

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

SIXTEENTH DAY'S PROCEEDINGS

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Monday, June 8, 1998

The Senate was called to order at 9:30 o'clock A.M., by Hon. Randy Ewing, President of the Senate.

**ROLL CALL**

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

PRESENT

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—39		

ABSENT

Total—0

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

**Prayer**

The prayer was offered by Senator Smith, 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 Smith, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Rules Suspended**

Senator Barham asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Without objection, so ordered.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bagneris 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. 41—**

BY SENATOR JONES

A RESOLUTION

To urge and request the Louisiana State University Medical Center to confer with community and civic organizations to improve prostate and cervical cancer screening rates among African Americans.

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

**SENATE CONCURRENT RESOLUTION NO. 62—**

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Medical Center to confer with community and civic organizations to improve prostate and cervical cancer screening rates among African Americans.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields C	Robichaux
Bean	Fields W	Romero
Branch	Greene	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Jones	Tarver
Dardenne	Jordan	Theunissen
Dean	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Bagneris	Irons	Ullo
Cravins	Johnson	
Hainkel	Landry	
Total—7		

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

**Privilege Report of the  
Legislative Bureau**

June 8, 1998

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

June 8, 1998

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE WINDHORST

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives, to provide procedures for and deadlines relative to legislative instruments recommitted due to fiscal impact; and to prohibit the recommitment of certain legislative instruments with a fiscal impact.

Reported without amendments.

Respectfully submitted, DENNIS BAGNERIS Chairman

Adoption of Legislative Bureau Report

On motion of Senator Bagneris, the Bills and Joint Resolutions were read by title and passed to a third reading.

Senate Resolutions on Second Reading to be Referred

The following Senate Resolutions were read and referred to committees as follows:

SENATE RESOLUTION NO. 39—

BY SENATOR DARDENNE

A RESOLUTION

To create a special Senate committee composed of members of the Senate Committee on Finance and members of the Senate Committee on Revenue and Fiscal Affairs to study the Louisiana Public Facilities Authority and the Louisiana Local Government Environmental Facilities and Community Development Authority, funds which are available to them, and issues related to funding local projects with state general funds and bonds.

On motion of Senator Bagneris, the resolution was read by title and returned to the Calendar, subject to call.

House Concurrent Resolutions on Second Reading to be Referred

The following House Concurrent Resolutions were read by title and referred to committees as follows:

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE DAMICO

A CONCURRENT RESOLUTION

To memorialize the United States Environmental Protection Agency (EPA) to help the states comply with Title VI of the Civil Rights Act and to adopt sensible and reasonable policies for investigating and resolving Title VI administrative complaints challenging permits and to memorialize the members of the Louisiana congressional delegation to take full notice of the governor's and the legislature's strong support of the Environmental Council of the States (ECOS) resolution condemning the application of the United States Environmental Protection Agency's (EPA) standards for "Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits" and take appropriate steps in congress to declare that these "Interim Guidance" standards violate the congressional intent of both the Civil Rights Act and the various federal environmental laws, and should be formally withdrawn by EPA.

Rules Suspended

Senator Malone asked for and obtained a suspension of the rules for the purpose of hearing House Concurrent Resolution No. 94 at this time.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Bean, Branch, Cain, Casanova, Hines, Jones, Lambert, Malone, Romero, Short, Siracusa, Smith, Theunissen. Total—14

NAYS

Table listing nays: Barham, Campbell, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Hainkel, Hollis, Irons, Jordan, Lentini, Robichaux, Schedler, Tarver. Total—18

ABSENT

Table listing absent: Mr. President, Bagneris, Greene, Heitmeier, Johnson, Landry, Ullo. Total—7

The Chair declared the Senate refused to suspend the rules.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Environmental Quality.

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

HOUSE BILL NO. 143—

BY REPRESENTATIVE MONTGOMERY AND SENATORS CRAVINS, BEAN, AND TARVER

AN ACT

To amend and reenact R.S. 27:391 and to enact R.S. 27:393, relative to the taxation of slot machine gaming at certain live horse racing tracks as authorized by Act 721 of the 1997 Regular Session of the Legislature; to provide with respect to the authority of certain local governing authorities to levy a tax on taxable net slot machine proceeds; to levy a tax on taxable net slot machine proceeds; and to provide for related matters.

Motion to Make Special Order

Senator Cravins moved that House Bill No. 143 be made Special Order of the Day No. 1 on Tuesday, June 9, 1998 immediately following the Morning Hour.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Barham, Bean, Fields C, Fields W, Greene, Landry, Lentini, Malone.

Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cox	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		

NAYS

Dean  
Total—1

ABSENT

Mr. President  
Total—2

Bagneris

The Chair declared that House Bill No. 143 was made Special Order of the Day, No. 1 on Tuesday, June 9, 1998 immediately following the Morning Hour.

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

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

**SENATE RESOLUTION NO. 32—**  
BY SENATOR DARDENNE

A RESOLUTION

To adopt Senate Rule No.8.4 of the Rules of Order of the Senate, to require the appointment of members to conference committees after the rejection of amendments.

On motion of Senator Bagneris, the resolution was read by title and returned to the Calendar, subject to call.

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

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

**HOUSE BILL NO. 2—**  
BY REPRESENTATIVES ALARIO, LEBLANC, DOWNER, AND THOMPSON  
AND SENATORS BARHAM AND HAINKEL  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 15—**  
BY REPRESENTATIVES FAUCHEUX AND DURAND  
AN ACT

To enact R.S. 47:305.51, relative to state and local sales and use tax; to provide for an exemption for motor vehicles of certain retirees upon becoming domiciled in Louisiana; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 19—**  
BY REPRESENTATIVE FAUCHEUX  
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 with developers of retirement communities; to provide for contract terms and conditions; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 97—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To enact R.S. 47:301(16)(d), relative to the sales and use tax; to define tangible personal property to exclude certain work products which are created in the normal course of business by any person licensed or regulated by the provisions of Title 37 of the Louisiana Revised Statutes of 1950; to provide for certain exceptions; to provide for an effective date; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 114—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:301(7)(h), relative to state and local sales and use taxes; to provide for the exclusion of certain leases or rentals of motor vehicles to automobile dealerships; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Lambert	Ullo
Dyess	Landry	
Total—35		

NAYS

Branch	Hainkel	Jordan
Total—3		

ABSENT

Bagneris  
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Branch asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 114. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 129— BY REPRESENTATIVE LANDRIEU AN ACT

