odinet
Alario — Gallot — Perkins
Alexander, E — Glover — 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
Broume — Hudson — Salter
Bruce — Hunter — Scalise
Brunoe — Hutter — Schneider
Capella — Iles — Schwengmann
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 — Morrisey — Winston
Frith — Murray — Wooten
Fruge — Nevers — Wright

Total — 105

NAYS — 0
ABSENT — 0

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. Hebert 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. 178—
BY REPRESENTATIVE DANIEL
AN ACT
To amend and reenact R.S. 47:305(D)(1)(t), relative to sales and use taxes; to provide for an exclusion for certain dental devices; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

May 31, 2002

To the Honorable Speaker and Members of the House of Representatives: I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 157
Returned with amendments.

House Bill No. 169
Returned with amendments

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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. 37—
BY REPRESENTATIVE PINAC
A RESOLUTION
To commend Earl G. Romero upon receiving the Crowley Chamber of Commerce "Humanitarian of the Year" award.

Read by title.

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

BY REPRESENTATIVES MORRELL, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOW, GLOVER, GREEN, GUILLORE, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH AND SENATORS BANOJE, BOISSIERE, CRAVINS, C. FIELDS, HOLDEN, IRONS, JOHNSON, C. JONES, AND TARVER
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of thirteen-year-old Tellis Lowell Green of Baton Rouge.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE BRUCE
A CONCURRENT RESOLUTION
To memorialize the United States Congress and United States Department of Agriculture to keep open the USDA Agricultural Research Service Honeybee Breeding, Genetics, and Physiology Laboratory in Baton Rouge, Louisiana.

Read by title.

On motion of Rep. Bruce, 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 Ways and Means
June 3, 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. 153, by Richmond
Reported with amendments. (11-0-1) (Regular)

Senate Bill No. 11, by Hines
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 13, by Dupre
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 18, by Romero (Joint Resolution)
Reported favorably. (11-0-1)

Senate Bill No. 31, by B. Jones
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 39, by Romero
Reported with amendments. (10-0-1) (Regular)

Senate Bill No. 49, by B. Jones
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 71, by Bajoie
Reported favorably. (9-0-1) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 18, were referred to the Legislative Bureau.

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. 153—**
BY REPRESENTATIVE RICHMOND
AN ACT
To enact R.S. 47:6015, relative to tax credits; to provide for a tax credit from income and corporation franchise taxes for certain low-income community investments; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 153 by Representative Richmond

**AMENDMENT NO. 1**

On page 2, line 18, after "(a)" and before "percent" change "two" to "one"

**AMENDMENT NO. 2**

On page 2, line 19, after "(b)" and before "percent" change "three" to "two"

**AMENDMENT NO. 3**

On page 3, between lines 12 and 13, insert the following:

"E. The aggregate amount of credits for all taxpayers during any taxable year shall not exceed five million dollars."

**AMENDMENT NO. 4**

On page 3, at the beginning of line 13, change "E." to "F."

**AMENDMENT NO. 5**

On page 3, at the beginning of line 23, change "F." to "G."

**AMENDMENT NO. 6**

On page 4, at the end of line 2, insert "The provisions of this Act shall become null and void on August 31, 2006."

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

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up and consider Senate Bills on Second Reading Reported by Committee at this time.

Senate Bills on Second Reading
Reported by Committee

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

**SENATE BILL NO. 18—**
BY SENATOR ROMERO
A JOINT RESOLUTION
Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to exempt drilling rigs used exclusively for the exploration and development of minerals outside the territorial limits of the state; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported favorably by the Committee on Ways and Means.
Under the rules, the bill was recommitted to the Committee on Civil Law and Procedure.

Privileged Report of the Committee on Enrollment
June 3, 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. 35—
BY REPRESENTATIVE ILES
A CONCURRENT RESOLUTION
To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to meet and function as a joint committee and study the issue of requiring health insurance coverage for outpatient lactation support assistance for new mothers.

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).

HOUSE CONCURRENT RESOLUTION NO. 58—
BY REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION
To urge and request the Department of Health and Hospitals to provide prescription drug coverage to qualified Medicare beneficiaries on a pilot basis and to provide for the areas covered in the pilot.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
June 3, 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 Bills have been properly enrolled:

HOUSE BILL NO. 12—
BY REPRESENTATIVES HAMMETT AND THOMPSON
AN ACT
To amend and reenact Section 2 of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1 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.

HOUSE BILL NO. 130—
BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, HILL, AND THOMPSON
AN ACT
To amend and reenact R.S. 47:305(D)(1)(i) and (H), relative to the sales and use tax; to provide relative to trucks and automobiles used as demonstrators; and to provide for related matters.

HOUSE BILL NO. 135—
BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, HILL, AND THOMPSON
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.

HOUSE BILL NO. 166—
BY REPRESENTATIVES DEWITT AND HAMMETT
AN ACT
To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 167—
BY REPRESENTATIVES DEWITT AND HAMMETT
AN ACT
To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Adjournment

On motion of Rep. Kenney, at 4:20 P.M., the House agreed to adjourn until Tuesday, June 4, 2002, at 2:30 P.M.

The Speaker of the House declared the House adjourned until 2:30 P.M., Tuesday, June 4, 2002.

ALFRED W. SPEER
Clerk of the House