

OFFICIAL JOURNAL  
OF THE  
**SENATE**  
OF THE  
STATE OF LOUISIANA

**THIRTEENTH DAY'S PROCEEDINGS**

**Twenty-Eighth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, June 4, 2002

The Senate was called to order at 4:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo

**ABSENT**

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

**Prayer**

The prayer was offered by Senator C. Jones, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator C. Jones, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 4, 2000

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 47—  
BY SENATOR SCHEDLER**

**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to reapply for a Medicaid Infrastructure Grant for calendar years 2003 through 2006 to develop the infrastructure necessary to establish and implement an optional categorically needy Medicaid eligibility group for working individuals with disabilities, commonly referred to as the Medicaid Buy-in program.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 39—  
BY SENATOR ROMERO AND REPRESENTATIVE PIERRE**

**A CONCURRENT RESOLUTION**

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 2002-2003, as adopted by the Wetlands Conservation and Restoration Authority.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 35—  
BY SENATOR HOLDEN**

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to study the Wireless Classroom Project being implemented in the state of Georgia and the feasibility of implementing similar pilot programs in Louisiana.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 4, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 47—  
BY SENATOR JOHNSON**

**AN ACT**

To amend and reenact R.S. 33:9072(D)(1) and to enact R.S. 33:9076, relative to the levy of taxes in municipalities; to authorize the levy and renewal of taxes or parcel fees in specified areas or special districts within such municipalities; to provide relative to the amount, duration, collection, and use of revenue from such taxes or fees; to provide for the term of the special tax or fee; and to provide for related matters.

Reported without amendments.

June 4, 2002

SENATE BILL NO. 58—  
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:603, relative to the corporation franchise tax; to exclude from borrowed capital certain indebtedness of vehicle, boat, and equipment dealers; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 70—

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

AN ACT

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

Reported without amendments.

SENATE BILL NO. 48—  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:9073.1, relative to the levy of taxes in municipalities; to authorize the levy and renewal of taxes or parcel fees in specified areas or special districts within such municipalities; to provide relative to the amount, duration, collection, and use of revenue from such taxes or fees; to create special taxing districts; to provide for the creation, boundaries, governance, and purpose of such districts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 78—

BY SENATOR JOHNSON AND REPRESENTATIVE LUCAS

AN ACT

To enact R.S. 33:2740.54, relative to economic development; to create an economic development district in the lower ninth ward of the city of New Orleans; to provide for governance and administration of the district; to provide for the powers and duties of the governing authority, including the authority to levy taxes and issue bonds subject to voter approval; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

Introduction of Resolutions,  
Senate and Concurrent

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 30—  
BY SENATOR FIELDS

A RESOLUTION

To request the governor and the division of administration to name one of the planned new buildings in Capital Park Master Plan for Governor P.B.S. Pinchback, Louisiana's only black governor.

On motion of Senator Fields, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 31—  
BY SENATOR IRONS

A RESOLUTION

To establish and provide for a task force to study the issues, review the success and failure of available examples, and make recommendations to the Senate and the State Board of Elementary and Secondary Education regarding the feasibility and advisability of dividing large school systems into smaller independent administrative units.

On motion of Senator Irons, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 32—  
BY SENATOR IRONS

A RESOLUTION

To direct the Senate Committee on Commerce, Consumer Protection, and International Affairs to study the financial feasibility for the state of Louisiana to continue funding the Louisiana Capital Companies Tax Credit Program.

On motion of Senator Irons, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 33—  
BY SENATOR FIELDS

A RESOLUTION

To express the sincere condolences of the Senate on the death of Doretha S. Flowers, sister, mother, grandmother, great-grandmother, and great-great grandmother.

On motion of Senator Fields, the resolution was read by title and adopted.

Senator Lambert in the Chair

SENATE CONCURRENT RESOLUTION NO. 48—  
BY SENATOR THOMAS

A CONCURRENT RESOLUTION

To create and provide for the Task Force on the Working Uninsured to study and make recommendations regarding possible solutions to Louisiana's serious problem of many working citizens who are without health insurance.