To enact R.S. 47:6012, relative to corporate taxation; to provide for a tax credit for corporations to be taken against the corporation income and franchise taxes for the donation of certain property to a public school; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 169— BY REPRESENTATIVE COPELIN AN ACT

To amend and reenact R.S. 47:33 and to enact R.S. 47:297(L), relative to the individual income tax; to provide for a credit for taxes paid to another state on income from property in such state which is also subject to taxation in Louisiana; to provide a credit for retired persons over the age of sixty-five years old; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 180— BY REPRESENTATIVES THOMAS AND STRAIN AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to be used to pay certain legal expenses incurred by Benjamin B. Rayburn in his successful defense of criminal charges brought against him, which charges arose from actions taken by him in the discharge of his duties and within the scope of his membership in the Louisiana Senate; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 233— BY REPRESENTATIVE DANIEL AND SENATOR BARHAM AN ACT

To amend and reenact R.S. 47:321(A) and to enact R.S. 47:301(14)(i)(iii)(gg) and (16)(d), relative to state sales and use tax; to provide for the taxation of prepaid telephone calling cards and prepaid authorization numbers; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 233 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 3, following "in" and before the period ".", change "R.S. 47:301(16)(d)" to "Subparagraph (16)(d) of this Section"

On motion of Senator Bagneris, the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names and their corresponding counts for YEAS. Includes Mr. President, Bajajo, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Heitmeier, Hines, Hollis, Johnson, Jones, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 2 columns listing names and their corresponding counts for NAYS. Includes Hainkel, Jordan.

ABSENT

Table with 3 columns listing names and their corresponding counts for ABSENT. Includes Bagneris, Irons, Lambert.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 286— BY REPRESENTATIVES DIEZ AND ILES AN ACT

To amend and reenact R.S. 47:820.2(B) and (D) and 820.4, relative to the Transportation Infrastructure Model for Economic Development program; to increase expenditure amounts of certain projects; to provide for an extension of the four cents per gallon tax on gasoline, motor fuels, and special fuels; to provide for the creation of a priority listing of projects; to provide for the submission of progress reports; to provide for reports by the Revenue Estimating Conference and the Transportation Estimating Conference; to provide relative to the issuance of bonds; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Barham asked that House Bill No. 2 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2— BY REPRESENTATIVES ALARIO, LEBLANC, DOWNER, AND THOMPSON AND SENATORS BARHAM AND HAINKEL AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and

improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Barham sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Barham to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 68, 71, and 131 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 2

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998, on page 1, line 8, change "\$15,334,704" to "\$15,154,704"

AMENDMENT NO. 3

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998, on page 1, line 39, after "Tournament" delete "of"

AMENDMENT NO. 4

In Senate Committee Amendment No. 91 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998, on page 16, line 44, change "\$500,000" to "\$500,000"

AMENDMENT NO. 5

In Senate Committee Amendment No. 146 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998, on page 28, line 34, after "Tournament" delete "of"

AMENDMENT NO. 6

On page 9, line 6, change "\$10,640,000" to "\$8,640,000"

On motion of Senator Barham, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Short sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Short to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 82, between lines 31 and 32 insert the following:

"Payable from State General Fund (Direct) \$500,000"

AMENDMENT NO. 2

On page 82, line 33, delete the "double underline" and insert a "single underline"

AMENDMENT NO. 3

On page 82, after line 33 insert the following:

"Total \$3,000,000

Senator Short moved adoption of the amendments.

Senator Barham objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Cain	Malone	Syracusa
Landry	Short	
Total—5		

NAYS

Mr. President	Ellington	Jordan
Barham	Fields C	Lambert
Branch	Fields W	Lentini
Campbell	Greene	Robichaux
Casanova	Hainkel	Schedler
Cox	Heitmeier	Smith
Cravins	Hines	Tarver
Dardenne	Hollis	Theunissen
Dean	Irons	Ullo
Dyess	Jones	
Total—29		

ABSENT

Bagneris	Bean	Romero
Bajoie	Johnson	
Total—5		

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Irons sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris, Irons and Hainkel to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 82, between lines 24 and 25, insert the following:

"50/N70 REGIONAL TRANSIT AUTHORITY

(1191)	Canal Street corridor Streetcar	
	Final Design and Construction	
	(80% Federal match; 16% State; 4% Other)	
	(Orleans)	
	Payable from General Obligation Bonds	
	Priority 3	\$ 3,300,000
	Priority 4	<u>\$20,800,000</u>
	Total	\$24,100,000"

Senator Irons moved adoption of the amendments.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields W	Landry
Bajoie	Hainkel	Malone
Bean	Heitmeier	Robichaux
Cain	Hines	Schedler
Campbell	Hollis	Smith
Cox	Irons	Theunissen

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Cravins	Johnson	Ullo
Dyess	Jones	
Fields C	Jordan	
Total—25		
	NAYS	
Barham	Dean	Lentini
Branch	Ellington	Short
Casanova	Greene	Tarver
Dardenne	Lambert	
Total—11		
	ABSENT	
Bagneris	Romero	Siracusa
Total—3		

The Chair declared the amendments were adopted.

**Personal Privilege**

Senator Barham asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Irons to House Bill No. 2. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 97 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998, delete lines 19 through 30.

AMENDMENT NO. 2

Delete Senate Committee Amendment No. 110 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 3

On page 63, between lines 25 and 26, insert the following:

"50/J21 FRANKLIN PARISH

( ) Big Creek Road, Planning and Construction  
(\$25,000 Local Match)  
(Franklin)  
Payable from General Obligation Bonds  
Priority 2 \$25,000

( ) Carson Road, Planning and Construction  
(\$25,000 Local Match)  
(Franklin)  
Payable from General Obligation Bonds  
Priority 2 \$25,000"

AMENDMENT NO. 4

On page 67, after line 43, insert the following:

"50/J40 RAPIDES PARISH

( ) Military Maneuvers Museum at Camp  
Beauregard, Planning and Construction  
(Rapides)

Payable from General Obligation Bonds  
Priority 2 \$100,000"

AMENDMENT NO. 5

On page 76, delete lines 35 through 42, and insert the following:

"( ) Castor Creek/Little River Reservoirs,  
Design and Construction  
(Grant, LaSalle, Winn)  
Payable from General Obligation Bonds  
Priority 2 \$700,000  
Priority 3 \$500,000  
Priority 5 \$605,000  
Total \$1,805,000"

Senator Ellington moved adoption of the amendments.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bajoie	Fields W	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Johnson	Tarver
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—34		

NAYS

Dean  
Total—1

ABSENT

Bagneris  
Cravins  
Total—4  
Irons  
Romero

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 28, between lines 10 and 11, insert the following:

"( ) Cloutierville Canal Weir Rehabilitation,  
Planning and Construction  
(Natchitoches)  
Payable from the balance of General Obligation  
Bonds Proceeds previously allocated under the  
authority of Act 45 of 1994 for Hampton Canal  
Flood Gate and Rehabilitation and Modification  
to Various Red River Levee Water Control

Structures (Natchitoches, Red River) \$ 16,336"

On motion of Senator Short, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Finance and adopted by the Senate on June 7, 1998, on page 1, delete lines 24 through 28

AMENDMENT NO. 2

On page 25, line 9, change "\$120,000,000" to "\$128,000,000"

AMENDMENT NO. 3

On page 25, line 18, change "\$130,800,000" to "\$138,800,000"

AMENDMENT NO. 4

On page 25, line 22, change "\$492,700,000" to "\$500,700,000"

Senator Landry moved adoption of the amendments.

Senator Hines objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields C	Lentini
Campbell	Fields W	Malone
Cox	Irons	Schedler
Cravins	Jordan	Short
Dean	Landry	
Total—14		

NAYS

Mr. President	Ellington	Robichaux
Bagneris	Greene	Romero
Barham	Hainkel	Siracusa
Bean	Heitmeyer	Smith
Branch	Hines	Tarver
Cain	Hollis	Theunissen
Casanova	Johnson	Ullo
Dardenne	Jones	
Dyess	Lambert	
Total—25		

ABSENT

Total—0

The Chair declared the amendments were rejected.

On motion of Senator Barham, the amended bill was read by title and returned to the Calendar, subject to call.

**Rules Suspended**

Senator Barham asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON EDUCATION**

Senator Greene, Chairman on behalf of the Committee on Education, submitted the following report:

June 8, 1998

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 104—**

BY REPRESENTATIVE MCDONALD

**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 1, 1998, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

Reported favorably.

Respectfully submitted,  
THOMAS A. GREENE  
Chairman

**House Concurrent Resolutions on Second Reading Reported by Committees**

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

**HOUSE CONCURRENT RESOLUTION NO. 104—**

BY REPRESENTATIVE MCDONALD

**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 1, 1998, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

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

**Privilege Report of the Legislative Bureau**

June 8, 1998

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVE MCDONALD

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 1, 1998, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

Reported without amendments.

Respectfully submitted, DENNIS BAGNERIS Chairman

Adoption of Legislative Bureau Report

On motion of Senator Bagneris, the Bills and Joint Resolutions were read by title and passed to a third reading.

Recess

On motion of Senator Barham, the Senate took a recess until 1:30 o'clock P.M.

After Recess

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Table listing present members: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

ABSENT

Total—0

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

Senate Business Resumed

House Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call, Resumed

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Barham asked that House Bill No. 2 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2—

BY REPRESENTATIVES ALARIO, LEBLANC, DOWNER, AND THOMPSON AND SENATORS BARHAM AND HAINKEL

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 59, delete lines 14 through 22

AMENDMENT NO. 2

Delete Senate Committee Amendment No. 53 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

On motion of Senator Dean, the amendments were adopted.

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 73 and 82 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 2

Delete Senate Committee Amendment Nos. 18 and 25 proposed by the Senate Committee on Finance and adopted by the Senate on June 7, 1998.

AMENDMENT NO. 3

On page 67, delete lines 40 through 43 and insert the following:

Table with 2 columns: Description and Amount. Rows include: Payable out of State General Fund (Direct) \$50,000; Payable from General Obligation Bonds; Priority 2 \$300,000; Priority 5 \$385,000; Total \$735,000

(1457) Gross Tete Bayou/False Fiver Drainage (Pointe Coupee) Payable from State General Fund (Direct) \$200,000"

AMENDMENT NO. 4

On page 64, delete lines 5 through 9 and insert the following:

"(\$650,000 Non-State Match,

Consisting of Cash and In-Kind)  
(Iberville)  
Payable out of State General Fund (Direct) \$50,000  
Payable from General Obligation Bonds  
Priority 2 \$120,000  
Priority 5 \$480,000  
Total \$650,000"

AMENDMENT NO. 5

On page 64, delete lines 14 through 17 and insert the following:

"Payable out of State General Fund (Direct) \$10,000  
Payable from General Obligation Bonds  
Priority 2 \$15,000  
Priority 5 \$225,000  
Total \$250,000"

On motion of Senator Greene, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Theunissen sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 7, 1998, in Amendment No. 4, between lines 28 and 29, insert the following:  
"Provided that \$7,700,000 of the above funds shall be transferred to the Louisiana Agriculture Finance Authority for the express purpose of funding infrastructure purchases, acquisitions, and construction of a rail intermodal system to expedite the hauling of sugar cane by rail in Louisiana beginning in the fall of 1998; and provided that \$300,000 of the above funds shall be transferred through the Louisiana Agriculture Finance Authority to the American Sugar Cane League Foundation to match equal funding for a Louisiana sugar industry study to investigate infrastructure needs, planning design, and construction needs of the industry."

Senator Theunissen moved adoption of the amendments.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Robichaux
Bagneris	Ellington	Romero
Barham	Greene	Siracusa
Branch	Hainkel	Smith
Cain	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Jones	
Dardenne	Lambert	
Total—22		

NAYS

Bajoie	Heitmeier	Malone
Bean	Irons	Schedler
Campbell	Johnson	Short
Dean	Landry	Ullo
Fields W	Lentini	
Total—14		

ABSENT

Cravins	Fields C	Jordan
Total—3		

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Ullo sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 17, line 21, change "(St. Bernard)" to "(St. Bernard or West Jefferson)"

AMENDMENT NO. 2

On page 17, line 24, change "200,00" to "2,500,000"

AMENDMENT NO. 3

On page 17, line 25, change "1,500,000" to "2,500,000"

AMENDMENT NO. 4

On page 17, line 26, change "11,062,595" to "14,362,595"

Senator Ullo moved adoption of the amendments.

