

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

TWELFTH DAY'S PROCEEDINGS

Twenty-fourth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana
Tuesday, May 19, 1998

The Committee was called to order at 3:00 P.M. by Chairman Long.

On motion of Rep. LeBlanc, the calling of the roll was dispensed with.

Motion

On motion of Rep. LeBlanc, the Committee took under consideration House Bill No. 1 at this time.

On motion of Rep. LeBlanc, the Committee, in considering House Bill No. 1, proceeded *seriatim*.

HOUSE BILL NO. 1—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Read by title.

Rep. Bowler sent up floor amendments which were read as follow

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 46, at the end of line 28, delete the comma "," and at the beginning of line 29 delete "including advertising materials,"

On motion of Rep. Bowler the amendments were adopted.

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Jetson, Triche, Baudoin, Bruce, Clarkson, Crane, Deville, Fontenot, Hebert, Holden, Hopkins, Johns, McCallum, Pierre, Pratt, Riddle, Salter, Scalise, Shaw, Jack Smith, Stelly, Thompson, Thornhill, Welch, and Wiggins in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 5, between lines 23 and 24, insert the following:

"8. C. The commissioner of administration is hereby authorized and directed to reduce the State General Fund (Direct) appropriations contained in the Act for premiums of various state agencies to the office of risk management by the amount of \$3,804,089."

AMENDMENT NO. 2

On page 94, line 35, change "department's" to "department's most recent"

AMENDMENT NO. 3

On page 98, between lines 3 and 4, insert the following:

"EXPENDITURES:
For the administration and monitoring of
an additional three hundred and sixty (360)
MR/DD waiver slots, including five (5)
positions

\$	221,040
TOTAL EXPENDITURES	\$ 221,040

MEANS OF FINANCE:
State General Fund (Direct) \$ 110,520
Federal Funds \$ 110,520

TOTAL MEANS OF FINANCING \$ 221,040"

AMENDMENT NO. 4

On page 99, between lines 35 and 36, insert the following:

"EXPENDITURES:
To provide through Payments to Private
Providers for an additional three hundred
and sixty (360) slots in the MR/DD waiver
program, including case management and
acute care medical costs

\$	4,988,118
TOTAL EXPENDITURES	\$ 4,988,118

MEANS OF FINANCE:
State General Fund (Direct) \$ 1,482,353
Federal Funds \$ 3,505,765

TOTAL MEANS OF FINANCING \$ 4,988,118"

AMENDMENT NO. 5

On page 108, between lines 7 and 8, insert the following:

"Payable out of the State General Fund (Direct)
for 100 Cash Subsidy slots to be phased in over
a period of 12 months

\$	173,376
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Payable out of the State General Fund (Direct)
for Family Support flexible services in the
Community Mental Health Program

\$	140,000"
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AMENDMENT NO. 6

On page 116, between lines 7 and 8, insert the following:

"Payable out of the State General Fund (Direct) to provide funding for diagnosis and evaluation for seven hundred (700) additional MR/DD waiver slots	\$ 140,700
Payable out of the State General Fund (Direct) to Community Based Programs for ten (10) regional intake coordinators to process the seven hundred (700) additional MR/DD waiver slots	\$ 349,360
Payable out of the State General Fund (Direct) to Community Based Programs to increase funding for the Cash Subsidy Program to serve four hundred and thirty-nine (439) additional families through the Community and Family Support System	\$ 746,280
Payable out of the State General Fund (Direct) to Community Based Programs to contract with Families Helping Families in order to expand services and to pilot a single point of entry/information and referral project in two (2) of the ten (10) OCDD regions	\$ 105,000
Payable out of the State General Fund (Direct) to Community Based Programs to contract with Families Helping Families to validate the MR/DD Waiver waiting list	\$ 350,000
Payable out of the State General Fund (Direct) to the Developmental Disabilities Council for the development of a new supported living program for individuals with physical disabilities that occurred after the age of twenty-two (22)	\$ 105,000
Payable out of the State General Fund (Direct) to the Developmental Disabilities Council to develop a statewide information and support service for the parents of children with severe emotional disturbance	\$ 101,500"

Motion

Rep. Landrieu moved the previous question be ordered on the amendments.

Rep. Deville objected.

By a vote of 44 yeas and 45 nays, the House refused to order the previous question on the amendments.

Motion

Rep. DeWitt moved the previous question be ordered on the amendments.

Rep. Landrieu objected.

By a vote of 54 yeas and 35 nays, the House agreed to order the previous question on the amendments.

Rep. Jetson moved the adoption of the amendments.

Rep. LeBlanc objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander, A.—93rd	Holden	Riddle
Barton	Hopkins	Salter
Baudoin	Iles	Schneider
Baylor	Jenkins	Schwegmann
Bowler	Jetson	Shaw
Bruce	Johns	Smith, J.R.—30th
Carter	Kennard	Stelly
Clarkson	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	Long	Thompson
Daniel	Martiny	Thornhill
Diez	McCain	Toomy
Dupre	McCallum	Triche
Durand	McDonald	Vitter
Farve	Michot	Waddell
Faucheux	Mitchell	Warner
Fontenot	Montgomery	Weston
Frith	Morrell	Wiggins
Gautreaux	Murray	Wilkerson
Glover	Perkins	Willard
Green	Pierre	Winston
Guillory	Pinac	Wright
Heaton	Powell	
Hill	Quezaire	
Total—73		

NAYS

Alario	Fruge	Travis
Alexander, R.—13th	Hammett	Walsworth
Bruneau	LeBlanc	Welch
Copelin	McMains	Windhorst
Deville	Pratt	
DeWitt	Scalise	
Dimos	Smith, J.D.—50th	
Total—18		

ABSENT

Mr. Speaker	Hebert	Odinet
Ansardi	Hudson	Romero
Chaisson	Hunter	Rousselle
Donelon	Marionneaux	
Flavin	Morrish	
Total—13		

The amendments were adopted.

Suspension of the Rules

On joint motion of Reps. McDonald and J. R. Smith, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 8, between lines 19 and 20, insert the following:

"Section 15.C. The commissioner of administration is hereby directed to reduce state general fund appropriations for acquisitions throughout all agencies of state government in an amount not to exceed a total of Four Hundred Thousand (\$400,000.00) Dollars."

AMENDMENT NO. 2

On page 101, between lines 29 and 30, insert the following:

"EXPENDITURES:	
To provide through Payments to Private Providers for an additional two hundred (200) slots in the adult day health care waiver program	\$ 1,346,348
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 400,000
Federal Funds	\$ 946,348
TOTAL MEANS OF FINANCING	\$ 1,346,348"

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

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 108, between lines 7 and 8 insert the following:

"Payable out of State General Fund (Direct) for the purchase of atypical psychiatric medications in the Community Mental Health Program	\$ 2,300,000"
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Rep. Shaw moved the adoption of the amendments.

Rep. LeBlanc objected.

By a vote of 31 yeas and 58 nays, the amendments were rejected.

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 8, between lines 19 and 20, insert the following:

"15.C. The commissioner of administration is hereby directed to reduce state general fund appropriations for acquisitions throughout all agencies of state government in an amount not to exceed a total of Sixty Thousand (\$60,000) Dollars."

AMENDMENT NO. 2

On page 202, after line 53, insert the following:

"Payable out of the State General Fund (Direct) for implementation of a tuition payment program for medical school students as provided by R.S. 17:3041.10, et seq. \$ 60,000"

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

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 258, between lines 13 and 14, insert the following:

"Provided, however, that inclusive of the funds appropriated herein, no school system shall provide pay increases (excluding step or merit increases) to any school employee other than classroom teachers until the State Superintendent of Education certifies that the average teacher salary in that school system is at least equal to the most current southern average teacher salary as calculated by the Southern Regional Education Board."

Rep. Scalise moved the adoption of the amendments.

Rep. LeBlanc objected.

By a vote of 19 yeas and 67 nays, the amendments were rejected.

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 257, between lines 10 and 11, insert the following:

"Payable out of the State General Fund (Direct) for the purpose of providing a three percent (3%) increase in the salaries of classroom teachers, through an allocation by the Department of Education to each local school system which does not receive an increase in state Minimum Foundation Program per pupil funding in Fiscal Year 1998-1999 as compared with Fiscal Year 1997-1998	\$ 13,600,000
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Payable out of the State General Fund (Direct) for the purpose of increasing average salaries for classroom teachers, which funds shall be

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distributed by the Department of Education so that each local school system receives an amount approximately equal to 11% of the difference between that entity's average salary for classroom teachers and \$34,991 \$ 21,400,000

Provided, however, that as used in this Schedule, "classroom teacher" shall mean teachers assigned the professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures for the school system are kept."

AMENDMENT NO. 2

On page 257, line 13, change "\$2,159,500,998" to "\$2,087,703,659"

AMENDMENT NO. 3

On page 257, line 38, change "\$2,159,500,998" to "\$2,087,703,659"

AMENDMENT NO. 4

On page 257, line 41, change "\$2,060,000,998" to "\$1,988,203,659"

AMENDMENT NO. 5

On page 257, line 46, change "\$2,159,500,998" to "\$2,087,703,659"

AMENDMENT NO. 6

On page 258, delete lines 1 through 13 in their entirety

AMENDMENT NO. 7

On page 258, between lines 13 and 14, insert the following:

"Payable out of the State General Fund (Direct) for the continued implementation of the Minimum Foundation Program to be distributed in accordance with the formula; provided, however, that such funds shall be available only for expenditure by each local school system as follows: the first priority for expenditure of these funds shall be to provide for increases in the salaries of classroom teachers to the extent that the average annual salary for such personnel employed by the local school system beginning Fiscal Year 1998-1999 shall be equal to \$34,991 per year, or as much of \$34,991 as may be accomplished with 100% of expenditures supported by this appropriation; and, thereafter, any remaining funds shall be available for expenditure by each local school system for other lawful purposes. \$ 71,797,339

Provided, however, that as used in this Schedule, "classroom teacher" shall mean teachers assigned the professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures for the school system are kept."

Rep. Barton moved the adoption of the amendments.

Rep. LeBlanc objected.

By a vote of 54 yeas and 34 nays, the amendments were adopted.

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

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

AMENDMENT NO. 1

On page 272, at the end of line 40, delete "reconstruction" and delete line 41 in its entirety and insert in lieu thereof the following:

"flood control projects between Mansura and Hessmer along the public right-of-way and Bayou Lacombe."

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

The committee rose.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*