The resolution was read by title. Senator Thomas moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

	YEAS		
Mr. President	Fields	Lentini	
Bajoie	Fontenot	Malone	
Barham	Gautreaux	Marionneaux	
Bean	Heitmeier	McPherson	
Boissiere	Hines	Mount	
Cain	Holden	Romero	
Campbell	Hollis	Schedler	
Chaisson	Hoyt	Smith	
Cravins	Irons	Tarver	
Dardenne	Johnson	Theunissen	
Dean	Jones, B	Thomas	
Dupre	Jones, C	Ullo	
Ellington	Lambert		
Total—38			
	NAYS		

Total—0  
 ABSENT

Michot  
 Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 49—**  
 BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
 A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the "America's Legislators Back to School Week" slated for September 16-20, 2002, sponsored by the National Conference of State Legislatures.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Schedler  
 Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 50—**  
 BY SENATOR IRONS  
 A CONCURRENT RESOLUTION

To establish and provide for a task force to study the issues, review the success and failure of available examples, and make recommendations to the legislature and the State Board of Elementary and Secondary Education regarding the feasibility and advisability of dividing large school systems into smaller independent administrative units.

The resolution was read by title. Senator Irons moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Cain	Hines	Michot
Campbell	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere	Malone	Thomas
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 51—**  
 BY SENATOR HEITMEIER  
 A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to continue his support of a regional airport and to make the development and construction of such an airport a priority for his administration during the remainder of his term of office.

The resolution was read by title. Senator Heitmeier moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Campbell  
 Total—1

ABSENT

Boissiere	Marionneaux
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

June 4, 2002

**SENATE CONCURRENT RESOLUTION NO. 52—**

BY SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To commend the Little Sisters of the Poor for their work with the impoverished and elderly.

The resolution was read by title. Senator Heitmeier moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Boissiere	Marionneaux
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 53—**

BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To create the Stroke Education Consortium to decrease stroke-related illnesses and death in the state through education of all Louisiana citizens regarding the prevention and treatment of stroke.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Original Senate Concurrent Resolution No. 53 by Senator Hines

AMENDMENT NO. 1

On page 2, between lines 11 and 12, insert the following:

"(8) A representative of the Louisiana Medical Association."

On motion of Senator Hines, the amendments were adopted.

The resolution was read by title. Senator Hines moved to adopt the amended Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	
Total—38		

**NAYS**

Total—0

**ABSENT**

Ullo
Total—1

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 54—**

BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To urge and request that the Department of Health and Hospitals to collect and report specified information quarterly to the Senate and House committees on health and welfare.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—37		

**NAYS**

Total—0

**ABSENT**

Boissiere	Cravins
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 55—**

BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To create the Hospital Intergovernmental Transfer Task Force to study the issues related to the appropriate and fair allocation of funds generated by the certifications of uncompensated care costs and cooperative endeavor agreements by non-state public hospitals.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Malone
Barham	Heitmeier	Marionneau
Bean	Hines	McPherson
Cain	Holden	Michot
Campbell	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bajoie	Boissiere	Cravins
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 56—**

BY SENATOR GAUTREUX AND REPRESENTATIVES DARTEZ AND JACK SMITH

**A CONCURRENT RESOLUTION**

To authorize the Atchafalaya Basin Research and Promotion Board and other appropriate state and local entities to review, study, and analyze certain proposals located in St. Mary Parish for inclusion into the state master plan for the Atchafalaya Basin.

The resolution was read by title. Senator Gautreaux moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneau
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo

Fields	Lentini
Total—38	

**NAYS**

Total—0

**ABSENT**

Boissiere	
Total—1	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 57—**

BY SENATOR FIELDS

**A CONCURRENT RESOLUTION**

To request the governor and the division of administration to name one of the planned new buildings in Capital Park Master Plan for Governor P.B.S. Pinchback, Louisiana's only black governor.

The resolution was read by title. Senator Fields moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneau
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—39		

**NAYS**

Total—0

**ABSENT**

Total—0

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Mr. President in the Chair**

**SENATE CONCURRENT RESOLUTION NO. 58—**

BY SENATOR LAMBERT AND REPRESENTATIVE NEVERS

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to hold a national referendum on a constitutional amendment to allow voluntary prayer in public schools.