Senator Hainkel objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields C	Landry
Campbell	Fields W	Robichaux
Cox	Hollis	Romero
Cravins	Irons	Short
Dean	Jordan	Ullo
Ellington	Lambert	
Total—17		

NAYS

Mr. President	Dardenne	Jones
Bagneris	Dyess	Lentini
Barham	Greene	Malone
Bean	Hainkel	Schedler
Branch	Heitmeier	Smith
Cain	Hines	Tarver
Casanova	Johnson	
Total—20		

ABSENT

Siracusa	Theunissen
Total—2	

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Romero sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

June 8, 1998

Amendments proposed by Senator Romero to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 127 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 2

On page 63, after line 39, insert the following:

"( ) Iberia Parish Multi-Purpose Livestock and Agricultural Facility, Planning, Design, and Construction (Iberia) Payable from General Obligation Bonds Priority 5 \$335,000"

On motion of Senator Romero, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Malone sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Malone to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 6 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 2

On page 18, delete lines 19 through 25.

AMENDMENT NO. 3

On page 26, between lines 12 and 13, insert the following:

"( ) Arthur Ray Teague Parkway and the Shreveport-Barksdale Bridge, Planning and Construction of an Interchange with On/Off Ramps (Bossier) Payable from General Obligation Bonds Priority 1 \$1,970,000 Priority 5 \$4,030,000 Total \$6,000,000"

Senator Malone moved adoption of the amendments.

Senator Ullo objected.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Campbell	Fields C	Romero
Cox	Lambert	
Cravins	Malone	
Total—7		
	NAYS	
Mr. President	Dyess	Jordan
Bagneris	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Robichaux

Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Smith
Casanova	Hollis	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Total—30		

ABSENT

Irons	Siracusa
Total—2	

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 102 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998

AMENDMENT NO. 2

In Senate Committee Amendment No. 37, proposed by the Senate Committee on Finance and adopted by the Senate on June 7, 1998, on page 8, delete lines 31 through 34 and insert the following:

"(1508)Bernstein Park Drive, Planning and Construction (\$50,000 Local Match for Planning) (Ouachita) Payable from State General Fund (Direct) \$ 100,000 Payable from General Obligation Bonds Priority 5 \$ 1,000,000 Total \$ 1,100,000"

AMENDMENT NO. 3

On page 74, delete lines 39 and 40, and insert in lieu thereof the following:

" Priority 5 \$ 2,250,000 Total \$ 5,500,000"

AMENDMENT NO. 4

In Senate Committee Amendment No. 112, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998, on page 21, delete line 44, and insert the following:

" Priority 5 \$ 150,000

AMENDMENT NO. 5

In Senate Committee Amendment No. 26, proposed by the Senate Committee on Finance and adopted by the Senate on June 7, 1998, on page 5, between lines 35 and 36, insert the following:

"50/J42 RICHLAND PARISH

( ) Access Frontage Road in Delhi, Land Acquisition, Planning and Construction (\$50,000 Local Match) (Richland) Payable from General Obligation Bonds Priority 5 \$ 50,000"

AMENDMENT NO. 6

Delete Senate Committee Amendment No. 22, proposed by the Senate Committee on Finance and adopted by the Senate on June 7, 1998.

AMENDMENT NO. 7

On page 82, between lines 24 and 25, insert the following:

"50/N55 NORTHEAST ECONOMIC DEVELOPMENT DISTRICT

(1554) Northeast Economic Development Convention Center (East Carroll)  
Payable from State General Fund (Direct) \$ 100,000"

AMENDMENT NO. 8

On page 74, between lines 22 and 23, insert the following:

"50/MG1 LAKE PROVIDENCE

(1275) Lake Providence Village Water System Extension, Planning and Construction (East Carroll)  
Payable from General Obligation Bonds Priority 5 \$ 225,000  
Payable from the balance of General Obligation Bonds proceeds previously allocated under the authority of Act 45 of 1994 for Old E. A. Conway Hospital into an Eighty-Bed Juvenile Adolescent Drug Rehabilitation Center (Ouachita) for Northeast Economic Development District  
Total \$ 25,000  
\$ 250,000"

AMENDMENT NO. 9

On page 58, between lines 37 and 38, insert the following:

"36/P14 MADISON PARISH PORT

( ) Fabrication Facility and Site Improvements, Planning, Construction, and Renovation (\$938,840 In Kind Local Match for the Priority 2 Phase 1 funding, and \$629,040 In Kind Local Match for the Priority 5 Phase 2 funding) (Madison)  
Payable from General Obligation Bonds  
Priority 2 \$ 500,000  
Priority 5 \$ 835,000  
Total \$ 1,335,000

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been recommended by the Commissioner of Administration pursuant to the provisions of R. S. 39:112."

AMENDMENT NO. 10

On page 27, delete lines 34 through 36 and insert the following:

"Priority 5 \$4,940,000  
Total \$ 5,690,000"

Senator Jones moved adoption of the amendments.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Total—36		

NAYS

Dean	Jordan
Total—2	

ABSENT

Robichaux  
Total—1

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Dardenne, C. Fields, W. Fields, Greene, Branch and Lambert to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 93 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998

AMENDMENT NO. 2

On page 41, line 35, change "\$8,370,000" to "\$7,370,000"

AMENDMENT NO. 3

On page 41, line 36, change "\$7,055,000" to "\$8,055,000"

AMENDMENT NO. 4

On page 41, line 43, change "\$4,025,000" to "\$3,525,000"

AMENDMENT NO. 5

On page 41, line 44, change "\$1,675,000" to "\$2,175,000"

AMENDMENT NO. 6

On page 72, line 21, change "Priority 5" to "Priority 3"

On motion of Senator Dardenne, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Reengrossed House Bill No. 2 by Representative Alario

June 8, 1998

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 77 and 85 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 2

On page 68, delete lines 23 through 26 and insert the following:

"Payable from State General Fund (Direct)	\$100,000
Payable from General Obligation Bonds	
Priority 2	\$150,000
Priority 5	<u>\$2,000,000</u>

Total \$2,250,000"

Senator Landry moved adoption of the amendments.

Senator Barham objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Robichaux
Bajoie	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Irons	Short
Cox	Johnson	Siracusa
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dyess	Landry	
Total—26		

NAYS

Barham	Dean	Hollis
Branch	Greene	Smith
Casanova	Hainkel	Tarver
Total—9		

ABSENT

Bean	Lambert
Ellington	Malone
Total—4	

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator C. Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Fields to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

In the Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998:

In Amendment No. 6, on page 1, delete lines 39 and 40 and insert:

"(R)(1378) Tournament Players Club in Jefferson Parish, Land"

In Amendment No. 146, on page 28, delete line 34 and insert: "Tournament Players Club in Jefferson Parish is a public"

In Amendment No. 146, on page 28, line 39, after "golf events." insert:

"The cooperative endeavor required and provided for in this Paragraph shall require the operators of the facility to establish a program for economically disadvantaged children to be taught golf at no charge as recommended jointly by the Department of Economic Development and the Department of Culture, Recreation and Tourism."

On motion of Senator C. Fields, the amendments were adopted.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 76, between lines 22 and 23, insert the following:

"(1076) Semmes Community Center Improvements, Planning and Construction (Orleans) Payable from the balance of General Obligation Bonds proceeds previously allocated under the authority of Act 45 of 1994 for Florida Avenue Expressway Improvements (Orleans) \$1,253,331"

On motion of Senator Johnson, the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jordan
Bagneris	Dyess	Lambert
Bajoie	Ellington	Lentini
Barham	Greene	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Total—33		

NAYS

Fields C	Landry
Fields W	Malone
Total—4	

ABSENT

Cravins	Robichaux
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Barham asked that House Bill No. 56 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 56—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 47:287.11(A), relative to corporation income tax; to provide that any entity taxed as a corporation for federal income tax purposes will also be taxed as a corporation for state income tax purposes; to provide for the applicability of such provision; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Barham asked that House Bill No. 62 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 62—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 47:633(7)(b) and (c)(i), relative to the severance tax; to authorize the Department of Revenue to certify incapable and stripper oil wells; to provide for the value used to determine the exemption for certified stripper well production; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Romero sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Romero to Engrossed House Bill No. 62 by Representative Alario

AMENDMENT NO. 1

On page 1, line 2, between "(c)(i)" and the comma "," insert "and 648.21(A) and (B)"

AMENDMENT NO. 2

On page 1, line 5, between "production;" and "to" insert "to provide for severance tax rates for certain nonhazardous oilfield waste; to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 8, between "(c)(i)" and "are" insert "and 648.21(A) and (B)"

AMENDMENT NO. 4

On page 3, between lines 9 and 10, insert the following:

"§648.21. Severance tax; reclaimed oil; definition

A. The tax rate applicable to reclaimed oil which is reclaimed by class one salvage crude reclamation facilities which are permitted by the office of conservation **and from Type A or B commercial oilfield waste disposal facilities which are permitted by the office of conservation**, shall be three and one-eighth percent (3 1/8%) of value received by the first purchase.

B. "Reclaimed oil" as it is used in this Part shall mean the reclamation of waste oil or slop crude oil and condensate from open pits, tanks, or other collectors at the lease production site, **and oil and condensate reclaimed from permitted Type A or B commercial oilfield waste disposal facilities**. Provided however, that reclaimed oil shall not include any oil upon which any severance tax has previously been paid.

\* \* \*

Senator Romero moved adoption of the amendments.

Senator Robichaux objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bagneris	Fields C	Romero
Bajoie	Fields W	Schedler
Barham	Greene	Siracusa
Bean	Heitmeier	Smith
Branch	Hines	Tarver
Cain	Johnson	Theunissen
Campbell	Jordan	Ullo
Cravins	Lambert	
Ellington	Landry	
Total—25		

NAYS

Mr. President	Dyess	Malone
Casanova	Hainkel	Robichaux
Dardenne	Hollis	Short
Dean	Lentini	
Total—11		

ABSENT

Cox	Irons	Jones
Total—3		

The Chair declared the amendments were adopted.

June 8, 1998

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bagneris Ellington Lentini
Bajoie Greene Romero
Barham Heitmeier Schedler
Bean Hines Siracusa
Branch Hollis Smith
Cain Johnson Tarver
Cravins Jones Theunissen
Dardenne Jordan Ullo
Total—27

NAYS

Campbell Fields C Landry
Casanova Fields W Malone
Cox Hainkel Robichaux
Dean Irons Short
Total—12

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that House Bill No. 97 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 97—
BY REPRESENTATIVE ALARIO AND SENATOR SCHEDLER
AN ACT

To enact R.S. 47:301(16)(d), relative to the sales and use tax; to define tangible personal property to exclude certain work products which are created in the normal course of business by any person licensed or regulated by the provisions of Title 37 of the Louisiana Revised Statutes of 1950; to provide for certain exceptions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Landry
Bagneris Ellington Lentini
Bajoie Fields C Robichaux
Barham Fields W Romero
Bean Greene Schedler
Branch Hainkel Short
Cain Heitmeier Siracusa
Campbell Hines Smith
Casanova Hollis Tarver
Cox Johnson Theunissen
Dardenne Jones Ullo
Dean Jordan

Total—35

NAYS

Malone
Total—1

ABSENT

Cravins Irons Lambert
Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Bagneris asked that House Bill No. 180 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 180—
BY REPRESENTATIVES THOMAS AND STRAIN
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to be used to pay certain legal expenses incurred by Benjamin B. Rayburn in his successful defense of criminal charges brought against him, which charges arose from actions taken by him in the discharge of his duties and within the scope of his membership in the Louisiana Senate; and to provide for related matters.

The bill was read by title. Senator Bagneris moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Jones
Bagneris Ellington Jordan
Bajoie Fields C Lambert
Barham Fields W Landry
Bean Greene Robichaux
Cain Hainkel Romero
Campbell Heitmeier Siracusa
Casanova Hines Smith
Cox Irons Tarver
Cravins Johnson Theunissen
Total—30

NAYS

Branch Hollis Short
Dardenne Lentini Ullo
Dean Malone
Total—8

ABSENT

Schedler
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Bagneris moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Landry asked that House Bill No. 286 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 286—**  
BY REPRESENTATIVES DIEZ AND ILES  
AN ACT

To amend and reenact R.S. 47:820.2(B) and (D) and 820.4, relative to the Transportation Infrastructure Model for Economic Development program; to increase expenditure amounts of certain projects; to provide for an extension of the four cents per gallon tax on gasoline, motor fuels, and special fuels; to provide for the creation of a priority listing of projects; to provide for the submission of progress reports; to provide for reports by the Revenue Estimating Conference and the Transportation Estimating Conference; to provide relative to the issuance of bonds; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 286 by Representative Diez

AMENDMENT NO. 1

On page 6, line 12, and page 8, line 9, following "in" change "House" to "Act 16"

AMENDMENT NO. 2

On page 6, line 13, and page 8, line 10, before "of" delete "Bill 17"

AMENDMENT NO. 3

On page 6, line 26, and page 7, line 10, and page 8, line 3, following "in" and before "of" change "House Bill 17" to "Act 16"

AMENDMENT NO. 4

On page 7, line 25, change "House Bill" to "Act 16"

AMENDMENT NO. 5

On page 7, line 26, before "of" delete "17"

On motion of Senator Bagneris, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Reengrossed House Bill No. 286 by Representative Diez

AMENDMENT NO. 1

Delete all conforming Senate Floor Amendments adopted by the Senate on June 7, 1998.

AMENDMENT NO. 2

On page 8, line 5, after "14-A" change "and" to "or"

AMENDMENT NO. 3

On page 8, line 7, after "indebtedness" add "issued for the projects enumerated in this Part and payable from the proceeds of the tax levied by this Part" and after "full" add "as to principal and interest, whichever is later"

On motion of Senator Landry, the amendments were adopted.

**Floor Amendments Sent Up**

Senator W. Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator W Fields to Reengrossed House Bill No. 286 by Representative Diez

AMENDMENT NO. 1

On page 7, line 4, after "January 1, 2000." insert the following:

"Notwithstanding any other provision of law to the contrary, preconstruction work on the new Mississippi River Bridge at St. Francisville project shall begin no later than January 1, 2000, with actual construction beginning no later than January 1, 2002."

Senator W. Fields moved adoption of the amendments.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bagneris	Fields C	Robichaux
Bajoie	Fields W	Romero
Campbell	Greene	Short
Casanova	Hines	Ullo
Cox	Johnson	
Dardenne	Jones	
Total—16		

**NAYS**

Mr. President	Ellington	Malone
Barham	Hainkel	Schedler
Bean	Hollis	Siracusa
Branch	Jordan	Smith
Cain	Lambert	Theunissen
Dean	Landry	
Dyess	Lentini	
Total—19		

**ABSENT**

Cravins	Irons
Heitmeier	Tarver
Total—4	

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator W. Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator W Fields to Reengrossed House Bill No. 286 by Representative Diez

AMENDMENT NO. 1

On page 7, line 4, after "January 1, 2000." insert the following:

"Notwithstanding any other provision of law to the contrary, preconstruction work on the new Mississippi River Bridge at St. Francisville project shall begin no later than January 1, 2000."

On motion of Senator W. Fields, the amendments were adopted.

The bill was read by title.

**Rules Suspended**

June 8, 1998

Senator Bagneris asked for a suspension of the rules for the purpose of granting the speaker an additional 5 minutes.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—28; Dyess, Ellington, Fields C, Fields W, Greene, Hines, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Romero, Siracusa, Smith, Theunissen, Ullo.

NAYS

Table with 3 columns of names: Heitmeier, Total—2; Hollis; Mr. President, Bagneris, Barham, Total—9; Hainkel, Irons, Robichaux; Schedler, Tarver.

The Chair declared the rules were suspended and the speaker was granted an additional 5 minutes.

Senator Landry moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Barham, Bean, Cain, Campbell, Casanova, Cravins, Dyess, Ellington, Total—28; Greene, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Lambert, Landry, Lentini; Robichaux, Romero, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 3 columns of names: Bajoie, Branch, Cox, Dardenne, Total—11; Dean, Fields C, Fields W, Irons; Jordan, Malone, Schedler; ABSENT; Total—0.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Landry moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Barham asked that House Bill No. 3 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 3— BY REPRESENTATIVE ALARIO AN ACT

To enact the Omnibus Bond Authorization Act of 1998, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—36; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones; Jordan, Lambert, Lentini, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 3 columns of names: Dean, Total—3; Landry, Malone; ABSENT; Total—0.

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Landry asked that House Bill No. 250 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 250— BY REPRESENTATIVE DIEZ AN ACT

To amend and reenact R.S. 47:820.4 and 820.5(A), (B)(introductory paragraph), (1), and (2), to enact R.S. 47:820.5.2, and to repeal R.S. 47:820.5(B)(4), relative to tolls on certain bridges; to extend the collection of tolls on certain bridges; to provide for use of toll proceeds; to create the Crescent City Connection Oversight Authority; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Re-reengrossed House Bill No. 250 by Representative Diez

AMENDMENT NO. 1

Delete all Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 1998.

AMENDMENT NO. 2

On page 2, line 22, after "rate of" change "twenty-five" to "twenty" and after "users" add "and for coupons purchased through toll coupon books"

AMENDMENT NO. 3

On page 6, at the end of line 4, change "General" to "Algiers area"

AMENDMENT NO. 4

On page 6, at beginning of line 5, delete "DeGaulle entrance ramp"

AMENDMENT NO. 5

On page 6, line 24, after "the" change "General DeGaulle entrance ramp" to "Algiers area"

AMENDMENT NO. 6

On page 7, line 20, after "1," add "5,"

On motion of Senator Landry, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Bajoie sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bajoie to Re-reengrossed House Bill No. 250 by Representative Diez

AMENDMENT NO. 1

On page 7, line 18, change "Ten" to "Thirteen"

AMENDMENT NO. 2

On page 7, line 20, after "1," insert "5, 6,"

AMENDMENT NO. 3

On page 7, line 21, after "87," insert "93,"

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Landry moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Landry
Bagneris	Dyess	Robichaux
Bajoie	Ellington	Romero
Barham	Greene	Schedler
Bean	Hainkel	Short
Branch	Hines	Siracusa
Cain	Hollis	Smith
Casanova	Johnson	Theunissen
Cox	Jones	
Cravins	Lambert	
Total—28		

NAYS

Campbell  
Dean  
Fields C  
Fields W  
Total—10

Heitmeier  
Irons  
Jordan  
Lentini

Malone  
Ullo

ABSENT

Tarver  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Landry moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Hainkel asked that House Bill No. 65 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 65—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields W	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Fields C  
Total—2  
Tarver

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Hainkel asked that House Bill No. 270 be called from the Calendar at this time for its final passage.

June 8, 1998

**HOUSE BILL NO. 270—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1998-1999; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Reengrossed House Bill No. 270 by Representative LeBlanc

**AMENDMENT NO. 1**

On page 19, line 4, delete the figure "5.66%" and insert the figure "6.24%"

On motion of Senator Landry, the amendments were adopted.

The bill was read by title. Senator Hainkel moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Bajoie	Fields W	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—38		

**NAYS**

Total—0

**ABSENT**

Campbell  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Romero asked that House Bill No. 129 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 129—**  
BY REPRESENTATIVE LANDRIEU  
AN ACT

To enact R.S. 47:6012, relative to corporate taxation; to provide for a tax credit for corporations to be taken against the corporation income and franchise taxes for the donation of certain property to a public school; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—39		

**NAYS**

Total—0

**ABSENT**

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Greene asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions on  
Third Reading  
and Final Passage**

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

**HOUSE CONCURRENT RESOLUTION NO. 5—**  
BY REPRESENTATIVE WINDHORST  
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives, to provide procedures for and deadlines relative to legislative instruments recommitted due to fiscal impact; and to prohibit the recommittal of certain legislative instruments with a fiscal impact.

On motion of Senator Dardenne, the resolution was read by title and returned to the Calendar, subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 104—**  
BY REPRESENTATIVE MCDONALD  
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 1, 1998, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Bagneris	Fields C	Malone
Bajoie	Fields W	Robichaux
Barham	Greene	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Ullo
Dardenne	Lambert	
Dyess	Landry	
Total—37		

**NAYS**

Dean	Jordan
Total—2	

**ABSENT**

Total—0

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

**Messages from the House**

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 8, 1998

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1 by LeBlanc:

Representatives LeBlanc, Downer, and Dewitt.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 8, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 8, 1998

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 2 by Alario:

Representatives Alario, LeBlanc, and Downer.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 8, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 282 by Representative LeBlanc, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 8, 1998

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 282 by LeBlanc:

Representatives LeBlanc, Downer, and Dewitt.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 8, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 299 by Representative LeBlanc, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 8, 1998

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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 299 by LeBlanc:

Representatives LeBlanc, Downer, and Dewitt.

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

**Appointment of Conference Committee  
on House Bill No. 2**

The President of the Senate appointed on the Conference Committee on House Bill No. 2 the following members of the Senate: Senators Barham, Hainkel, and Ewing.

**Appointment of Conference Committee  
on House Bill No. 282**

The President of the Senate appointed on the Conference Committee on House Bill No. 282 the following members of the Senate: Senators Dardenne, Bagneris, and Hainkel.

**Appointment of Conference Committee  
on House Bill No. 299**

The President of the Senate appointed on the Conference Committee on House Bill No. 299 the following members of the Senate: Senators Barham, Hainkel, and Ewing.

**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 8, 1998

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. 49—**

BY SENATOR SIRACUSA

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Department of Environmental Quality to enforce compliance with federal and state regulations on underground storage tank systems.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 58—**

BY SENATOR W. FIELDS

**A CONCURRENT RESOLUTION**

To urge and request the Senate Committee on Commerce and Consumer Protection and the House Committee on Commerce to meet and function as a joint committee to study the hotel and motel room rates in Louisiana and the impact on special events and visitors in New Orleans.

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 8, 1998

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. 64—**

BY SENATOR MALONE

**AN ACT**

To amend and reenact R.S. 47:305.41 and 305.43(A), relative to sales taxation of Bass Life; to provide an exemption from state and local sales and use tax for Bass Life or any of its chapters; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 59—**

BY SENATOR BARHAM

**AN ACT**

To repeal Part II of Chapter 6 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, composed of R.S. 47:651, Part III of Chapter 6 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, composed of R.S. 47:671 through 681.1, and Part IV of Chapter 6 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, composed of R.S. 47:691 through 697, relative to taxes related to natural resources; to repeal certain taxes; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 40—**

BY SENATOR ROMERO

**AN ACT**

To amend and reenact R.S. 33:2716 and 2716.2(A) and to enact R.S. 47:301(10)(s), relative to sales and use or rental and lease taxation; to exclude from certain state and/or political subdivision sales and use and lease or rental taxation certain sales to, and use, lease, and rentals by, construction contractors and subcontractors; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 41—**  
BY SENATOR GREENE

AN ACT

To enact R.S. 47:306(B)(10), relative to taxation; to exempt drop shipment sales by a manufacturer to a wholesaler without a "W" number if the property is subsequently transferred to a wholesaler with a "W" number; to provide for evidence of such sale; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 29—**  
BY SENATOR BAGNERIS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to providing certain tax deductions to owners of blighted properties; to authorize a waiver of tax liens and tax liabilities on such properties in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 53 (Duplicate of House Bill No. 98)—**  
BY SENATOR BARHAM AND REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 47:643.1, relative to the taxation of timber; to provide that the severance tax shall be the only tax on standing timber or the right to cut and remove or use timber; to provide for an effective date; and to provide for related matters.

Reported without amendments.

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 8, 1998

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. 123—**  
BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the United States Postal Service to examine other options besides relocating the downtown post office in Arcadia, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 125—**  
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Ms. Deborah Mims upon her promotion to the rank of captain in the Shreveport Fire Department, the first female to have ever achieved that rank in the Shreveport Fire Department.

**HOUSE CONCURRENT RESOLUTION NO. 126—**  
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Winnie Vance-Antoine upon her retirement from an exemplary career in the field of education and to show an appreciation for her dedication and devotion to the children of Caddo Parish.

**HOUSE CONCURRENT RESOLUTION NO. 124—**  
BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to ratify the Southern Dairy Compact adopted by Louisiana's Department of Agriculture and Forestry and other dairy producing states.

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

**Rules Suspended**

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 42—**  
BY SENATOR ELLINGTON

A RESOLUTION

To express the intent of the legislature with regard to the enactment of R.S. 33:2711(A)(2) which authorizes certain municipal sales taxes.

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

**SENATE RESOLUTION NO. 43—**  
BY SENATOR SHORT

A RESOLUTION

To commend and congratulate Colonel and Mrs. Ronald Thomas of New Orleans on twenty-five years of marriage.

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

**SENATE RESOLUTION NO. 44—**  
BY SENATOR SHORT

A RESOLUTION

To commend and congratulate Mr. and Mrs. J.S. Thomas of Franklinton on fifty years of wedded bliss.

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

**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 8, 1998

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:

June 8, 1998

**HOUSE BILL NO. 21—**  
BY REPRESENTATIVE FAUCHEUX  
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 and certain nursing facility operators for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 186—**  
BY REPRESENTATIVES SCALISE AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:1123 and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; and to provide for related matters.

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

**House Bills and Joint Resolutions**

Senator Bagneris 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. 21—**  
BY REPRESENTATIVE FAUCHEUX  
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 and certain nursing facility operators for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 186—**  
BY REPRESENTATIVES SCALISE AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:1123 and to enact R.S. 47:1125.1, relative to the Louisiana Motion Picture Incentive Act; to provide for a tax credit for employing Louisiana residents; to provide for definitions; and to provide for related matters.

On motion of Senator Bagneris, 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 8, 1998

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. 118—**  
BY REPRESENTATIVE PINAC  
A CONCURRENT RESOLUTION

To commend and congratulate the Crowley Firemen's Association and the Crowley Fire Department upon their 100th anniversary and to recognize the members for their outstanding service to the community.

**HOUSE CONCURRENT RESOLUTION NO. 119—**  
BY REPRESENTATIVES TRAVIS, SCHNEIDER, BARTON, FARVE, FLAVIN, FRITH, MICHOT, MORRELL, MURRAY, PINAC, POWELL, WESTON, AND WINSTON  
A CONCURRENT RESOLUTION

To commend Ms. Nadia L. Goodman, director of policy, planning, and technology programs for the Department of Economic Development, for her dedicated service and contributions to the state upon the occasion of her retirement from Louisiana state government service.

**HOUSE CONCURRENT RESOLUTION NO. 120—**  
BY REPRESENTATIVE KENNARD  
A CONCURRENT RESOLUTION

To recognize and commend Eddie Furniss, LSU's record-setting first baseman, for his outstanding career as a member of Louisiana State University's baseball "Team of the 90's" and for the manner in which he represents LSU and the state of Louisiana.

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

**House Concurrent Resolutions**

Senator Bagneris 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. 118—**  
BY REPRESENTATIVE PINAC  
A CONCURRENT RESOLUTION

To commend and congratulate the Crowley Firemen's Association and the Crowley Fire Department upon their 100th anniversary and to recognize the members for their outstanding service to the community.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	



June 8, 1998

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to ratify the Southern Dairy Compact adopted by Louisiana's Department of Agriculture and Forestry and other dairy producing states.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—36; Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson; Jordan, Landry, Lentini, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Jones, Lambert, Malone; Total—3

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

HOUSE CONCURRENT RESOLUTION NO. 125—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Ms. Deborah Mims upon her promotion to the rank of captain in the Shreveport Fire Department, the first female to have ever achieved that rank in the Shreveport Fire Department.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—37; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan; Landry, Lentini, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 2 columns: Lambert, Total—2; Malone

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

HOUSE CONCURRENT RESOLUTION NO. 126—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Winnie Vance-Antoine upon her retirement from an exemplary career in the field of education and to show an appreciation for her dedication and devotion to the children of Caddo Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Dean, Total—36; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones; Jordan, Landry, Lentini, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Casanova, Lambert, Malone; Total—3

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

Rules Suspended

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

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

Called from the Calendar

Senator Bagneris asked that Senate Bill No. 4 be called from the Calendar at this time.

**SENATE BILL NO. 4—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:301(8)(c), relative to sales and use tax of the state and its political subdivisions; to provide for an exclusion for certain purchases of certain persons performing state, political subdivision, and federal government contract work; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 39 be called from the Calendar at this time.

**SENATE BILL NO. 39—**  
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 18:402(F), relative to elections; to provide that local ad valorem tax elections shall be held on the same date as the gubernatorial primary and congressional primary elections; to provide for a January election date in certain years; to provide for an emergency exception; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 42 be called from the Calendar at this time.

**SENATE BILL NO. 42—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:301(3)(h) and (13)(f), relative to sales and use taxation; to exclude from state sales and use taxation a portion of the sales price and cost price of certain items; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 51 be called from the Calendar at this time.

**SENATE BILL NO. 51—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:301(14)(g)(i), relative to sales and use tax; to provide for an exclusion from political subdivision sales and use tax for certain repairs to tangible personal property; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 57 be called from the Calendar at this time.

**SENATE BILL NO. 57—**

BY SENATOR ELLINGTON AND REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 47:301(8)(c), relative to the state and its political subdivisions sales and use tax; to define person to exclude a contractors or subcontractors designated as the agent of a public entity in a public works contract; to provide for an effective date; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 67 be called from the Calendar at this time.

**SENATE BILL NO. 67—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Louisiana Legislature, relative to sales and use tax of the state and its political subdivisions; to remove the July 1, 1998 termination date of Act No. 15 of the 1996 Regular Session of the Louisiana Legislature relative to purchases by churches and synagogues of bibles, song books, or literature used for religious instruction classes; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 83 be called from the Calendar at this time.

**SENATE BILL NO. 83—**  
BY SENATOR BARHAM

AN ACT

To enact Part V of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 23:81 through 94, relative to tax exemptions; to authorize the creation of education and training programs; to exempt such programs from state and local taxes; to create the Louisiana Consortium of Air Conditioning, Heating, Ventilation, and Refrigeration; to provide for the development of an education and training program for the heating, ventilation, air conditioning and refrigeration industry; to create a board of directors and provide relative to its composition, powers, authority, and functions; to exempt the heating, ventilation, air conditioning and refrigeration consortium from state and local taxes; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Bagneris asked that Senate Bill No. 104 be called from the Calendar at this time.

**SENATE BILL NO. 104—**  
BY SENATORS LANDRY AND SHORT, AND SENATORS ROMERO, SMITH AND THEUNISSEN

AN ACT

To amend and reenact R.S. 47:820.2(B) and 820.4, relative to funding; to extend the TIMED program; to increase expenditure limits of projects; to provide relative to expenditure of tax receipts of the program; to provide for the creation of a priority listing of projects; to provide for the submission of progress reports; to provide for reports by the Transportation Estimating Conference; to provide for the issuance of bonds; and to provide for related matters.

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On motion of Senator Bagneris, the bill was read by title and withdrawn from the files of the Senate.

**Adjournment**

Senator Bagneris moved that the Senate adjourn until Tuesday, June 9, 1998 at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Tuesday, June 9, 1998.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk