

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

**SIXTEENTH 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

Tuesday, June 4, 2002

The House of Representatives was called to order at 2:30 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Futrell	Odinot
Alario	Gallot	Perkins
Alexander, E	Glover	Peychaud
Alexander, R	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Powell
Baudoin	Hebert	Quezairé
Baylor	Hill	Richmond
Beard	Honey	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Capella	Iles	Schwegmann
Carter, K	Jackson, L	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	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
Früge	Nevers	
Total—104		

ABSENT

Sneed  
Total—1

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Rev. Monroe F. Copeland.

**Pledge of Allegiance**

Rep. Iles 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 joint motion of Reps. Ernie Alexander, Crowe, and Waddell, and under a suspension of the rules, the Journal of June 3, 2002, was corrected to reflect them as voting nay on final passage of House Bill No. 31 and nay on final passage of House Bill No. 36.

On motion of Rep. Frith, the Journal of June 3, 2002, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

June 4, 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 No. 30

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. 30—**

BY SENATOR HOLDEN

**A CONCURRENT RESOLUTION**

To urge and request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee to study the feasibility of providing incentives to students who enter a program of study at a Louisiana college or university leading to a baccalaureate degree in an occupation that has been designated as an area of critical shortage or an occupation in "top demand" by the Louisiana Occupational Forecasting Conference.

Read by title.

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

**Message from the Senate**

**SENATE BILLS**

June 4, 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. 80

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 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. 80—**

BY SENATORS HOLDEN, BAJOEI, BARHAM, BEAN, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, FONTENOT, HINES, JOHNSON, B. JONES, LAMBERT, MALONE, MARIONNEAUX, MCPHERSON, SMITH AND THOMAS

**AN ACT**

To enact R.S. 48:27, relative to the issuance of revenue anticipation bonds for the purpose of financing transportation projects; to authorize the State Bond Commission, acting on behalf of the state of Louisiana and the Department of Transportation and Development, to issue revenue anticipation bonds in order to finance all or a portion of the costs incurred or to be incurred for accelerated construction of state transportation projects; to authorize the State Bond Commission to fix the details of such obligations and to provide for the sale of such obligations from time to time at public or private sales; to provide for the pledge of federal highway funds received by the state of Louisiana; to provide that the interest income from such obligations shall be exempt from all taxation within the state; and to provide for related matters.

Read by title.

**Privileged Report of the Legislative Bureau**

June 4, 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. 11  
Reported without amendments.

Senate Bill No. 13  
Reported with amendments.

Senate Bill No. 31  
Reported without amendments.

Senate Bill No. 39  
Reported without amendments.

Senate Bill No. 49  
Reported without amendments.

Senate Bill No. 71  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

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

Rep. Salter 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. 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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 13—**

BY SENATORS DUPRE AND CAIN

**AN ACT**

To enact R.S. 47:801(13) and 803.2, relative to special fuels; to provide for the use of dyed diesel fuel in fire trucks; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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. 13 by Senator Dupre

##### AMENDMENT NO. 1

On page 2, line 9, following "(1)" and before "fire" change "the" to "The"; and on line 11, following "trucks" change "; and" to a period "."

##### AMENDMENT NO. 2

On page 2, line 12, following "(2)" and before "has" change "it" to "It"; and on line 14, following "district" change "; and" to a period "."

##### AMENDMENT NO. 3

On page 2, line 15, following "(3)" and before "only" change "the" to "The"

##### AMENDMENT NO. 4

On page 2, lines 23 and 24, before "FD" change "a" to "an"

##### AMENDMENT NO. 5

On page 3, lines 1, 3, and 8, before "FD" change "a" to "an"

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

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

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 31—** BY SENATOR B. JONES

##### AN ACT

To amend and reenact R.S. 47:6006(B), 6006.1(B), and 6014(B) and (C), relative to tax credits; to provide a procedure for claiming and refunding certain tax credits; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 39—** BY SENATOR ROMERO

##### AN ACT

To enact R.S. 47:305(I), relative to sales and use tax; to provide for exemptions from state and local sales and use taxes for repairs, and materials used therefore, on drilling rigs and equipment used exclusively for exploration and development of minerals outside the territorial limits of the state in Outer Continental Shelf waters; to provide definitions; 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 Reengrossed Senate Bill No. 39 by Senator Romero

##### AMENDMENT NO. 1

On page 2, between lines 9 and 10, insert:

"Section 2. The provisions of this Act shall be applicable, operable, and effective notwithstanding the provisions of the Act of the 2002 Regular Session of the Legislature which originated as House Bill No. 169 or any other Act of such session making certain sales tax exemptions inapplicable, inoperable, and of no effect."

##### AMENDMENT NO. 2

On page 2, line 10, change "Section 2." to Section 3."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 49—** BY SENATOR B. JONES

##### AN ACT

To amend and reenact R.S. 47:3204(E) and 4302(D), and R.S. 51:1787(I), relative to legislating with regard to tax credits and exemptions; to provide a method for the collection of amounts of exemption granted under certain tax equalization and manufacturing exemption contracts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

#### **SENATE BILL NO. 71—** BY SENATORS BAJOIE AND LAMBERT

##### AN ACT

To amend and reenact R.S. 47:305(D)(4), relative to local sales tax exemptions; to provide an exemption from local sales taxes for cancer and related chemotherapy prescription drugs administered in a physician's office or clinic; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**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. 66—**

BY REPRESENTATIVE KENNARD  
A CONCURRENT RESOLUTION

To commend and congratulate Trena Peel upon the completion of her outstanding legacy at Louisiana State University and for her 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. 67—**

BY REPRESENTATIVE BALDONE  
A CONCURRENT RESOLUTION

To commend Dr. Joseph A. Baldone for his many years of dedicated service and for his contributions to his community, to the state of Louisiana, and to the field of ophthalmology.

Read by title.

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

Ordered to the Senate.

**Suspension of the Rules**

On motion of Rep. Landrieu, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

**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. 157—**

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

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. 157 by Representative Landrieu

AMENDMENT NO. 1

On page 2, line 23, delete "seventy-two percent" and insert "forty-two and eight tenths percent"

AMENDMENT NO. 2

On page 2, line 27, after "Center" delete "including" and insert "and twenty-nine and two tenths percent of monies collected under authority of R.S. 47:841(B)(4) shall be used solely for the purposes of"

AMENDMENT NO. 3

On page 3, line 1, after "school system" insert "and community development programs"

AMENDMENT NO. 4

On page 3, line 2, after "among" insert "children and"

AMENDMENT NO. 5

On page 3, line 4, after "use." insert the following:

"The Southern University Board of Supervisors shall participate in the planning and expenditure of funds for the creation of smoking prevention mass media programs and evidence-based tobacco control programs as specified in this paragraph."

AMENDMENT NO. 6

On page 3, line 17, after "Center" insert "and the Southern University Agricultural Research and Extension Center, provided that the annual appropriation to Southern University Agricultural Research and Extension Center from this source shall be \$1 million per year"

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by the Senate Committee on Finance to Engrossed House Bill No. 157 by Representative Landrieu

AMENDMENT NO. 1

On page 3, at the end of line 4, insert the following:

"Any financial benefit to be derived from any intellectual property or other ownership interest resulting from research or other activities conducted by, or in conjunction with, the Louisiana Cancer Research Center of L.S.U. Health Sciences Center in New Orleans/Tulane Health Sciences Center, or its successor, shall be shared with the state pursuant to a written agreement executed between the parties and approved by the Joint Legislative Committee on the Budget."

AMENDMENT NO. 2

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

"Any financial benefit to be derived from any intellectual property or other ownership interest resulting from research or other activities conducted by, or in conjunction with, the Cancer Center of Louisiana State University Health Sciences Center in Shreveport, or its successor, shall be shared with the state pursuant to a written agreement executed between the parties and approved by the Joint Legislative Committee on the Budget."

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

**Motion**

Rep. Hebert moved that the bill be returned to the calendar.

Rep. Landrieu objected.

By a vote of 49 yeas and 50 nays, the House refused to return the bill to the calendar.

**Motion**

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

**Suspension of the Rules**

On motion of Rep. Richmond, 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. 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.

**Suspension of the Rules**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Engrossed House Bill No. 153 by Representative Richmond

**AMENDMENT NO. 1**

On page 3, at the end of line 14, insert the following:

"An application for a tax credit pursuant to this Section shall be submitted to the secretary on forms established by the secretary prior to the use of the credit and the allocation of tax credits under this Section shall be on a first come, first-served basis."

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Psychaud
Alexander, E	Green	Pierre
Alexander, R	Guillory	Pinac
Ansardi	Heaton	Pitre
Arnold	Hebert	Powell
Baldone	Hill	Quezaire
Baylor	Honey	Richmond
Beard	Hopkins	Riddle
Bowler	Hudson	Romero
Broome	Hunter	Salter
Bruce	Hutter	Scalise
Bruneau	Iles	Schneider
Capella	Jackson, L	Schwegmann
Carter, K	Jackson, M	Shaw
Carter, R	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.H.—8th
Crane	Kennard	Smith, J.R.—30th
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McCallum	Tucker
Downer	McDonald	Waddell
Durand	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Fruge	Nevers	
Futrell	Odinot	
Total—100		

NAYS

Total—0

ABSENT

Baudoin	Hammett	Sneed
Erdey	Smith, G.—56th	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond 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. Michael Jackson, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

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

**Regular Calendar**

**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.

**Motion**

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

Rep. Swilling moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Faucheux  
Flavin  
Frith  
Fruge  
Total—94

Montgomery  
Morrell  
Morrish  
Murray

Winston  
Wright

NAYS

Triche  
Total—2

Wooton

ABSENT

Baudoin  
Capella  
Carter, R  
Total—9

Honey  
Landrieu  
Riddle

Scalise  
Schneider  
Sneed

The Chair declared the above bill was finally passed.

Rep. Swilling 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.

**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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 48 by Senator Johnson

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House on June 3, 2002.

AMENDMENT NO. 2

On page 1, line 15, delete "Orleans Parish" and insert after "in" any municipality with a population greater than 475,000"

AMENDMENT NO. 3

On page 2, line 1, delete "Orleans Parish" and insert in lieu thereof "municipality"

AMENDMENT NO. 4

On page 2, line 17, after "of" insert "the municipality" and delete "New Orleans"

AMENDMENT NO. 5

On page 2, line 18, after "the" delete "New Orleans city council" and insert in lieu thereof "governing authority of the municipality"

AMENDMENT NO. 6

On page 3, line 19, after "(1) The" delete the remainder of the line, and insert in lieu thereof "governing authority of the municipality"

AMENDMENT NO. 7

On page 3, line 20, delete "Orleans"

AMENDMENT NO. 8

On page 4, line 15, after "the" delete "city of New Orleans" and insert in lieu thereof "municipality"

AMENDMENT NO. 9

On page 4, line 15, after "the" delete "city of New Orleans" and insert in lieu thereof "municipality"

AMENDMENT NO. 10

On page 4, line 22, after "the" delete "New Orleans city council" and insert in lieu thereof "governing authority of the municipality"

AMENDMENT NO. 11

On page 5, line 27, after "by the" delete "New Orleans" and insert in lieu thereof "municipal"

AMENDMENT NO. 12

On page 6, line 1, delete "Police Department" and insert in lieu thereof "police department"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Downer	Martiny	Tucker
Durand	McCallum	Waddell
Erdey	McDonald	Walsworth
Farrar	McVea	Welch
Faucheux	Montgomery	Winston
Flavin	Morrell	Wooton
Frith	Morrish	Wright
Fruge	Murray	

Total—101

NAYS

Total—0

ABSENT

Carter, R	Stelly
Sneed	Triche
Total—4	

The Chair declared the above bill was finally passed.

Rep. Swilling 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.

**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.

Rep. Montgomery moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Perkins
Alario	Glover	Peychaud
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
Bowler	Hudson	Salter
Broome	Hunter	Scalise
Bruce	Hutter	Schneider
Bruneau	Iles	Schwegmann
Capella	Jackson, L	Shaw
Carter, K	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	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

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Erdey	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Frige	Nevers	
Futrell	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Carter, R	Sneed
Total—2	

The Chair declared the above bill was finally passed.

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

## 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.

Rep. Lucas moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Nevers
Alario	Futrell	Odinet
Alexander, E	Gallot	Perkins
Alexander, R	Glover	Peychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hill	Quezaire
Beard	Honey	Richmond
Bowler	Hopkins	Riddle
Broome	Hudson	Romero
Bruce	Hunter	Salter
Bruneau	Hutter	Scalise
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	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche

Downer	McCallum	Waddell
Durand	McDonald	Walsworth
Erdey	McVea	Welch
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton
Flavin	Morrish	Wright
Frith	Murray	
Total—101		

NAYS

Total—0

ABSENT

Hebert	Sneed
Schneider	Tucker
Total—4	

The Chair declared the above bill was finally passed.

Rep. Lucas 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. Hammett, 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. 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.

Called from the calendar.

Read by title.

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

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 171 by Representative DeWitt

#### AMENDMENT NO. 1

Delete House Floor Amendment proposed by Representative DeWitt and adopted by the House on May 22, 2002.

#### AMENDMENT NO. 2

On page 1, line 2, after "47:293(2)(b)" insert "and to enact R.S. 47:293(2)(c) and (d)" and on line 6 after "reenacted" insert "and R.S. 47:293(2)(c) and (d) are hereby enacted"



AMENDMENT NO. 3

On page 1, line 15, change "2012" to "2002"

AMENDMENT NO. 4

On page 2, between lines 3 and 4, insert the following:

"(c) For taxable years beginning after December 31, 2001 and ending prior to January 1, 2003, "excess federal itemized personal deductions" shall mean fifty-five percent of the amount by which the federal itemized personal deductions exceed the amount of federal standard deduction designated for the filing status used for the taxable period on the individual income tax return required to be filed.

(d) For taxable years beginning after December 31, 2002 and ending prior to January 1, 2004, "excess federal itemized personal deductions" shall mean sixty percent of the amount by which the federal itemized personal deductions exceed the amount of federal standard deduction designated for the filing status used for the taxable period on the individual income tax return required to be filed."

AMENDMENT NO. 5

On page 2, at the end of line 6, delete the period "." and insert a comma "," and "but only if the Act which originated as House Bill No. 175 of this 2002 Regular Session of the Legislature is enacted and becomes law."

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

**Acting Speaker LeBlanc in the Chair**

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Murray
Alario	Glover	Nevers
Alexander, R	Guillory	Odinot
Arnold	Hammett	Peychaud
Baldone	Heaton	Pierre
Baudoin	Hebert	Pinac
Baylor	Hill	Pitre
Broome	Honey	Powell
Bruce	Hudson	Quezaire
Carter, K	Hunter	Richmond
Carter, R	Iles	Riddle
Cazayoux	Jackson, L	Salter
Curtis	Jackson, M	Schwegmann
Damico	Johns	Smith, G.—56th
Daniel	Kenney	Smith, J.D.—50th
Dartez	LaFleur	Smith, J.R.—30th
Devillier	Landrieu	Stelly
Diez	LeBlanc	Strain
Doerge	Lucas	Swilling
Downer	McCallum	Thompson
Durand	McDonald	Townsend
Farrar	McVea	Welch
Faucheux	Montgomery	Wooton
Flavin	Morrill	
Frith	Morrish	
Total—73		

**NAYS**

Alexander, E	Green	Shaw
Ansardi	Hopkins	Smith, J.H.—8th
Beard	Hutter	Toomy
Bowler	Katz	Triche
Bruneau	Kennard	Tucker
Capella	Lancaster	Waddell
Crane	Martiny	Walsworth
Crowe	Perkins	Winston
Erdey	Romero	Wright
Fruge	Scalise	
Futrell	Schneider	
Total—31		

**ABSENT**

Sneed
Total—1

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.

**Speaker DeWitt in the Chair**

**Suspension of the Rules**

On motion of Rep. Kennard, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent

**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. 38—**

BY REPRESENTATIVE MCCALLUM  
A RESOLUTION

To commend the Louisiana Moral and Civic Foundation and its executive director, Dr. Ken Ward, upon the foundation's 60th year of service to the citizens of Louisiana.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVE CURTIS  
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and adopt a policy allowing each public high school principal to make the determination relative to participation in all senior graduation activities and ceremonies by students who have completed the required minimum units of credit for graduation and all other graduation requirements as mandated by the State Board of Elementary and Secondary Education but failed to pass the high school graduation exit exam.

Read by title.

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

Ordered to the Senate.

**Privileged Report of the Committee on Enrollment**

June 4, 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. 37—**

BY REPRESENTATIVE PINAC  
A RESOLUTION

To commend Earl G. Romero upon receiving the Crowley Chamber of Commerce "Humanitarian of the Year" award.

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**

June 4, 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. 95—**

BY REPRESENTATIVES DEWITT AND THOMPSON  
AN ACT

To amend and reenact R.S. 47:301(10)(t), (14)(f), 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; to define cold storage relative to the imposition of sales taxes; and to provide for related matters.

**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 606(A)(1)(l), relative to corporation income and franchise tax apportionment by television and radio businesses; to provide for attribution of revenue to Louisiana; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 190—**

BY REPRESENTATIVES M. JACKSON AND THOMPSON  
AN ACT

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

**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 Tuesday, June 4, 2002, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 18

**Leave of Absence**

Rep. Sneed- 1 day

**Adjournment**

On motion of Rep. Devillier, at 4:30 P.M., the House agreed to adjourn until Wednesday, June 5, 2002, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, June 5, 2002.

ALFRED W. SPEER  
Clerk of the House