The resolution was read by title. Senator Lambert moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

June 4, 2002

Mr. President	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Dean  
Total—1

ABSENT

Jones, B  
Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senator Lambert in the Chair**

**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.

The resolution was read by title. Senator C. Jones moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

June 4, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**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.

**HOUSE BILL NO. 55—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:297(M), relative to individual income tax credits; to authorize a credit for federally qualifying long-term care insurance premiums paid by individuals; to provide for an effective date; and to provide for related matters.

**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.

**HOUSE BILL NO. 31—**  
BY REPRESENTATIVE STELLY  
A JOINT RESOLUTION

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

**HOUSE BILL NO. 36—**  
BY REPRESENTATIVE STELLY  
AN ACT

To amend and reenact R.S. 47:32(A), 112(A), 287.445(C), 293(6)(a)(iv) and (7), 295, and 1623(D) and to repeal R.S. 47:112(B) and (C), 293(2) and (6)(a)(i), and 296, relative to the individual income tax; to revise the tax brackets; to repeal the deduction for excess federal itemized deductions; to authorize the secretary of the Department of Revenue to promulgate income tax and withholding tax tables; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 241—**  
BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, DURAND,  
FAUCHEUX, FLAVIN, FRITH, GULLORY, 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.

**HOUSE BILL NO. 58—**  
BY REPRESENTATIVES HEBERT, SCALISE, TOOMY, AND WALSWORTH  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a) and (2)(a) of the Constitution of Louisiana, to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older shall not be required to reapply and requalify annually; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 153—**  
BY REPRESENTATIVES RICHMOND AND MURRAY  
AN ACT

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

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**House Bills and Joint Resolutions**

Senator Heitmier asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

**HOUSE BILL NO. 31—**  
BY REPRESENTATIVE STELLY  
A JOINT RESOLUTION

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

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 36—**  
BY REPRESENTATIVE STELLY  
AN ACT

To amend and reenact R.S. 47:32(A), 112(A), 287.445(C), 293(6)(a)(iv) and (7), 295, and 1623(D) and to repeal R.S. 47:112(B) and (C), 293(2) and (6)(a)(i), and 296, relative to the individual income tax; to revise the tax brackets; to repeal the deduction for excess federal itemized deductions; to authorize the secretary of the Department of Revenue to promulgate income tax and withholding tax tables; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 55—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:297(M), relative to individual income tax credits; to authorize a credit for federally qualifying long-term care insurance premiums paid by individuals; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 58—**  
BY REPRESENTATIVES HEBERT, SCALISE, TOOMY, AND WALSWORTH  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a) and (2)(a) of the Constitution of Louisiana, to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older shall not be required to reapply and requalify annually; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 153—**  
BY REPRESENTATIVES RICHMOND AND MURRAY  
AN ACT

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

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**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.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**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.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**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, GAUTREAU, 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.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 4, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 64— BY REPRESENTATIVES MORRELL, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH AND SENATORS BAJOIE, BOISSIERE, CRAVINS, C. FIELDS, HOLDEN, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of thirteen-year-old Tellis Lowell Green of Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 65— BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To memorialize the United States Congress and United States Department of Agriculture to keep open the USDA Agricultural Research Service Honeybee Breeding, Genetics, and Physiology Laboratory in Baton Rouge, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 66— BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 67— BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 68— BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

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

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Concurrent Resolutions

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 64— BY REPRESENTATIVES MORRELL, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GREEN, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, QUEZAIRE, RICHMOND, SWILLING, AND WELCH AND SENATORS BAJOIE, BOISSIERE, CRAVINS, C. FIELDS, HOLDEN, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of thirteen-year-old Tellis Lowell Green of Baton Rouge.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 65— BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To memorialize the United States Congress and United States Department of Agriculture to keep open the USDA Agricultural Research Service Honeybee Breeding, Genetics, and Physiology Laboratory in Baton Rouge, Louisiana.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc.

Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 66—**  
BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Dardenne moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 67—**  
BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

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

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator McPherson moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	

Total—38

NAYS

Total—0

ABSENT

Mr. President

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**RETIREMENT**

Senator Boissiere, Chairman on behalf of the Committee on Retirement, submitted the following report:

June 4, 2002

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

**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.

June 4, 2002

Reported with amendments.

Respectfully submitted,  
LAMBERT BOISSIERE, JR.  
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 3, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 26—  
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH  
AN ACT

To amend and reenact R.S. 47:302(P), 321(G), and 331(N), relative to the sales and use tax; to extend the effectiveness of the exemption for purchases of utilities used by certain steelworks and blast furnaces; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 59—  
BY REPRESENTATIVES HEBERT, ALARIO, R. ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, R. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GUILLORY, HAMMETT, HEATON, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, KATZ, KENNARD, LAFLEUR, LANDRIEU, LUCAS, MARTINY, MCCALLUM, MCDONALD, MONTGOMERY, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PITRE, POWELL, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WOOTON, AND WRIGHT  
AN ACT

To amend and reenact R.S. 47:1712, relative to the ad valorem tax; to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older shall not be required to reapply annually; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 68—  
BY REPRESENTATIVE THOMPSON  
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to property taxation; to authorize the State Board of Commerce and Industry to contract with developers of retirement communities for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 84—  
BY REPRESENTATIVE THOMPSON  
AN ACT

To enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4351 through 4356, relative to property taxation; to authorize the Board of Commerce and Industry to enter into ad valorem tax exemption contracts for development of retirement communities; to provide for contract terms and conditions; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 124—  
BY REPRESENTATIVES HAMMETT, DANIEL, MONTGOMERY, BROOME, AND PIERRE  
AN ACT

To enact R.S. 47:301(16)(h), relative to state sales and use tax; to define tangible personal property for purposes of state sales and use taxes to exclude certain digital television and digital radio conversion equipment; to provide a state sales and use tax credit for the purchase of certain equipment; to authorize local taxing authorities to provide a local exemption or credit for purchases of certain equipment; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 205—  
BY REPRESENTATIVES JOHNS, HILL, AND MONTGOMERY  
AN ACT

To enact R.S. 47:301(16)(h), relative to state and local sales and use taxes; to provide for the exclusion of purchases of certain property by nonprofit blood banks and blood collection centers; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 207—  
BY REPRESENTATIVES JOHNS, HILL, AND MONTGOMERY  
AN ACT

To enact R.S. 47:301(16)(h), relative to state and local sales and use tax; to exclude apheresis kits and leuko reduction filters used by nonprofit blood banks and blood collection centers from the definition of tangible personal property; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 236—  
BY REPRESENTATIVES DANIEL AND JOHNS  
AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to severance tax exemptions; to suspend the severance tax on inactive wells; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

Respectfully submitted,

ROBERT J. BARHAM  
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 4, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 81—  
BY SENATOR FIELDS

AN ACT

To enact R.S. 47:305.52 relative to sales and use taxes; to suspend exemptions for certain taxpayers if such taxpayer becomes delinquent in payment of taxes; and to provide for related matters.

Reported with amendments.

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.

Reported with amendments.

HOUSE BILL NO. 158—  
BY REPRESENTATIVES LANDRIEU, ALARIO, R. ALEXANDER, ANSARDI, BROOME, BRUNEAU, K. CARTER, DAMICO, DANIEL, DEVILLIER, DIEZ, DURAND, FAUCHEAU, FUTRELL, HEATON, HEBERT, HUDSON, HUNTER, HUTTER, L. JACKSON, LAFLEUR, LANCASTER, LUCAS, MONGOMERY, MORRELL, MURRAY, PINAC, PITRE, QUEZAIRE, SCALISE, SCHWEGMANN, SWILLING, THOMPSON, TOOMY, AND WRIGHT

AN ACT

To enact R.S. 47:301(3)(h), (13)(g), and (24), relative to the state and local sales and use tax; to provide for an exclusion for certain costs of certain publishing businesses; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 4, 2002

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 41—  
BY SENATOR HINES AND REPRESENTATIVE RIDDLE  
A CONCURRENT RESOLUTION

To recognize the Avoyel-Taensa Tribe/Nation of Louisiana as an Indian tribe of Louisiana

Reported with amendments.

Respectfully submitted,  
DONALD R. CRAVINS  
Chairman

Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 81—  
BY SENATOR FIELDS

AN ACT

To enact R.S. 47:305.52 relative to sales and use taxes; to suspend exemptions for certain taxpayers if such taxpayer becomes delinquent in payment of taxes; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 81 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, delete "305.52" and insert "1602(D)" and after "use" change "taxes" to "tax and other tax exemptions"

AMENDMENT NO. 2

On page 1, line 6, delete "305.52" and insert "1602(D)"

AMENDMENT NO. 3

On page 1, delete line 7, and insert:

"§1602. Penalty for failure to make timely return  
\* \* \*

**R.S. 47:1602(D) is all proposed new law."**

AMENDMENT NO. 4

On page 1, at the beginning of line 8, insert "D.(1)"

AMENDMENT NO. 5

On page 1, delete lines 9 through 11, and insert: "exemption granted to a taxpayer under a tax incentive contract except a contract granted pursuant to Article VII, Section 21(F) shall be suspended if at any time during the contract there is a final, non-appealable judgment against the taxpayer for non-payment of taxes.

(2) The secretary shall send a notice by certified mail to the taxpayer at the address given in the last report filed by the taxpayer, or to any address obtainable from any private entity which will provide such address free of charge or from any federal, state, or local government entity, including but not limited to the United States Postal Service or from United States Postal Service certified software informing him of the following:

(a) That there is a final, non-appealable judgment against him for non-payment of taxes.

(b) That he has thirty days from the date of the notice to pay the tax, penalty, and interest due or the exemptions granted under the tax incentive contract will be suspended.

(c) That the suspension will continue until the tax, penalty, and interest due under the final, non-appealable judgment are paid in full.

(3) The provisions of this Section shall not apply if the taxpayer has paid the amount due under protest in accordance with R.S. 47:1576 or has entered into an installment agreement with the department for the payment of the amount due and is in compliance with the terms of the agreement.

(4) For the purposes of this Subsection, during the period of suspension, the exemptions granted under the tax incentive contract are inoperable and of no effect."

On motion of Senator Barham, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 26—**  
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH  
AN ACT

To amend and reenact R.S. 47:302(P), 321(G), and 331(N), relative to the sales and use tax; to extend the effectiveness of the exemption for purchases of utilities used by certain steelworks and blast furnaces; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 59—**  
BY REPRESENTATIVES HEBERT, ALARIO, R. ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BEARD, BOWLER, BROOME, BRUCE, CAPELLA, R. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GUILLORY, HAMMETT, HEATON, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, KATZ, KENNARD, LAFLEUR, LANDRIEU, LUCAS, MARTINY, MCCALLUM, MCDONALD, MONTGOMERY, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PITRE, POWELL, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WOOTON, AND WRIGHT  
AN ACT

To amend and reenact R.S. 47:1712, relative to the ad valorem tax; to provide that persons qualifying for the special assessment level for certain persons aged sixty-five and older shall not be required to reapply annually; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 68—**  
BY REPRESENTATIVE THOMPSON  
A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to property taxation; to authorize the State Board of Commerce and Industry to contract with developers of retirement communities for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 84—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4351 through 4356, relative to property taxation; to authorize the Board of Commerce and Industry to enter into ad valorem tax exemption contracts for development of retirement communities; to provide for contract terms and conditions; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**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.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**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."

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**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.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 124—**BY REPRESENTATIVES HAMMETT, DANIEL, MONTGOMERY, BROOME,  
AND PIERRE

## AN ACT

To enact R.S. 47:301(16)(h), relative to state sales and use tax; to define tangible personal property for purposes of state sales and use taxes to exclude certain digital television and digital radio conversion equipment; to provide a state sales and use tax credit for the purchase of certain equipment; to authorize local taxing authorities to provide a local exemption or credit for purchases of certain equipment; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 124 by Representative Hammett

AMENDMENT NO. 1

On page 4, line 2, delete "or 76"

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 158—**BY REPRESENTATIVES LANDRIEU, ALARIO, R. ALEXANDER, ANSARDI,  
BROOME, BRUNEAU, K. CARTER, DAMICO, DANIEL, DEVILLIER, DIEZ,  
DURAND, FAUCHEAU, FUTRELL, HEATON, HEBERT, HUDSON, HUNTER,  
HUTTER, L. JACKSON, LAFLÉUR, LANCASTER, LUCAS, MONTGOMERY,  
MORRELL, MURRAY, PINAC, PITRE, QUEZAIRE, SCALISE,  
SCHWEGMANN, SWILLING, THOMPSON, TOOMY, AND WRIGHT

## AN ACT

To enact R.S. 47:301(3)(h), (13)(g), and (24), relative to the state and local sales and use tax; to provide for an exclusion for certain costs of certain publishing businesses; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 205—**

BY REPRESENTATIVES JOHNS, HILL, AND MONTGOMERY

## AN ACT

To enact R.S. 47:301(16)(h), relative to state and local sales and use taxes; to provide for the exclusion of purchases of certain property by nonprofit blood banks and blood collection centers; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 207—**

BY REPRESENTATIVES JOHNS, HILL, AND MONTGOMERY

## AN ACT

To enact R.S. 47:301(16)(h), relative to state and local sales and use tax; to exclude apheresis kits and leuko reduction filters used by nonprofit blood banks and blood collection centers from the definition of tangible personal property; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 236—**

BY REPRESENTATIVES DANIEL AND JOHNS

## AN ACT

To amend and reenact R.S. 47:633(7)(c)(iv)(introductory paragraph) and (aa), relative to severance tax exemptions; to suspend the severance tax on inactive wells; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**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.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**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

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**Mr. President in the Chair****Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

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

## AN ACT

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

June 4, 2002

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

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

AMENDMENT NO. 1

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 38 by Senator Ellington (Duplicate of H.B. No. 265)

AMENDMENT NO. 1

On page 1, line 4, after "exclusion" delete "from income for" and insert "for certain income reported to"

AMENDMENT NO. 2

On page 2, line 22, after "§297.3." insert "Exclusion from income;"

AMENDMENT NO. 3

On page 2, line 24, change "years" to "taxable periods"

AMENDMENT NO. 4

On page 2, line 26, after "to the" insert "S Bank" and after "shareholder's" delete "S Bank"

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Dean, Dupre, Ellington, Total—39; Fields, Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of allowing the committee on Finance to meet without the required 24 hour notice.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 4, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To recognize and commend Dora Stone on her exemplary accomplishment of being awarded a General Educational Development (GED) certificate from the state of Louisiana at age seventy-four.

Respectfully submitted, CHRIS ULLO Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 4, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE ILES

A CONCURRENT RESOLUTION

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to meet and function as a joint committee and study the issue of requiring health insurance coverage for outpatient lactation support assistance for new mothers.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

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

**HOUSE CONCURRENT RESOLUTION NO. 58—**  
BY REPRESENTATIVE R. ALEXANDER  
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide prescription drug coverage to qualified Medicare beneficiaries on a pilot basis and to provide for the areas covered in the pilot.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

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

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 4, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 12—**  
BY REPRESENTATIVES HAMMETT AND THOMPSON  
AN ACT

To amend and reenact Section 2 of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1 of Act No. 7 of the 2000 Regular Session of the Legislature, relative to the imposition of the occupational license tax on utilities selling electricity or gas in more than one municipality; to extend the applicability of the law; and to provide for related matters.

**HOUSE BILL NO. 130—**  
BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, HILL, AND THOMPSON  
AN ACT

To amend and reenact R.S. 47:305(D)(1)(i) and (H), relative to the sales and use tax; to provide relative to trucks and automobiles used as demonstrators; and to provide for related matters.

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

To amend and reenact Section 3 of Act No. 12 of the 1996 Regular Session of the Legislature, as amended by Act No. 10 of the 1998 Regular Session of the Legislature and by Act No. 28 of the 2000 Regular Session of the Legislature, relative to sales and use tax; to extend the time limitation of the exclusion for certain transactions involving motor vehicles purchased for subsequent lease; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 166—**  
BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 167—**  
BY REPRESENTATIVES DEWITT AND HAMMETT  
AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Adjournment**

Senator Lambert moved that the Senate adjourn until Wednesday, June 5, 2002, at 6:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 6:00 o'clock P.M. on Wednesday, June 5, 2002.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk