

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

**NINETEENTH 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  
Monday, June 10, 2002

The House of Representatives was called to order at 10:00 A.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

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

|           |         |         |
|-----------|---------|---------|
| Faucheux  | Morrell | Welch   |
| Flavin    | Morrish | Winston |
| Frith     | Murray  | Wooton  |
| Früge     | Nevers  | Wright  |
| Total—105 |         |         |

ABSENT

Total—0

The Speaker announced that there were 105 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Curtis.

**Pledge of Allegiance**

Rep. Karen Carter led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of June 9, 2002, was adopted.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 169: Reps. DeWitt, Hammett, and Murray.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**HOUSE BILLS**

June 10, 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. 58  
Returned with amendments.

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

June 10, 2002

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

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

House Concurrent Resolution No. 74  
Returned without amendments.

House Concurrent Resolution No. 75  
Returned without amendments.

House Concurrent Resolution No. 76  
Returned without amendments.

House Concurrent Resolution No. 77  
Returned without 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. 44—**  
BY REPRESENTATIVES MONTGOMERY, ALARIO, R. ALEXANDER, DANIEL, DEWITT, FAUCHEUX, FLAVIN, FRUGE, GALLOT, GLOVER, HAMMETT, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, HUTTER, L. JACKSON, JOHNS, MORRISH, ODINET, PINAC, JACK SMITH, JANE SMITH, JOHN SMITH, STELLY, TOWNSEND, AND WADDELL

**A RESOLUTION**

To urge and request the Louisiana State Racing Commission to study the feasibility, practicality, and impact of licensing additional racing facilities to conduct live horse racing within the boundaries of the state, specifically considering the potential legal and economic ramifications of such additions.

Read by title.

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

**HOUSE RESOLUTION NO. 45—**  
BY REPRESENTATIVE PINAC  
**A RESOLUTION**

To commend and congratulate Dr. Ezora J. Proctor for her many years of dedicated service to the National Association of University Women and her distinguished contributions to Acadia Parish and the state of Louisiana.

Read by title.

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

**HOUSE RESOLUTION NO. 46—**  
BY REPRESENTATIVE PINAC  
**A RESOLUTION**

To commend and congratulate Ms. Hilda Wiltz for her many years of dedicated service to the National Association of University Women and her distinguished contributions to Acadia Parish and the state of Louisiana.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 78—**  
BY REPRESENTATIVES MCDONALD, DOWNER, THOMPSON, R. ALEXANDER, DOERGE, GALLOT, HAMMETT, HUNTER, KENNEY, MCCALLUM, RIDDLE, SALTER, AND TOWNSEND AND SENATOR BARHAM

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to amend the appropriate federal provisions or to direct the appropriate federal agency to amend regulations to provide for positive changes relative to renewal communities.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 79—**  
BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT  
**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Julie DeAnn Rowe.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 80—**  
BY REPRESENTATIVES THOMPSON AND MCDONALD  
**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Clarke M. Williams of Oak Ridge.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 81—**  
BY REPRESENTATIVES FAUCHEUX AND QUEZAIRE AND SENATOR LAMBERT

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Elmore "Moe" Trosclair, former mayor of Litcher.

Read by title.

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

Ordered to the Senate.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Municipal, Parochial and Cultural Affairs**

June 10, 2002

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 9, 2002, I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

Senate Bill No. 60, by C. Jones  
Reported with amendments. (9-0-1) (Regular)

SHARON WESTON BROOME  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

### House and House Concurrent Resolutions

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

#### Motion

On motion of Rep. Devillier, the Committee on Insurance was discharged from further consideration of House Concurrent Resolution No. 71.

#### HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE DEVILLIER

##### A CONCURRENT RESOLUTION

To urge and request the Department of Insurance to study the efficiency, effectiveness, and operation of indigent care in the greater Baton Rouge area; to provide for contents of the study; to provide for submission to the legislature; and to provide for related matters.

Read by title.

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Devillier to Original House Concurrent Resolution No. 71 by Representative Devillier

##### AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

##### AMENDMENT NO. 2

On page 2, line 2, change "direct" to "urge and request"

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

On motion of Rep. Devillier, and under a suspension of the rules, the resolution, as amended, was adopted.

Ordered to the Senate.

### 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. 26—

BY SENATORS BARHAM, BEAN, CAIN, DEAN, DUPRE, ELLINGTON, FONTENOT, GAUTREAUX, HOLLIS, HOYT, LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, THEUNISSEN, THOMAS, MCPHERSON AND ULLO AND REPRESENTATIVES, DANIEL, ALEXANDER, BEARD, BOWLER, CRANE, CROWE, DAMICO, DARTEZ, DIEZ, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN FRITH, FRUGE, FUTRELL, HEBERT, HUDSON, HUTTER, JOHNS, KATZ, KENNARD, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, NEVERS, PERKINS, PIERRE, PITRE, POWELL, SCALISE, SHAW, SMITH,

SNEED, STELLY, STRAIN, TOOMY, TUCKER, WADDELL AND WALSWORTH

#### AN ACT

To amend and reenact R.S. 47:601, 602, 603, 604, the introductory paragraph of 606(A), and 606(C) and to repeal R.S. 47:603 effective July 1, 2009, relative to the corporation franchise tax; to reduce the amount of borrowed capital included in taxable capital until it is phased out; to phase in a reduction of the tax; 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. 81—

BY SENATOR FIELDS

#### AN ACT

To enact R.S. 47:1602(D), relative to sales and use tax and other tax exemptions; to suspend exemptions for certain taxpayers if such taxpayer becomes delinquent in payment of 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.

### House and House Concurrent Resolutions Reported by Committee

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

#### HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVES TRICHE, STRAIN, AND WELCH

##### 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.

Reported favorably by the Committee on Health and Welfare.

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

### Senate Concurrent Resolutions Reported by Committee

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

#### SENATE CONCURRENT RESOLUTION NO. 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.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Concurrent Resolution No. 43 by Senator C. Jones

AMENDMENT NO. 1

On page 1, delete lines 14 and 15 and insert the following:

"WHEREAS, many such children also need medical services, such as nursing services, speech, physical, or"

AMENDMENT NO. 2

On page 2, line 1, after "WHEREAS" change "all such needed" to "education and related"

AMENDMENT NO. 3

On page 2, line 9, after "providing" change "these" to "medical"

AMENDMENT NO. 4

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

"WHEREAS, while the Department of Education is the lead agency under IDEA in providing a "free and appropriate education", the Department of Health and Hospitals should be the lead agency in reaching out to public school systems, cooperatively with the Department of Education, to assist each system in claiming the"

AMENDMENT NO. 5

On page 4, line 1, after "medical" delete "and related"

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

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

**SENATE CONCURRENT RESOLUTION NO. 59—**

BY SENATOR C. JONES

**A CONCURRENT RESOLUTION**

To direct the Department of Health and Hospitals to provide technical assistance and support to establish the Tensas Parish Health Center at Newellton as a federally qualified health center.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Original Senate Concurrent Resolution No. 59 by Senator C. Jones

AMENDMENT NO. 1

On page 1, at the end of line 3, change "at" to "in or near"

AMENDMENT NO. 2

On page 2, line 24, change "at" to "in or near"

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

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

**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. 81—**

BY REPRESENTATIVES DANIEL, E. ALEXANDER, BALDONE, BEARD, BOWLER, CAPELLA, CRANE, CROWE, DAMICO, DARTEZ, DIEZ, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GLOVER, HEBERT, HUDSON, HUTTER, JOHNS, KATZ, KENNARD, LANCASTER, MARTINY, MCDONALD, MORRISH, NEVERS, PERKINS, PIERRE, PITRE, POWELL, SCALISE, SHAW, JANE SMITH, SNEED, STELLY, STRAIN, TOOMY, TUCKER, WADDELL, AND WALSWORTH AND SENATORS BARHAM, BEAN, CAIN, DEAN, DUPRE, ELLINGTON, FONTENOT, GAUTREAU, HOLLIS, HOYT, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, THEUNISSEN, AND THOMAS  
AN ACT

To enact R.S. 47:301(3)(h) and (13)(g), relative to sales and use tax of the state and statewide political subdivisions; to provide for the reduction by way of a definitional exclusion of the sales and cost price of machinery and equipment used in a trade or business; 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. 81 by Representative Daniel

AMENDMENT NO. 1

On page 3, line 17, after "include" and before "tangible" delete "any and all"

AMENDMENT NO. 2

On page 3, line 19, between "amended" and the period "." insert the following:

", including industrial, construction, agricultural, and computer hardware property; provided, however, that "machinery and equipment" specifically shall not include furniture, office equipment, communications, transportation, and vehicular property"

AMENDMENT NO. 3

On page 3, line 20, after "2004" and before the period "." insert the following:

", but only if no state sales and use tax is levied on July 1, 2004, on food for home consumption as defined in R.S. 47:305(D)(1)(n) through (r) and on sales of steam, water, electric power, or energy and natural gas"

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.

**HOUSE BILL NO. 111—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:301(16)(h), relative to the sales and use tax; to provide for a state and local sales and use tax exclusion for purchases of certain health science equipment; to provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Ways and Means.

The substitute was read by title as follows:

**HOUSE BILL NO. 268 (Substitute for House Bill No. 111 by Representative Fauchaux)—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:301(10)(a)(v)(i), as enacted by Act No. 3 of the 2002 First Extraordinary Session of the Legislature, relative to the sales and use tax; to provide for exclusions from the tax for certain capital expenditures by biotechnology companies; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the substitute was adopted and became House Bill No. 268 by Rep. Fauchaux, on behalf of the Committee on Ways and Means, as a substitute for House Bill No. 111 by Rep. Fauchaux.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 119—**  
BY REPRESENTATIVE LAFLEUR  
AN ACT

To amend and reenact R.S. 47:301(16)(g)(iii) and to amend Act No. 1212 of the 2001 Regular Session of the Legislature by adding a new Section 4.1, relative to state and local sales and use taxes; to clarify the types of persons authorized to receive tax refunds pursuant to Act No. 1212 of the 2001 Regular Session of the Legislature; 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. 119 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:31(16)(g)(iii)" delete the remainder of the line and, at the beginning of line 3, delete "47:301(16)(g)(v)," and insert "and to amend Act No. 1212 of the 2001 Regular Session of the Legislature by adding a new Section 4.1,"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert the following:

"clarify the types of persons authorized to receive tax refunds pursuant to Act No. 1212 of the 2001 Regular Session of the Legislature;"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 47:301(16)(g)(iii)" delete "and (iv) are" and insert "is"

AMENDMENT NO. 4

On page 1, delete line 9 and insert "reenacted and Section 4.1 of Act No. 1212 of the 2001 Regular Session of the Legislature is hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 2, delete line 1 and insert "(iii) The"

AMENDMENT NO. 6

On page 2, line 2 after "property" and before "shall" insert a comma "," and insert "as applied to sales and use taxes levied by the state only."

AMENDMENT NO. 7

On page 2, delete lines 8 through 27 and on page 3, delete lines 1 through 3 and insert the following:

\* \* \*

Section 2. Act No. 1212 of the 2001 Regular Session is hereby amended, by adding a new Section 4.1 thereto, to read as follows:

Section 4.1. The phrase "persons who paid sales or use tax on the purchase of either a new or used manufactured or mobile home" as used in this Act shall be construed to include persons financing the purchase of the new or used manufactured or mobile home who paid the tax on behalf of the taxpayers in connection therewith."

AMENDMENT NO. 8

On page 3, at the beginning of line 4, change "Section 2." to "Section 3."

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.

**HOUSE BILL NO. 177—**  
BY REPRESENTATIVE K. CARTER  
AN ACT

To amend and reenact R.S. 47:841(B)(2) and Section 4 of Act 32 of the 2000 Regular Session of the Legislature and to enact R.S. 47:841(B)(4), 841.1, 841.2, and 841.3, relative to the tobacco tax; to provide for an increase in the tax; to extend the time period for the temporary tax on cigarettes; to create the State Parks Enhancement Fund and to dedicate a portion of the proceeds of the tax thereto; 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. 177 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 47:841(A), (B)(2), (C), and (E)" and insert "R.S. 47:841(B)(2)"

AMENDMENT NO. 2

On page 1, line 3, after "Legislature" and the comma "," insert "and to enact R.S. 47:841(B)(4), 841.1, 841.2, and 841.3"

AMENDMENT NO. 3

On page 1, line 5, after "cigarettes;" and before "to provide" insert "to create the State Parks Enhancement Fund and to dedicate a portion of the proceeds of the tax thereto;"

AMENDMENT NO. 4

On page 1, line 8, after "Section 1." delete "R.S. 47:841(A), (B)(2), (C), and (E) are" and insert "R.S. 47:841(B)(2) is"

AMENDMENT NO. 5

On page 1, line 9, after "reenacted" and before "to read" insert "and R.S. 47:841(B)(4), 841.1, 841.2, and 841.3 are hereby enacted"

AMENDMENT NO. 6

On page 1, delete line 15 and on page 2, delete lines 1 through 6 and insert the following:

"\* \* \*

AMENDMENT NO. 7

On page 2, at the beginning of line 11, change "five-twentieths" to "eight-twentieths"

AMENDMENT NO. 8

On page 2, delete lines 13 through 19, and insert the following:

"(4) In addition to the tax levied in any other Paragraph of this Subsection, there is hereby levied an additional tax of four-twentieths of one cent per cigarette."

AMENDMENT NO. 9

On page 2, between lines 20 and 21, insert the following:

"§841.1. Medical Vendor Payments Fund

A. There is hereby created as a special fund in the state treasury the "Medical Vendor Payments Fund", hereinafter referred to as the "fund". After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the state treasurer shall annually deposit into the fund

an amount equal to one-half of the avails of the tax imposed under the provisions of R.S. 47:841(B)(2). The monies in this fund shall be used solely as provided by this Section and only in the amounts appropriated by the legislature.

B. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and all earnings on investment of the fund shall be deposited into the fund.

C. Subject to an annual appropriation by the legislature, the monies in the fund shall be used solely for the purpose of providing additional funding for the Department of Health and Hospitals for medical vendor payments. The monies appropriated from the fund shall not be used to displace, replace, or supplant appropriations from the state general fund below the amount of state general fund appropriations to the Department of Health and Hospitals for medical vendor payments for Fiscal Year 2002-2003.

§841.2. State Parks Enhancement Fund

A. There is hereby created as a special fund in the state treasury the "State Parks Enhancement Fund", hereinafter referred to as the "fund". After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the state treasurer shall annually deposit into the fund an amount equal to eighty-seven and one-half percent of the avails of the tax imposed under the provisions of R.S. 47:841(B)(4). The monies in this fund shall be used solely as provided by this Section and only in the amounts appropriated by the legislature.

B. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and all earnings on investment of the fund shall be deposited into the fund.

C. Subject to an annual appropriation by the legislature, the monies in the fund shall be used solely for the purpose of providing additional funding for the office of state parks, Department of Culture, Recreation and Tourism. The monies appropriated from the fund shall not be used to displace, replace, or supplant appropriations from the state general fund below the amount of state general fund appropriations to the office of state parks, Department of Culture, Recreation and Tourism for Fiscal Year 2002-2003.

§841.3. Louisiana Amateur Athletics Fund

A. There is hereby created as a special fund in the state treasury the "Louisiana Amateur Athletics Fund", hereinafter referred to as the "fund". After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the state treasurer shall annually deposit into the fund an amount equal to twelve and one-half percent of the avails of the tax imposed under the provisions of R.S. 47:841(B)(4). The monies in this fund shall be used solely as provided by this Section and only in the amounts appropriated by the legislature.

B. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and all earnings on investment of the fund shall be deposited into the fund.

C. Subject to an annual appropriation by the legislature, fifty percent of the monies in the fund shall be used solely for the purpose of providing funding for the Louisiana Games and fifty percent of the monies in the fund shall be used solely for the purpose of providing funding for the Louisiana High School Athletic Association."

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.

**HOUSE BILL NO. 213—**

BY REPRESENTATIVE BEARD

**AN ACT**

To enact R.S. 47:6007.1, relative to tax credits; to provide for a tax credit for investment in certain companies engaged in the business of acquisition and distribution of certain motion pictures; to provide for definitions; 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. 213 by Representative Beard

**AMENDMENT NO. 1**

On page 2, line 16, after "pictures" and before the period " ." insert "nationally or internationally"

**AMENDMENT NO. 2**

On page 3, line 14, after "with the" and before "Louisiana" delete "lieutenant governor and the"

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.

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

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**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.

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. 86 by Senator Ellington

**AMENDMENT NO. 1**

In House Floor Amendment No. 5 proposed by Representative Daniel and adopted by the House on June 5, 2002, on line 15, after "line 19," delete the remainder of the line and delete line 16 in its entirety, and insert "after "as" delete "enacted by" and insert "amended by Section 1 of"

**AMENDMENT NO. 2**

In House Floor Amendment No. 12 proposed by Representative Daniel and adopted by the House on June 5, 2002, on line 10, after "page 4," insert "line 2," and after "on line" change "5" to "3"

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

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

Under the rules, placed on the regular calendar.

**Privileged Report of the Legislative Bureau**

June 9, 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. 32  
Reported without amendments.

Senate Bill No. 42  
Reported without amendments.

Senate Bill No. 57  
Reported without amendments.

Senate Bill No. 80  
Reported with amendments.

Respectfully submitted,

JOE SALTER  
Chairman

**Privileged Report of the Legislative Bureau**

June 10, 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. 60  
Reported without amendments.

Respectfully submitted,

JOE SALTER  
Chairman

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

Rep. Hammett 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. 32—**  
BY SENATOR B. JONES

AN ACT

To amend and reenact R.S. 47:301(4)(h), relative to sales and use tax collection from taxpayers; to provide for a definition of persons responsible for the collection and remittance of such tax; 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. 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.

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. 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.

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. 57 by Senator Thomas

AMENDMENT NO. 1

On page 2, delete lines 11 through 17 in their entirety

AMENDMENT NO. 2

On page 2, line 18, change "(d)" to "(c)" and change "2002" to "1999"

AMENDMENT NO. 3

On page 2, delete line 23, and insert the following:

"Paragraph, or an exemption for the procurement and administration of chemotherapy drugs used exclusively by the patient in his medical treatment if administered exclusively to the patient by a physician, nurse, or other health care professional in a physician's office where patients are not regularly kept as bed patients for twenty-four hours or more."

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. 60—**  
BY SENATOR C. JONES

AN ACT

To enact R.S. 33:2711.11.1, relative to taxation; to authorize the levy of a tax by a municipality having a population exceeding fifty thousand but not in excess of fifty-five thousand according to the most recent federal decennial census; to provide for the purpose of the tax; 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. 60 by Senator C. Jones

AMENDMENT NO. 1

On page 1, at the beginning of line 11, insert "A."

AMENDMENT NO. 2

On page 2, between lines 4 and 5, insert the following:

"B. The governing authority of the municipality may call the election and submit a proposition to the voters only after it has adopted a plan or plans, by resolution or ordinance, specifying the purposes for which the additional tax or taxes will be used. Any such plan shall include:

(1) The area or areas designated for economic development.

(2) An estimate of the annual and aggregate cost of the economic development to be funded by the additional tax or taxes.

(3) An estimate of the rate of the tax or taxes necessary to be levied in each year to fund such estimated cost of the economic development."



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. 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.

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. 80 by Senator Holden

**AMENDMENT NO. 1**

On page 9, line 14, following "or" and before "such" change "security" to "securing"

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.

**Suspension of the Rules**

On motion of Rep. Hill, 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. 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.

Rep. Hill moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|              |            |                  |
|--------------|------------|------------------|
| Mr. Speaker  | Glover     | Pierre           |
| Alario       | Green      | Pinac            |
| Alexander, E | Guillory   | Pitre            |
| Alexander, R | Hammett    | Powell           |
| Arnold       | Heaton     | Quezaire         |
| Baldone      | Hebert     | Richmond         |
| Baudoin      | Hill       | Riddle           |
| Baylor       | Honey      | Romero           |
| Beard        | Hopkins    | Salter           |
| Bowler       | Hudson     | Scalise          |
| Broome       | Hunter     | Schneider        |
| Bruce        | Hutter     | Schwegmann       |
| Bruneau      | Iles       | Smith, G.—56th   |
| Capella      | Jackson, L | Smith, J.D.—50th |
| Carter, K    | Jackson, M | Smith, J.H.—8th  |
| Carter, R    | Johns      | Smith, J.R.—30th |
| Cazayoux     | Katz       | Sneed            |
| Crane        | Kenney     | Stelly           |
| Curtis       | LaFleur    | Strain           |
| Damico       | Lancaster  | Swilling         |
| Daniel       | Landrieu   | Thompson         |
| Dartez       | LeBlanc    | Toomy            |
| Devillier    | Lucas      | Townsend         |
| Diez         | McCallum   | Triche           |
| Downer       | McDonald   | Tucker           |
| Durand       | Montgomery | Waddell          |
| Erdey        | Morrell    | Walsworth        |
| Faucheux     | Morrish    | Welch            |
| Flavin       | Murray     | Winston          |
| Frith        | Nevers     | Wooton           |
| Fruge        | Odinet     | Wright           |
| Futrell      | Perkins    |                  |
| Gallot       | Psychaud   |                  |
| Total—97     |            |                  |

**NAYS**

Total—0

**ABSENT**

|         |         |       |
|---------|---------|-------|
| Ansardi | Farrar  | McVea |
| Crowe   | Kennard | Shaw  |
| Doerge  | Martiny |       |
| Total—8 |         |       |

The Chair declared the above bill was finally passed.

Rep. Hill 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. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 13 by Senator Dupre

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:715.1, and to"

AMENDMENT NO. 2

On page 4, between lines 9 and 10, insert the following:

"Section 2. R.S. 47:715.1 is hereby amended and reenacted to read as follows:

§715.1. Reimbursement of funds; school buses

A. Contract drivers of all privately owned school buses transporting Louisiana students, shall qualify for a refund of one-half of the gasoline tax and all of the special fuels tax provided for in this Chapter. The reimbursement provided by this Section shall be paid from the Parish Transportation Fund allocable to the parish from which the reimbursement is claimed. This refund shall not extend to commercial buses which transport students only incidentally as a part of the operator's regular business. This refund shall extend to all contract school buses transporting Louisiana students whether such students are in public or private schools and whether they are preschool, elementary, secondary, or post-secondary school students.

B. The secretary of the Department of Revenue shall, upon receipt of a statement and supporting documentation of gasoline tax or special fuels purchases submitted to him by a contract driver and owner qualifying under this Section, refund one-half of the total amount of gasoline taxes and all of the special fuels taxes paid by each pursuant to R.S. 47:711 et seq. and R.S. 47:801 et seq. This statement shall be submitted annually at the end of each school year on forms provided by the secretary.

C. For the purposes of this Chapter, use of special fuels by contract drivers of privately owned school buses transporting Louisiana students shall qualify as a tax-exempt use, and therefore such drivers shall be entitled to purchase tax-exempt dyed special fuels, as defined in R.S. 47:801(12).

D. The secretary may adopt and promulgate rules and regulations necessary to implement the provisions of this Section.

\* \* \*

AMENDMENT NO. 3

On page 4, at the beginning of line 10, change "Section 2." to Section 3."

Point of Order

Rep. Diez asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

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

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

|              |            |                  |
|--------------|------------|------------------|
| 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     | Quezaire         |
| Baylor       | Hill       | Richmond         |
| Beard        | Honey      | Riddle           |
| Bowler       | Hopkins    | Romero           |
| Broome       | Hudson     | Salter           |
| Bruce        | Hunter     | Scalise          |
| Bruneau      | Hutter     | Schneider        |
| Capella      | Iles       | Schwegmann       |
| Carter, K    | Jackson, L | Shaw             |
| Carter, R    | Jackson, M | Smith, G.—56th   |
| Cazayoux     | Johns      | Smith, J.D.—50th |
| Crane        | Katz       | Smith, J.H.—8th  |
| Crowe        | Kennard    | Smith, J.R.—30th |
| Curtis       | Kenney     | Sneed            |
| Damico       | LaFleur    | Stelly           |
| Daniel       | Lancaster  | Strain           |
| Dartez       | Landrieu   | Swilling         |
| Devillier    | LeBlanc    | Thompson         |
| Diez         | Lucas      | Toomy            |
| Doerge       | Martiny    | Townsend         |
| Downer       | McCallum   | Triche           |
| Durand       | McDonald   | Tucker           |
| Erdey        | McVea      | Waddell          |
| Farrar       | Montgomery | Walsworth        |
| Faucheux     | Morrell    | Welch            |
| Flavin       | Morrish    | Winston          |
| Frith        | Murray     | Wooton           |
| Fruge        | Nevers     | Wright           |
| Total—105    |            |                  |

NAYS

Total—0

ABSENT

Total—0

The Chair declared the above bill was finally passed.

Rep. Baldone 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. 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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Beard to Reengrossed Senate Bill No. 31 by Senator B. Jones

AMENDMENT NO. 1

On page 1, at the end of line 2, delete the comma "," and insert "and to enact R.S. 47:6007.1,"

AMENDMENT NO. 2

On page 1, line 4, after "credits;" insert "to provide for a tax credit for investment in certain companies engaged in the business of acquisition and distribution of certain motion pictures;"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 47:6007.1 is hereby enacted"

AMENDMENT NO. 4

On page 5, between lines 8 and 9, insert the following:

§6007.1. Motion picture distribution company investor tax creditA. Definitions. For purposes of this Section:

(1) "Institutional investor" means a person that is:

(a) A plan or trust established and maintained by the United States Government, a state, or a political subdivision of a state for the benefit of its respective employees.

(b) An investment company that is registered under the Investment Company Act of 1940.

(c) A Collective Investment Trust organized by a bank under Part Nine of the rules of the Comptroller of the Currency.

(d) A closed end investment trust registered with the United States Securities and Exchange Commission.

(e) A mutual fund.

(f) A life insurance company or property and casualty insurance company.

(g) A federal or state bank.

(h) An investment advisor registered under the Investment Advisors Act of 1940.

(2) "Motion picture" means a nationally distributed feature-length film, video, television series, or commercial made in Louisiana, in whole or in part for theatrical or television viewing or

as a television pilot. The term "motion picture" shall not include the production of television coverage of news and athletic events.

(3) "Motion picture distribution company" means a juridical person which has its principal place of business in Louisiana and which is engaged in the business of acquiring and distributing motion pictures nationally or internationally.

B.(1) There shall be allowed a credit against any Louisiana income tax for taxpayers who invest in a motion picture distribution company. The credit shall be five percent of the taxpayer's investment in such motion picture distribution company. Private investors shall invest a minimum of ten thousand dollars in a motion picture distribution company to qualify for the credit. Institutional investors shall invest a minimum of one hundred thousand dollars to qualify for the credit.

(2) In the event that the entire credit cannot be used in the year earned, the credit may be applied against income tax liabilities for the subsequent ten years.

C. Recapture of credits. If the Louisiana Film Commission and the Department of Economic Development find that funds for which an investor received credits according to this Section are not invested in and expended with respect to a motion picture distribution company within twelve months of the date that such credits are earned, then the investor's state income tax for such taxable period shall be increased by the amount necessary for the recapture of the credit provided for in this Section. Such credit may be recovered by the secretary of the Department of Revenue through any collection remedy authorized by R.S. 47:1561 and initiated within three years from December thirty-first of the year in which the twelve-month investment period specified in this Subsection ends.

D. The secretary of the Department of Revenue, in consultation with the Louisiana Film Commission, shall promulgate such rules and regulations, in accordance with the Administrative Procedure Act, as are necessary for the implementation and administration of the credit provided for in this Section.

\* \* \*

AMENDMENT NO. 5

On page 7, line 21, after "Section 2." delete "This" and insert "The provisions of R.S. 47:6007.1 and enacted by this Act shall become effective for all taxable years beginning after December 31, 2002. The remaining provisions of this"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Romero to Reengrossed Senate Bill No. 31 by Senator B. Jones

AMENDMENT NO. 1

On page 1, at the end of line 2, delete the comma "," and insert "and to enact R.S. 47:6007.2,"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted" insert "and R.S. 47:6007.2 is hereby enacted"

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AMENDMENT NO. 3

On page 5, between lines 8 and 9, insert the following:

"§6007.2. Investor tax credit

Any business in Louisiana shall be entitled to an income tax credit for any amount invested in its own expansion up to an amount equal to its tax liability.

\* \* \*

Rep. Romero moved the adoption of the amendments.

Rep. Hammett objected.

By a vote of 39 yeas and 50 nays, the amendments were rejected.

Rep. Hammett 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           |
| Bruce        | Hudson     | Salter           |
| Bruneau      | Hunter     | Scalise          |
| Capella      | Hutter     | Schwegmann       |
| Carter, K    | Iles       | Shaw             |
| Carter, R    | Jackson, L | Smith, G.—56th   |
| Cazayoux     | Jackson, M | Smith, J.D.—50th |
| Crane        | Johns      | Smith, J.H.—8th  |
| Crowe        | Katz       | Smith, J.R.—30th |
| Curtis       | Kennard    | Sneed            |
| Damico       | Kenney     | Stelly           |
| Daniel       | LaFleur    | Strain           |
| Dartez       | Lancaster  | Swilling         |
| Devillier    | Landrieu   | Thompson         |
| Diez         | LeBlanc    | Toomy            |
| Doerge       | Lucas      | Townsend         |
| Downer       | Martiny    | Triche           |
| Durand       | McDonald   | Tucker           |
| Erdey        | McVea      | Waddell          |
| Farrar       | Montgomery | Walsworth        |
| Faucheux     | Morrell    | Welch            |
| Flavin       | Morrish    | Winston          |
| Frith        | Murray     | Wooton           |
| Fruge        | Nevers     | Wright           |
| Total—102    |            |                  |

NAYS

Schneider  
Total—1

ABSENT

Broome  
Total—2

McCallum

The Chair declared the above bill was finally passed.

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

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.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

|              |            |                  |
|--------------|------------|------------------|
| Mr. Speaker  | Gallot     | Peychaud         |
| Alario       | Glover     | Pierre           |
| Alexander, E | Green      | Pinac            |
| Alexander, R | Guillory   | Pitre            |
| Ansardi      | Hammett    | Powell           |
| Arnold       | Heaton     | Quezaire         |
| Baldone      | Hebert     | Richmond         |
| Baudoin      | Hill       | Riddle           |
| Beard        | Honey      | Romero           |
| Bowler       | Hopkins    | Salter           |
| Bruce        | Hudson     | Scalise          |
| Bruneau      | Hunter     | Schneider        |
| Capella      | Hutter     | Schwegmann       |
| Carter, K    | Iles       | Shaw             |
| Carter, R    | Jackson, L | 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       | Murray     | Winston          |
| Frith        | Nevers     | Wooton           |
| Fruge        | Odinet     | Wright           |
| Futrell      | Perkins    |                  |
| Total—101    |            |                  |

NAYS

Total—0

ABSENT

Baylor  
Broome  
Total—4

Jackson, M  
Morrish

The Chair declared the above bill was finally passed.

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

**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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hammett to Reengrossed Senate Bill No. 49 by Senator B. Jones

AMENDMENT NO. 1

On page 2, line 8, delete ", or for any"

AMENDMENT NO. 2

On page 2, line 9, delete "other cause,"

AMENDMENT NO. 3

On page 2, line 10, after "exempted", insert:

"for the year in which the violation occurred, and for each year thereafter in which the violation is not remedied,"

AMENDMENT NO. 4

On page 2, line 11, delete "exemption was received" and insert "violation occurred, and for each year thereafter in which an exemption is used and the violation is not remedied"

AMENDMENT NO. 5

On page 3, line 6, after "exempted" insert:

"for the year in which the violation occurred, and for each year thereafter in which the violation is not remedied"

AMENDMENT NO. 6

On page 3, line 7, delete "exemption was received" and insert "violation occurred, and for each year thereafter in which an exemption is used and the violation is not remedied"

AMENDMENT NO. 7

On page 3, line 20, after "granted" delete the remainder of the line and delete line 21 and insert "then the amount of the credit"

AMENDMENT NO. 8

On page 3, line 22, delete "rebated" and insert:

"for the year in which the violation occurred, and for each year thereafter in which the violation is not remedied"

AMENDMENT NO. 9

On page 3, line 23, delete "rebate was received" and insert "violation occurred, and for each year thereafter in which a credit is used and the violation is not remedied,"

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

**Motion**

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

Rep. Landrieu moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

|              |            |                  |
|--------------|------------|------------------|
| Mr. Speaker  | Futrell    | Psychaud         |
| Alario       | Gallot     | Pierre           |
| Alexander, E | Glover     | Pinac            |
| Alexander, R | Green      | Pitre            |
| Ansardi      | Guillory   | Powell           |
| Arnold       | Hammett    | Quezaire         |
| Baldone      | Heaton     | Richmond         |
| Baudoin      | Hebert     | Riddle           |
| Baylor       | Hill       | Romero           |
| Beard        | Honey      | Salter           |
| Bowler       | Hopkins    | Scalise          |
| Broome       | Hudson     | Schneider        |
| Bruce        | Hunter     | Schwegmann       |
| Bruneau      | Hutter     | Shaw             |
| Capella      | Iles       | Smith, G.—56th   |
| Carter, K    | Jackson, L | Smith, J.D.—50th |
| Carter, R    | Jackson, M | Smith, J.H.—8th  |
| Cazayoux     | Johns      | Smith, J.R.—30th |
| Crane        | Katz       | Sneed            |
| Crowe        | Kennard    | Stelly           |
| Curtis       | Kenney     | Strain           |
| Damico       | LaFleur    | Swilling         |
| Daniel       | Lancaster  | Thompson         |
| Dartez       | Landrieu   | Toomy            |
| Devillier    | LeBlanc    | Townsend         |
| Doerge       | Lucas      | Triche           |
| Downer       | Martiny    | Tucker           |
| Durand       | McDonald   | Waddell          |
| Erdey        | McVea      | Walsworth        |
| Farrar       | Montgomery | Welch            |
| Faucheux     | Morrell    | Winston          |
| Flavin       | Murray     | Wright           |
| Frith        | Nevers     |                  |
| Fruge        | Odinet     |                  |
| Total—100    |            |                  |

NAYS

Total—0

ABSENT

Diez                      Morrish                      Wooton  
 McCallum                Perkins

Total—5

The Chair declared the above bill was finally passed.

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

**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.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—105

NAYS

Total—0

ABSENT

Total—0

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

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

**Suspension of the Rules**

On motion of Rep. Alario, 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. 98—**  
 BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:602(F), relative to the corporation franchise tax; to provide for a deduction from taxable capital for certain corporations; to provide for definitions; to provide 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. 98 by Representative Alario

AMENDMENT NO. 1

On page 1, line 11, change "(1) Any" to the following:

"For tax years beginning on and after July 1, 2002 and before January 1, 2005, any"

AMENDMENT NO. 2

On page 1, delete line 13, and insert:

". such subsidiary having capital and"

AMENDMENT NO. 3

On page 1, line 14, delete "as of December 31, 1996"

AMENDMENT NO. 4

On page 1, line 16, after "advances to" change "the" to "such"

AMENDMENT NO. 5

On page 2, delete lines 1 through 4

**AMENDMENT NO. 6**

On page 2, line 6, change "December 31, 1996" to the following:

"June 30, 2002 and before January 1, 2005.

Section 3. This Act shall become effective on July 1, 2002; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2002, or on the day following such approval by the legislature, whichever is later."

Rep. Alario 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    | Perkins          |
| Alario       | Gallot     | Peychaud         |
| Alexander, E | Glover     | Pierre           |
| Alexander, R | Green      | Pinac            |
| Ansardi      | Guillory   | Pitre            |
| Arnold       | Hammett    | Powell           |
| Baldone      | Heaton     | Quezairé         |
| Baudoin      | Hebert     | Richmond         |
| Baylor       | Hill       | Riddle           |
| Beard        | Honey      | Romero           |
| Bowler       | Hopkins    | Salter           |
| Broome       | Hudson     | Scalise          |
| Bruce        | Hunter     | Schneider        |
| Bruneau      | Hutter     | Schwegmann       |
| Capella      | Iles       | Shaw             |
| Carter, K    | Jackson, L | Smith, G.—56th   |
| Carter, R    | Jackson, M | Smith, J.D.—50th |
| Cazayoux     | Johns      | Smith, J.H.—8th  |
| Crane        | Katz       | Smith, J.R.—30th |
| Crowe        | Kennard    | Sneed            |
| Curtis       | Kenney     | Stelly           |
| Damico       | LaFleur    | Strain           |
| Daniel       | Lancaster  | Swilling         |
| Dartez       | Landrieu   | Thompson         |
| Devillier    | LeBlanc    | Toomy            |
| Diez         | Lucas      | Townsend         |
| Doerge       | Martiny    | Triche           |
| Downer       | McCallum   | Tucker           |
| Durand       | McDonald   | Waddell          |
| Erdey        | McVea      | Walsworth        |
| Farrar       | Montgomery | Welch            |
| Faucheux     | Morrell    | Winston          |
| Flavin       | Murray     | Wooton           |
| Frith        | Nevers     | Wright           |
| Früge        | Odinot     |                  |
| Total—104    |            |                  |

**NAYS**

Total—0

**ABSENT**

Morrish  
Total—1

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

**HOUSE BILL NO. 122—**

BY REPRESENTATIVES DANIEL, FAUCHEUX, AND L. JACKSON  
AN ACT

To enact R.S. 47:297.3, relative to the individual income tax; to provide for a credit against such tax for costs associated with the rehabilitation of certain historic structures; to provide for definitions; to provide for the taxable periods in which the credit may be taken; and to provide for related matters.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Mount and Cain to Engrossed House Bill No. 122 by Representative Daniel, et al.

**AMENDMENT NO. 1**

On page 2, line 17, change "or pursuant to law" to "pursuant to law, or by ordinance adopted prior to January 1, 2002, in a home rule charter municipality."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Engrossed House Bill No. 122 by Representative Daniel

**AMENDMENT NO. 1**

On page 1, line 2, after "relative to" delete the remainder of the line and insert in lieu thereof the following:

"tax credits; to provide for tax credits for costs or investments associated with historic rehabilitation, urban redevelopment plans, and proposed urban projects;

**AMENDMENT NO. 2**

On page 1, delete line 3 and on line 4, delete "certain historic structures;"

**AMENDMENT NO. 3**

On page 1, line 5, between "taken;" and "and to" insert the following:

"to provide for the approval of redevelopment plans or proposed projects in certain municipalities;"

**AMENDMENT NO. 4**

On page 2, between lines 20 and 21, insert the following:

"Section 2. Notwithstanding any other provision of law to the contrary, no redevelopment plan or project proposed by a redevelopment authority in a municipality having a population in excess of four hundred seventy-five thousand which plan or project is part of the federal Martin Luther King Initiative, or its successor, shall be required to be submitted for approval by the qualified electorate of such municipality provided the plan or project is limited to granting federal tax credits for qualified investments made pursuant to such redevelopment plan or project."

**AMENDMENT NO. 5**

On page 2, line 21, change "Section 2." to "Section 3."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Holden to Engrossed House Bill No. 122 by Representative Daniel

AMENDMENT NO. 1

On page 1, lines 2 and 8, change "R.S. 47:297.3" to "R.S. 47:6016" and on line 2 change "individual income" to "income and corporate franchise"

AMENDMENT NO. 2

On page 1, line 5, after "taken;" insert "to provide for transfer of the credits;"

AMENDMENT NO. 3

On page 1, line 9, change "\$297.3" to "\$6016." and on line 10, after "against" change "the" to "income and corporation franchise"

AMENDMENT NO. 4

On page 1, line 11, change "Chapter" to "Title"

AMENDMENT NO. 5

On page 2, line 6, after "(3)" insert "(a)"

AMENDMENT NO. 6

On page 2, line 7, after "due" delete the remainder of the line and on line 8, delete "on the income of the taxpayer"

AMENDMENT NO. 7

On page 2, line 9, delete "the income"

AMENDMENT NO. 8

On page 2, line 10, delete "income"

AMENDMENT NO. 9

On page 2, between lines 12 and 13, insert:

"(b)(i)(aa) Taxpayers who are awarded tax credits in excess of their tax liabilities for a given year may elect to sell their unused tax credits to taxpayers with a Louisiana tax liability provided the unused credits are sold for a minimum of seventy-five percent of the value of the tax benefits.

(bb) The purchaser of unused credits shall apply such credits in the same manner and against the same taxes as the taxpayer originally awarded the credit.

(ii)(aa) All entities taxed as corporations for Louisiana income or corporation franchise tax purposes shall claim any credit allowed under this Section on their corporation income and corporation franchise tax return.

(bb) Individuals shall claim any credit allowed under this Section on their individual income tax return.

(cc) Estates or trusts shall claim any credit allowed under this Section on their fiduciary income tax returns.

(dd) Entities not taxed as corporations shall claim any credit allowed under this Section on the returns of the partners or members as follows:

(I) Corporate partners or members shall claim their share of the credit on their corporation income or corporation franchise tax returns.

(II) Individual partners or members shall claim their share of the credit on their individual income tax returns.

(III) Partners or members that are estates or trusts shall claim their share of the credit on their fiduciary income tax returns."

Rep. Daniel 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      | Hebert     | Quezaire         |
| Beard        | Hill       | Richmond         |
| Bowler       | Honey      | Riddle           |
| Broome       | Hopkins    | Romero           |
| Bruce        | Hudson     | Salter           |
| Bruneau      | Hunter     | Scalise          |
| Capella      | Hutter     | Schneider        |
| Carter, K    | Iles       | Schwegmann       |
| Carter, R    | Jackson, L | Shaw             |
| Cazayoux     | Jackson, M | Smith, G.—56th   |
| Crane        | Johns      | Smith, J.D.—50th |
| Crowe        | Katz       | Smith, J.H.—8th  |
| Curtis       | Kennard    | Smith, J.R.—30th |
| Damico       | Kenney     | Sneed            |
| Daniel       | LaFleur    | Stelly           |
| Dartez       | Lancaster  | Strain           |
| Devillier    | Landrieu   | Swilling         |
| Diez         | LeBlanc    | Thompson         |
| Doerge       | Lucas      | Toomy            |
| Downer       | Martiny    | Townsend         |
| Durand       | McCallum   | Triche           |
| Erdey        | McDonald   | Tucker           |
| Farrar       | McVea      | Waddell          |
| Faucheux     | Montgomery | Walsworth        |
| Flavin       | Morrell    | Welch            |
| Frith        | Murray     | Winston          |
| Fruge        | Nevers     | Wright           |
| Total—102    |            |                  |

**NAYS**

Total—0

**ABSENT**

|         |         |        |
|---------|---------|--------|
| Baylor  | Morrish | Wooton |
| Total—3 |         |        |

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



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

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

Read by title.

**Suspension of the Rules**

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

**HOUSE BILL NO. 197—**  
BY REPRESENTATIVE SWILLING  
AN ACT

To enact R.S. 33:2740.36, relative to the levy of taxes on trash and other material dumped in violation of law or ordinance; to authorize the governing body of a business and industrial district located in a municipality with a population in excess of four hundred fifty thousand persons to levy and collect a tax on such trash or material so dumped in the business and industrial district; to provide for the rate, collection, enforcement of collection, and disposition of the avails of such taxes; to provide for appeals; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Swilling, 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.

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. 225 by Representative Durand

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 47:297(H)(2) and (3)" insert:

"And 305(D)(1)(t)"

**AMENDMENT NO. 2**

On page 1, line 2, after "relative to", delete the remainder of the line and lines 3 and 4 in their entirety and insert: "taxes; to provide for an income tax credit for dentists who practice in designated underserved areas; to provide for an exclusion from sales and use taxes for certain dental devices; and to provide for related matters."

**AMENDMENT NO. 3**

On page 1, line 6, after "R.S. 47:297(H)(2) and (3)" insert:

"and 305(D)(1)(t)"

**AMENDMENT NO. 4**

On page 3, after line 3, insert the following:

"§305. Exclusions and exemptions from the tax

\* \* \*

D.(1) The sale at retail, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following tangible personal property is hereby specifically exempted from the tax imposed by this Chapter:

\* \* \*

(t) Orthotic devices, prosthetic devices, prostheses and restorative materials utilized by or prescribed by dentists in connection with health care treatment or for personal consumption or use and any and all dental devices used exclusively by the patient or administered exclusively to the patient by a dentist or dental hygienist in connection with dental or health care treatment. Notwithstanding any other provision of law to the contrary, the exemptions from the state sales and use tax provided in this Subparagraph shall be applicable to any sales and use tax levied by any local governmental subdivision or school board.

\* \* \*

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective the day following such approval."

Rep. Durand 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    | Peychaud         |
| Alario       | Gallot     | Pierre           |
| Alexander, E | Glover     | Pinac            |
| Alexander, R | Green      | Pitre            |
| Ansardi      | Guillory   | Powell           |
| Arnold       | Hammett    | Quezaire         |
| Baldone      | Heaton     | Richmond         |
| Baudoin      | Hebert     | Riddle           |
| Baylor       | Hill       | Romero           |
| Beard        | Honey      | Salter           |
| Bowler       | Hopkins    | Scalise          |
| Broome       | Hudson     | Schneider        |
| Bruce        | Hunter     | Schwegmann       |
| Bruneau      | Hutter     | Shaw             |
| Capella      | Iles       | Smith, G.—56th   |
| Carter, K    | Jackson, L | Smith, J.D.—50th |
| Carter, R    | Jackson, M | Smith, J.H.—8th  |
| Cazayoux     | Johns      | Smith, J.R.—30th |
| Crane        | Katz       | Sneed            |

|           |            |           |
|-----------|------------|-----------|
| Crowe     | Kennard    | Stelly    |
| Curtis    | Kenney     | Strain    |
| Damico    | LaFleur    | Swilling  |
| Daniel    | Lancaster  | Thompson  |
| Dartez    | Landrieu   | Toomy     |
| Devillier | LeBlanc    | Townsend  |
| Diez      | Lucas      | Triche    |
| Downer    | Martiny    | Tucker    |
| Durand    | McDonald   | Waddell   |
| Erdey     | McVea      | Walsworth |
| Farrar    | Montgomery | Welch     |
| Faucheux  | Morrell    | Winston   |
| Flavin    | Murray     | Wooton    |
| Frith     | Nevers     | Wright    |
| Fruge     | Perkins    |           |
| Total—101 |            |           |

NAYS

Odinet  
Total—1

ABSENT

|         |          |         |
|---------|----------|---------|
| Doerge  | McCallum | Morrish |
| Total—3 |          |         |

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

**HOUSE BILL NO. 238—**  
BY REPRESENTATIVES L. JACKSON AND K. CARTER  
AN ACT

To amend and reenact R.S. 47:297(B) and to enact R.S. 47:297.3, relative to individual income tax credits; to revise the credit for certain child care expenses; to provide that the credit shall be refundable for certain persons; to provide for an effective date; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 241—**  
BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, DURAND, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HEBERT, HUTTER, JOHNS, LEBLANC, MORRISH, ODINET, PIERRE, PINAC, PITRE, ROMERO, GARY SMITH, JACK SMITH, STELLY, TRICHE, AND WOOTON AND SENATORS CHAISSON, 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.

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. 241 by Representative Downer, et al.

AMENDMENT NO. 1

On page 1, line 12, change "Import" to "Excise"

AMENDMENT NO. 2

On page 2, at the end of line 7, add the following:

"Shrimp imported into this state that are peeled will be computed at seventy-five pounds per barrel."

AMENDMENT NO. 3

On page 2, line 8, change "import" to "excise"

AMENDMENT NO. 4

On page 2, line 12, after "shipments" delete the remainder of the line and delete lines 13 and 14 and insert in lieu thereof the following:

"shall comply with the provisions of R.S. 56:307.7 and shall be taxed as provided in this Section."

AMENDMENT NO. 5

On page 2, line 15, change "import" to "excise"

AMENDMENT NO. 6

On page 2, line 21, after "required" change "by" to "of"

AMENDMENT NO. 7

On page 2, line 22, after "dealer." insert the following:

"Excise tax on shrimp imported in the state brought to a cold storage facility shall be paid by the resident or nonresident wholesale/retail seafood dealer storing, brokering, or distributing such shrimp."

AMENDMENT NO. 8

On page 3, line 2, change "import" to "excise"

AMENDMENT NO. 9

On page 3, line 6, change "four" to "three"

AMENDMENT NO. 10

On page 4, line 18, after "produced shrimp." insert the following:

"The Louisiana Seafood Advisory Board may submit recommendations to the Louisiana Wildlife and Fisheries Commission relative to the effective enforcement, protection, and administering of the shrimp excise tax."

AMENDMENT NO. 11

On page 4, line 20, change "six" to "four"

Rep. Downer 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 | Psychaud |
| Alario       | Gallot  | Pierre   |
| Alexander, E | Glover  | Pinac    |
| Alexander, R | Green   | Pitre    |

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

Total—103

NAYS

Total—0

ABSENT

McCallum Morrish  
Total—2

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

**HOUSE BILL NO. 244—**  
BY REPRESENTATIVES MORRISH, KENNEY, RIDDLE, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:463.5(A) and to enact R.S. 47:462(B)(2)(c) and R.S. 56:10.1, relative to registration tax on light trailers and recreational vehicles; to provide for an additional tax on light trailers; to provide relative to the collection of registration fees for recreational vehicles; to create the Aquatic Plant Control Fund in the state treasury; to provide for deposit of monies into the fund; to provide for appropriation and uses of monies in the fund; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 197—**  
BY REPRESENTATIVE SWILLING  
AN ACT

To enact R.S. 33:2740.36, relative to the levy of taxes on trash and other material dumped in violation of law or ordinance; to authorize the governing body of a business and industrial district located in a municipality with a population in excess of four hundred fifty thousand persons to levy and collect a tax on

such trash or material so dumped in the business and industrial district; to provide for the rate, collection, enforcement of collection, and disposition of the avails of such taxes; to provide for appeals; and to provide for related matters.

Called from the calendar.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 197 by Representative Swilling

AMENDMENT NO. 1

On page 1, lines 2 and 8, after "taxes" insert ", fines, or fees"

AMENDMENT NO. 2

On page 1, line 6, between "tax" and "on" insert ", fine, or fee"

AMENDMENT NO. 3

On page 1, line 12, between "Tax" and "on" insert ", fine, or fee"

AMENDMENT NO. 4

On page 2, line 26, between "tax" and "on" insert ", fine, or fee"

AMENDMENT NO. 5

On page 3, lines 1,2,3,4,9,12,15,19,20, and 26, after "tax" insert ", fine, or fee"

AMENDMENT NO. 6

On page 3, line 8, between "taxed" and the period "." insert ", fined, or assessed a fee"

AMENDMENT NO. 7

On page 3, line 13, after "imposing the tax" insert ", fine, or fee"

AMENDMENT NO. 8

On page 3, line 16, after "determining the tax" insert ", fine, or fee"

AMENDMENT NO. 9

On page 3, at the beginning of line 22, after "tax" insert ", fine, or fee" and toward the end of the line, between "tax" and "is" insert ", fine, or fee"

AMENDMENT NO. 10

On page 4, lines 2, 3, 6, 9, 12, 13, 15, 16, 18, and 23, after "tax" insert ", fine, or fee"

AMENDMENT NO. 11

On page 4, line 18, change "taxpayer" to "trash dumper"

AMENDMENT NO. 12

On page 4, line 25, after "taxes" insert ", fines, or fees"

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AMENDMENT NO. 13

On page 5, lines 5, 13, 15, 19, 22, and 24, after "taxes" insert ", fines, or fees"

AMENDMENT NO. 14

On page 5, line 7, after "taxed" insert ", fined, or assessed"

AMENDMENT NO. 15

On page 5, lines 10, 11, and 16, after "tax" insert ", fine, or fee"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 197 by Representative Swilling

AMENDMENT NO. 1

On page 1, line 3, change "in violation of law or ordinance" to "in certain business and industrial districts"

AMENDMENT NO. 2

On page 1, line 12, change "trash illegally dumped" to "dumped trash"

AMENDMENT NO. 3

On page 1, line 16, after "discarded" insert "in any place determined unsuitable for dumping, depositing, abandoning or discarding trash by the district"

AMENDMENT NO. 4

On page 2, line 20, after "district" delete the remainder of the line and delete line 21 and insert "in any place determined unsuitable for dumping, depositing, abandoning or discarding trash by the district."

AMENDMENT NO. 5

On page 2, line 26 after "district" change "in" to a period "." and delete line 27 in its entirety.

Rep. Swilling moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Alario, Alexander, E, etc.

Table listing names of representatives who were present, including Carter, R, Cazayoux, Crane, etc.

NAYS

Total—0

ABSENT

Katz Total—1

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 244—

BY REPRESENTATIVES MORRISH, KENNEY, RIDDLE, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:463.5(A) and to enact R.S. 47:462(B)(2)(c) and R.S. 56:10.1, relative to registration tax on light trailers and recreational vehicles; to provide for an additional tax on light trailers; to provide relative to the collection of registration fees for recreational vehicles; to create the Aquatic Plant Control Fund in the state treasury; to provide for deposit of monies into the fund; to provide for appropriation and uses of monies in the fund; and to provide for related matters.

Called from the calendar.

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 Reengrossed House Bill No. 244 by Representative Morrish

AMENDMENT NO. 1

On page 2, at the end of line 8, insert:

"The provisions of this Subparagraph shall become null and void and of no effect beginning January 1, 2006."

AMENDMENT NO. 2

On page 3, line 17, after "eradication." insert "The funds appropriated pursuant to the provisions of this Section shall not be used for

salaries or related benefits for the Department of Wildlife and Fisheries."

AMENDMENT NO. 3

On page 3, line 22, after "2002" insert a period "." and delete the remainder of the line

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 244 by Representative Morrish

AMENDMENT NO. 1

On page 3, line 14, after "aquatic plant" delete the remainder of the line and delete lines 15 and 16 in their entirety

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 244 by Representative Morrish

AMENDMENT NO. 1

On page 1, lines 3 and 4, change "light" to "certain"

AMENDMENT NO. 2

On page 2, line 1, delete "light trailer or"

Rep. Morrish moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

|           |            |         |
|-----------|------------|---------|
| Farrar    | Montgomery | Welch   |
| Faucheux  | Morrell    | Winston |
| Flavin    | Morrish    | Wooton  |
| Frith     | Murray     | Wright  |
| Total—102 |            |         |

NAYS

Total—0

ABSENT

|           |        |        |
|-----------|--------|--------|
| Lancaster | Strain | Triche |
| Total—3   |        |        |

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**HOUSE BILL NO. 157—**

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

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

Called from the calendar.

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.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|              |            |                  |
|--------------|------------|------------------|
| Alexander, R | Gallot     | Murray           |
| Ansardi      | Glover     | Nevers           |
| Arnold       | Green      | Odinot           |
| Baldone      | Guillory   | Peychaud         |
| Baudoin      | Hammett    | Pierre           |
| Baylor       | Heaton     | Pitre            |
| Broome       | Hill       | Powell           |
| Bruce        | Honey      | Quezairé         |
| Capella      | Hudson     | Richmond         |
| Carter, K    | Hunter     | Riddle           |
| Carter, R    | Hutter     | Salter           |
| Cazayoux     | Iles       | Schwegmann       |
| Crane        | Jackson, L | Shaw             |
| Curtis       | Jackson, M | Smith, G.—56th   |
| Damico       | Johns      | Smith, J.D.—50th |
| Daniel       | Kennard    | Smith, J.H.—8th  |
| Dartez       | Kenney     | Smith, J.R.—30th |
| Devillier    | LaFleur    | Stelly           |
| Diez         | Landrieu   | Strain           |
| Doerge       | LeBlanc    | Swilling         |
| Downer       | Lucas      | Thompson         |
| Durand       | Martiny    | Toomy            |
| Erdey        | McCallum   | Townsend         |
| Farrar       | McDonald   | Waddell          |
| Fauchoux     | McVea      | Walsworth        |

|          |            |        |
|----------|------------|--------|
| Flavin   | Montgomery | Welch  |
| Frith    | Morrell    | Wooton |
| Futrell  | Morrish    | Wright |
| Total—84 |            |        |

**NAYS**

|              |           |         |
|--------------|-----------|---------|
| Mr. Speaker  | Crowe     | Perkins |
| Alario       | Fruge     | Pinac   |
| Alexander, E | Hebert    | Romero  |
| Beard        | Hopkins   | Sneed   |
| Bowler       | Katz      | Tucker  |
| Bruneau      | Lancaster | Winston |
| Total—18     |           |         |

**ABSENT**

|         |           |        |
|---------|-----------|--------|
| Scalise | Schneider | Triche |
| Total—3 |           |        |

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

**Suspension of the Rules**

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

**Suspension of the Rules**

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

**Suspension of the Rules**

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

**House Concurrent Resolutions Returned from the Senate with Amendments**

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

**HOUSE CONCURRENT RESOLUTION NO. 34—**  
BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

To direct the Louisiana State Law Institute to study all aspects of liability relating to road hazards and make specific recommendations for limiting the liability of the state.

Read by title.

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Engrossed House Concurrent Resolution No. 34 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

On motion of Rep. Stelly, the amendments proposed by the Senate were concurred in.

**HOUSE CONCURRENT RESOLUTION NO. 55—**  
BY REPRESENTATIVE TOWNSEND

**A CONCURRENT RESOLUTION**

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

Read by title.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original House Concurrent Resolution No. 55 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 3, after "of Louisiana" and before "to take" insert "and of the Louisiana State Employees' Retirement System"

AMENDMENT NO. 2

On page 1, line 10, after "System" and before "whenever" insert "and the Louisiana State Employees' Retirement System"

AMENDMENT NO. 3

On page 2, line 5, after "System" and before the comma "," insert "and the Louisiana State Employees' Retirement System"

AMENDMENT NO. 4

On page 2, line 18, after "Louisiana" and before "to take" insert "and of the Louisiana State Employees' Retirement System"

AMENDMENT NO. 5

On page 3, line 3, after "Louisiana" and before the period "." insert "and of the Louisiana State Employees' Retirement System"

On motion of Rep. Townsend, the amendments proposed by the Senate were concurred in.

**Suspension of the Rules**

On motion of Rep. Hammett, 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. 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.

Called from the calendar.

Read by title.

Rep. Hammett 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      | Romero           |
| Bowler       | Hopkins    | Salter           |
| Bruce        | Hudson     | Schneider        |
| Bruneau      | Hunter     | Schwegmann       |
| Capella      | Hutter     | Shaw             |
| Carter, K    | Iles       | Smith, G.—56th   |
| Carter, R    | Jackson, L | Smith, J.D.—50th |
| Cazayoux     | Johns      | Smith, J.H.—8th  |
| Crane        | Katz       | Smith, J.R.—30th |
| Crowe        | Kennard    | Sneed            |
| Curtis       | Kenney     | Stelly           |
| Damico       | LaFleur    | Strain           |
| Daniel       | Lancaster  | Swilling         |
| Dartez       | Landrieu   | Thompson         |
| Devillier    | LeBlanc    | Toomy            |
| Diez         | Lucas      | Townsend         |
| Doerge       | Martiny    | Triche           |
| Downer       | McCallum   | Tucker           |
| Durand       | McDonald   | Waddell          |
| Erdey        | McVea      | Walsworth        |
| Farrar       | Montgomery | Welch            |
| Fauchoux     | Morrell    | Winston          |
| Flavin       | Morrish    | Wooton           |
| Frith        | Murray     | Wright           |
| Fruge        | Nevers     |                  |
| Total—101    |            |                  |

**NAYS**

Total—0

**ABSENT**

|            |         |
|------------|---------|
| Broome     | Riddle  |
| Jackson, M | Scalise |
| Total—4    |         |

The Chair declared the above bill was finally passed.

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

**Recess**

On motion of Rep. Bruneau, the Speaker declared the House at recess until 2:00 P.M.

**After Recess**

Speaker DeWitt called the House to order at 2:00 P.M.

**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     | Quezaire         |
| Baylor       | Hill       | Richmond         |
| Beard        | Honey      | Riddle           |
| Bowler       | Hopkins    | Romero           |
| Broome       | Hudson     | Salter           |
| Bruce        | Hunter     | Scalise          |
| Bruneau      | Hutter     | Schneider        |
| Capella      | Iles       | Schwegmann       |
| Carter, K    | Jackson, L | Shaw             |
| Carter, R    | Jackson, M | Smith, G.—56th   |
| Cazayoux     | Johns      | Smith, J.D.—50th |
| Crane        | Katz       | Smith, J.H.—8th  |
| Crowe        | Kennard    | Smith, J.R.—30th |
| Curtis       | Kenney     | Sneed            |
| Damico       | LaFleur    | Stelly           |
| Daniel       | Lancaster  | Strain           |
| Dartez       | Landrieu   | Swilling         |
| Devillier    | LeBlanc    | Thompson         |
| Diez         | Lucas      | Toomy            |
| Doerge       | Martiny    | Townsend         |
| Downer       | McCallum   | Triche           |
| Durand       | McDonald   | Tucker           |
| Erdey        | McVea      | Waddell          |
| Farrar       | Montgomery | Walsworth        |
| Faucheux     | Morrell    | Welch            |
| Flavin       | Morrish    | Winston          |
| Frith        | Murray     | Wooton           |
| Fruge        | Nevers     | Wright           |
| Total—105    |            |                  |

**ABSENT**

Total—0

The Speaker announced there were 105 members present and a quorum.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 244: Reps. Morrish, Hammett, and Flavin.

**Suspension of the Rules**

On motion of Rep. Scalise, 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**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

June 10, 2002

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

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

Senate Concurrent Resolution No. 47

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

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**

June 10, 2002

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

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

Senate Bill Nos. 48 and 78

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

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

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

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



**HOUSE CONCURRENT RESOLUTION NO. 82—**  
BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to transfer the portion of Central Avenue, also known as Louisiana Highway 48, from its intersection with Jefferson Highway to its intersection with River Road, to Jefferson Parish in exchange for the transfer of a parish road of equal length into the state highway system.

Read by title.

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

Ordered to the Senate.

**Suspension of the Rules**

On motion of Rep. Lydia Jackson, 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. 238—**  
BY REPRESENTATIVES L. JACKSON AND K. CARTER  
AN ACT

To amend and reenact R.S. 47:297(B) and to enact R.S. 47:297.3, relative to individual income tax credits; to revise the credit for certain child care expenses; to provide that the credit shall be refundable for certain persons; to provide for an effective date; and to provide for related matters.

Called from the calendar.

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. by 238 Representative L. Jackson

AMENDMENT NO. 1

On page 1, line 2, after "(B)" insert "and (D)(3)"

AMENDMENT NO. 2

On page 1, line 5, after "persons;" insert the following:

"to extend the time period for which the credit for certain educational expenses incurred for each dependent child is applicable, inoperable, and of no effect;"

AMENDMENT NO. 3

On page 3, between lines 11 and 12, insert the following:

"Section 2. R.S. 47:297(D)(3) is hereby amended and reenacted to read as follows:

§297. Reduction to tax due

\* \* \*

D. In addition to any other credits against the tax payable on net income which the law allows to an individual taxpayer, the taxpayer shall be entitled to the tax credit against the tax payable on net income provided for as follows:

\* \* \*

(3) Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Section, for the tax years beginning on or after January 1, 2000 and prior to January 1, ~~2002~~ 2006, the tax credit provided pursuant to the provisions of this Subsection shall be inapplicable, inoperable, and of no effect.

\* \* \*"

AMENDMENT NO. 4

On page 3, line 12, after "of" insert "Section 1 of"

AMENDMENT NO. 5

On page 3, at the end of line 13, delete the period "." and add ", and the provisions of Section 2 of this Act shall become effective for all taxable periods beginning after December 31, 2001."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert to Engrossed House Bill No. 238 by Representative Lydia Jackson

AMENDMENT NO. 1

On page 3, line 12, following "Section" and before the period "." change "2" to "3"

Rep. Lydia 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  | Guillory   | Nevers           |
| Alario       | Hammett    | Odinot           |
| Alexander, R | Heaton     | Peychaud         |
| Arnold       | Hill       | Pierre           |
| Baldone      | Honey      | Pinac            |
| Baudoin      | Hopkins    | Powell           |
| Baylor       | Hudson     | Quezaire         |
| Broome       | Hunter     | Richmond         |
| Bruce        | Iles       | Riddle           |
| Capella      | Jackson, L | Salter           |
| Carter, R    | Jackson, M | Schwegmann       |
| Cazayoux     | Johns      | Smith, G.—56th   |
| Curtis       | Kenney     | Smith, J.D.—50th |
| Damico       | LaFleur    | Smith, J.H.—8th  |
| Devillier    | Landrieu   | Smith, J.R.—30th |
| Diez         | LeBlanc    | Stelly           |
| Doerge       | Lucas      | Strain           |
| Downer       | McCallum   | Swilling         |
| Durand       | McDonald   | Thompson         |
| Farrar       | McVea      | Toomy            |
| Flavin       | Montgomery | Townsend         |

Frith  
Gallot  
Glover  
Total—72

Morrell  
Morrish  
Murray

Waddell  
Welch  
Wooton

NAYS

Alexander, E  
Ansardi  
Beard  
Bowler  
Bruneau  
Carter, K  
Crane  
Crowe  
Dartez  
Erdey  
Total—29

Faucheux  
Fruge  
Futrell  
Green  
Hebert  
Hutter  
Katz  
Lancaster  
Martiny  
Perkins

Pitre  
Romero  
Scalise  
Schneider  
Sneed  
Triche  
Walsworth  
Winston  
Wright

ABSENT

Daniel  
Kennard  
Total—4

Shaw  
Tucker

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

**Suspension of the Rules**

On joint motion of Reps. Michael Jackson and Kenney, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**Recess**

On motion of Rep. Bruneau, the Speaker declared the House at recess until 3:00 P.M.

**After Recess**

Speaker DeWitt called the House to order at 3:00 P.M.

**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

Gallot  
Glover  
Green  
Guillory  
Hammett  
Heaton  
Hebert  
Hill  
Honey  
Hopkins  
Hudson  
Hunter  
Hutter  
Iles  
Jackson, L  
Jackson, M  
Johns  
Katz  
Kennard  
Kenney

Perkins  
Psychaud  
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  
Sneed

Curtis  
Dartez  
Devillier  
Diez  
Doerge  
Downer  
Durand  
Erdey  
Farrar  
Faucheux  
Flavin  
Frith  
Fruge  
Futrell  
Total—102

LaFleur  
Lancaster  
Landrieu  
LeBlanc  
Lucas  
Martiny  
McCallum  
McDonald  
McVea  
Montgomery  
Morrell  
Morrish  
Murray  
Nevers

Stelly  
Strain  
Swilling  
Thompson  
Toomy  
Townsend  
Triche  
Tucker  
Waddell  
Walsworth  
Welch  
Winston  
Wooton  
Wright

ABSENT

Damico  
Total—3

Daniel

Odinet

The Speaker announced there were 102 members present and a quorum.

**Acting Speaker Alario in the Chair**

**HOUSE BILL NO. 171—**

BY REPRESENTATIVES DEWITT, HAMMETT, AND MURRAY  
AN ACT

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

Read by title.

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 Reengrossed House Bill No. 171 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 6, change "fifty-five percent" to "sixty-two and one-half percent"

AMENDMENT NO. 2

On page 2, line 12, change "sixty percent" to "seventy-five percent"

AMENDMENT NO. 3

On page 2, line 18, after 2001, delete the remainder of the line and delete lines 19 and 20, and insert a period "."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 171 by Representative DeWitt

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 and 2 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 5, 2002.

**AMENDMENT NO. 2**

On page 2, line 6, change "fifty-five percent" to "fifty-seven and one-half percent"

**AMENDMENT NO. 3**

On page 2, line 12, change "sixty percent" to "sixty-five percent"

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  | Flavin     | Morrish          |
| Alario       | Frith      | Murray           |
| Alexander, R | Gallot     | Nevers           |
| Arnold       | Glover     | Odinot           |
| Baldone      | Guillory   | Peychaud         |
| Baudoin      | Hammett    | Pierre           |
| Baylor       | Heaton     | Pinac            |
| Broome       | Hebert     | Pitre            |
| Bruce        | Hill       | Powell           |
| Carter, K    | Honey      | Quezaire         |
| Carter, R    | Hudson     | Richmond         |
| Cazayoux     | Hunter     | Riddle           |
| Curtis       | Iles       | Salter           |
| Damico       | Jackson, L | Schwegmann       |
| Daniel       | Jackson, M | Smith, G.—56th   |
| Dartez       | Johns      | Smith, J.D.—50th |
| Devillier    | Kenney     | Smith, J.R.—30th |
| Diez         | LaFleur    | Stelly           |
| Doerge       | LeBlanc    | Strain           |
| Downer       | Lucas      | Swilling         |
| Durand       | McDonald   | Thompson         |
| Erdey        | McVea      | Townsend         |
| Farrar       | Montgomery | Welch            |
| Fauchoux     | Morrell    | Wooton           |
| Total—72     |            |                  |

**NAYS**

|              |           |                 |
|--------------|-----------|-----------------|
| Alexander, E | Hutter    | Smith, J.H.—8th |
| Beard        | Katz      | Sneed           |
| Bowler       | Kennard   | Toomy           |
| Bruneau      | Lancaster | Triche          |
| Capella      | Martiny   | Tucker          |
| Crane        | Perkins   | Waddell         |
| Crowe        | Romero    | Walsworth       |
| Fruge        | Scalise   | Winston         |
| Futrell      | Schneider | Wright          |
| Hopkins      | Shaw      |                 |
| Total—29     |           |                 |

**ABSENT**

|         |          |
|---------|----------|
| Ansardi | Landrieu |
| Green   | McCallum |
| Total—4 |          |

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

**Speaker DeWitt in the Chair**

**Suspension of the Rules**

On motion of Rep. Gallot, 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**

**APPOINTMENT OF CONFERENCE COMMITTEE**

June 10, 2002

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 169: Senators Dardenne, Hainkel, and Tarver.

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. 47—**

BY REPRESENTATIVE GALLOT  
A RESOLUTION

To commend Alverne Harrison Perry upon the occasion of her seventy-first birthday.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 83—**

BY REPRESENTATIVE PERKINS  
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to formulate, develop, and recommend for adoption by each public postsecondary education management board a policy providing that any reduction in tuition or mandatory attendance fee amounts, or both, or any waiver of such amounts granted by a Louisiana public college or university to a student based solely on the student's age shall be recognized and continued if the student transfers to any other Louisiana public college or university unless the institution to which the student transfers has a tuition and mandatory attendance fee policy applicable to the student that provides equivalent or better benefits than provided by the waiver or reduction previously granted the student.

Read by title.

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

Ordered to the Senate.

### **Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet upon adjournment on Monday, June 10, 2002, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 81

### **Adjournment**

On motion of Rep. Kenney, at 3:05 P.M., the House agreed to adjourn until Tuesday, June 11, 2002, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, June 11, 2002.

ALFRED W. SPEER  
Clerk of the House