

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

SEVENTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 5, 2000

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Fields, C
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

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

Morning Hour

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 37—
BY SENATOR W. FIELDS

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Ada M. Kennon.

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

SENATE RESOLUTION NO. 38—
BY SENATOR CAIN

A RESOLUTION

To request that the Department of Public Safety and Corrections recognize the post certification training and licensing of correction officers who have received that training at the Louisiana Technical College, Oakdale Campus, except at a certain corrections facility.

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

SENATE CONCURRENT RESOLUTION NO. 57—
BY SENATOR W. FIELDS

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the legislature upon the death of Angela Y. Christian, MD.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Hollis	Robichaux
Cain	Hoyt	Romero
Campbell	Irons	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver
Dean	Jones, C	Theunissen
Ellington	Lambert	Ullo
Fields, W	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Dardenne	Michot
Fields, C	Thomas
Total—4	

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

SENATE CONCURRENT RESOLUTION NO. 58—
BY SENATOR THEUNISSEN

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 3, 2000, 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 Theunissen moved to adopt the Senate Concurrent Resolution.

June 5, 2000

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Barham, Bean, Boissiere, Cain, Chaisson, Cravins, Dardenne, Ellington, Fontenot, Total—31

NAYS

Campbell, Dean, Total—5

ABSENT

Fields, C, Total—3

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

Rules Suspended

Senator Robichaux asked for and obtained a suspension of the rules for the purpose of advancing to the order of

Senate Concurrent Resolutions Returned from the House of Representatives with Amendments

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

SENATE CONCURRENT RESOLUTION NO. 32— BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Public Service Commission to study the disparity among utility rates in the city of New Orleans and surrounding areas.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Original Senate Concurrent Resolution No. 32 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 1, after "City Council" insert a comma "," and insert the following:

"Jefferson Parish Council, St. Bernard Parish Council, Plaquemine Parish Council,"

Senator Johnson moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Ellington, Fields, W, Total—33

NAYS

Total—0

ABSENT

Bajoie, Dean, Total—6

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

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 Robichaux asked that Senate Bill No. 92 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 92 (Substitute for Senate Bill 4 by Senator Robichaux)—

BY SENATOR ROBICHAUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(F) of the Constitution of Louisiana; to provide that any renewal of a contract of exemption entered into by the State Board of Commerce and Industry and a manufacturing establishment shall require a payment in lieu of taxes for any exemption from ad valorem taxes imposed by a school board; to provide for the distribution of any funds received from such payments; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Bajoie, Barham, Cain, Fontenot, Gautreaux, Heitmeier, Hines, Lentini, Marionneaux, McPherson, Robichaux

Campbell
Cravins
Dardenne
Fields, W
Total—24

Irons
Johnson
Jones, B
Jones, C

Romero
Smith
Thomas
Ullo

NAYS

Boissiere
Chaisson
Dean
Ellington
Hollis
Total—13

Hoyt
Lambert
Malone
Michot
Mount

Schedler
Tarver
Theunissen

ABSENT

Bean
Total—2

Fields, C

The Chair declared the bill failed to pass. Senator Dean moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Regular Order of the Day

**Senate Concurrent Resolutions
on Second Reading**

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To urge and request the United States Department of Labor, the Louisiana Department of Labor and the Louisiana congressional delegation to work with Louisiana state legislators to provide flexibility in the use of up to twenty-five million of the fifty million dollars credited to the Workforce Development Training Account from funds in the social charge account that are collected from Louisiana employers as part of the unemployment compensation program.

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

Rules Suspended

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

**Introduction of
Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the governor to propose and publicly support in the 2001 Regular Session of the Legislature, or in any extraordinary session prior to that session, the enactment of a law calling for a constitutional convention of one hundred five non-legislators, elected from the existing House of Representatives districts, to propose revisions to comprehensively reform and align the entire state and local tax structure prior to the 2002 Regular Session.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Original Senate Concurrent Resolution No. 59 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 5, after "five" delete "non-legislators" and insert "members"

AMENDMENT NO. 2

On page 2, line 18, after "five" delete "non-legislators" and insert "members"

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Malone
Michot
Total—4

Mount
Schedler

NAYS

Barham
Bean
Boissiere
Cain
Campbell
Chaisson
Cravins
Dardenne
Dean
Ellington
Fields, C
Total—32

Fields, W
Fontenot
Gautreaux
Heitmeier
Hines
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, C

Lambert
Lentini
Marionneaux
McPherson
Romero
Smith
Tarver
Theunissen
Thomas
Ullo

ABSENT

Mr. President
Total—3

Bajoie

Robichaux

The Chair declared the amended resolution failed to pass. Senator Schedler moved to reconsider the vote by which the resolution failed to pass and laid the motion on the table.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Johnson, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 5, 2000

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE BILL NO. 303—
BY REPRESENTATIVES GARY SMITH, FAUCHEUX, HEATON, AND QUEZAIRES AND SENATOR CHAISSON
AN ACT

To enact R.S. 33:2740.34, to authorize certain parish governing authorities to levy a tax on admission charges, concessions, and other sales at motor vehicle speedway or racetrack facilities located within the parish; to authorize the governing authorities to cooperate with other parish governing authorities relative to such taxes; to provide for the use of the avails of such taxes; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JON D. JOHNSON
Chairman

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

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

HOUSE BILL NO. 303—
BY REPRESENTATIVES GARY SMITH, FAUCHEUX, HEATON, AND QUEZAIRES AND SENATOR CHAISSON
AN ACT

To enact R.S. 33:2740.34, to authorize certain parish governing authorities to levy a tax on admission charges, concessions, and other sales at motor vehicle speedway or racetrack facilities located within the parish; to authorize the governing authorities to cooperate with other parish governing authorities relative to such taxes; to provide for the use of the avails of such taxes; and to provide for related matters.

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

Privilege Report of the
Legislative Bureau

June 5, 2000

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 BILL NO. 303—
BY REPRESENTATIVES GARY SMITH, FAUCHEUX, HEATON, AND QUEZAIRES AND SENATOR CHAISSON
AN ACT

To enact R.S. 33:2740.34, to authorize certain parish governing authorities to levy a tax on admission charges, concessions, and other sales at motor vehicle speedway or racetrack facilities located within the parish; to authorize the governing authorities to cooperate with other parish governing authorities relative to such taxes; to provide for the use of the avails of such taxes; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT

Chairman

Adoption of Legislative Bureau Report

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

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 81 from the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 81—
BY REPRESENTATIVES HUDSON, BROOME, K. CARTER, CAZAYOUX, CLARKSON, CURTIS, DARTEZ, ERDEY, GUILLORY, HUNTER, JOHNS, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, PIERRE, PITRE, QUEZAIRES, RICHMOND, TRAVIS, TRICHE, WILKERSON, AND WILLARD AND SENATORS CRAVINS AND C. FIELDS
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to establish and affirm that every citizen of this nation has the right to high quality health care.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names: Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Ellington, Fields, C, Fields, W, Fontenot, Total—35; Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone; Marionneaux, Michot, Mount, Robichaux, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Dean
Total—1

ABSENT

Table with 3 columns: Mr. President, Total—3; Bajoie, McPherson

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

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 82 from the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 82—
BY REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Board of Medical Examiners to cooperate with companies providing off-site preventive screening tests using ultrasound technology in order to establish reasonable guidelines for their use in a timely manner.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	Michot
Cain	Hines	Mount
Campbell	Hollis	Robichaux
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Barham	Thomas
Bajoie	McPherson	
Total—5		

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

Rules Suspended

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

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 Schedler asked that House Bill No. 49 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 49—
BY REPRESENTATIVE LANDRIEU
AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Merck & Co., Inc. v. Secretary, Department of Revenue, State of Louisiana"; to pay the final judgment in "John Crane, Inc. v. Secretary, Department of Revenue, State of Louisiana"; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed House Bill No. 49 by Representative Landrieu

AMENDMENT NO. 1

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

"Section 3. The sum of Two Hundred Eleven Thousand One Hundred Forty-Nine and no/100 (\$211,149.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2000-2001 to be used to pay the final judgment in the suit entitled "Federal Express Corporation v. John Kennedy, Secretary of the Department of Revenue, State of Louisiana", bearing Number 5003 on the docket of the Board of Tax Appeals for the state of Louisiana."

AMENDMENT NO. 2

On page 2, line 3, change "Section 3." to "Section 4."

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 49 by Representative Landrieu

AMENDMENT NO. 1

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

"Section 3. The appropriations in this Act shall not become effective until the official forecast for Fiscal Year 2000-2001, adopted by the Revenue Estimating Conference on May 11, 2000, is increased by the Revenue Estimating Conference to incorporate additional revenue generated."

AMENDMENT NO. 2

On page 2, line 3, change "Section 3." to "Section 4."

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Robichaux
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Total—35		

NAYS

Dean
Total—1

ABSENT

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Bajoie McPherson Thomas
Total—3

The Chair declared the amended 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 Barham asked that House Bill No. 23 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 23—
BY REPRESENTATIVE MONTGOMERY
AN ACT

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

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 23 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, after "reenact" insert the following:

"Section 2 of Act No. 29 of the 1996 Regular Session of the Legislature, as amended by Act No. 21 of the 1998 Regular Session of the Legislature."

AMENDMENT NO. 2

On page 1, line 4, after "tax;" insert the following:

"to provide for the effectiveness of the exemption for boiler fuel;"

AMENDMENT NO. 3

On page 1, between line "7 and 8", insert the following:

"Section 1. Section 2 of Act No. 29 of the 1996 Regular Session of the Legislature, as amended by Act No. 21 of the 1998 Regular Session of the Legislature, is hereby amended and reenacted to read as follows:

Section 2. The exemption provided in R.S. 47:305(D)(1)(h) by this Act shall be effective until June 30, 2000 2002, except to the extent suspended by House Bill No. 126 Act No. 18 of the 1998 Regular 2000 First Extraordinary Session of the Legislature. The exemption provided in R.S. 47:305(D)(1)(h) shall be further suspended and shall be inapplicable, inoperable, and of no effect for the period July 1, 2000 through June 30, 2002, to the extent of the state sales and use tax levied pursuant to R.S. 47:321.

Section 2. It is the intention of the Legislature of Louisiana that the tax exemption provided in R.S. 47:305(D)(1)(h), and that is made inapplicable, inoperable, and of no effect for the period July 1, 2000 through June 30, 2002, to the extent of the state sales and use tax levied pursuant R.S. 47:302, 321, and 331 shall resume, commence, and become effective on July 1, 2002."

AMENDMENT NO. 4

On page 1, line 9, change "Section 1." to Section 3."

AMENDMENT NO. 5

On page 1, line 14, change "Section 2." to Section 4."

The Chair declared 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 Fontenot Malone
Barham Gautreaux Michot
Bean Heitmeier Mount
Boissiere Hines Robichaux
Cain Hollis Romero
Campbell Hoyt Schedler
Chaisson Irons Smith
Cravins Johnson Tarver
Dardenne Jones, B Theunissen
Dean Jones, C Thomas
Ellington Lambert Uilo
Fields, C Lentini
Total—35

NAYS

Total—0

ABSENT

Bajoie Marionneaux
Fields, W McPherson
Total—4

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.

Recess

On motion of Senator Gautreaux, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Total—0

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

Senate Business Resumed

Motion

Senator Dardenne moved to suspend the rules to advance to the order of House Bills on Third Reading and Final Passage, to take up House Bill No. 1 out of its regular order.

Without objection, so ordered.

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. 1—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1
In Senate Committee Amendment No. 129 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 17, line 16, delete "18" and insert "19"

AMENDMENT NO. 2
In Senate Committee Amendment No. 143 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 18 line 26, delete "24,426,488" and insert "27,426,488"

AMENDMENT NO. 3
In Senate Committee Amendment No.193 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 22, line 32, after the word "education" insert the word "institution"

AMENDMENT NO. 4
Delete Senate Committee Amendment No. 195 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000.

AMENDMENT NO. 5
Delete Senate Committee Amendment No. 219 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000.

AMENDMENT NO. 6
In Senate Committee Amendment No. 224 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 27, line 15, delete "\$771,542,448" and insert "\$771,282,448"

AMENDMENT NO. 7

In Senate Committee Amendment No. 234 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 28, line 27, after the word "Division" insert "including 180 positions"

AMENDMENT NO. 8
In Senate Committee Amendment No. 251 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 30, line 29, delete "3.9081%"

AMENDMENT NO. 9
On page 162, line 2, delete "19,149,071" and insert "16,149,071"

AMENDMENT NO. 10
On page 162, line 5, delete "35,932,006" and insert "38,932,006"

AMENDMENT NO. 11
On page 179, at the end of line 23, delete "4,076,317" and insert "3,530,203"

AMENDMENT NO. 12
On page 104, between lines 32 and 33, insert the following:

"Provided, however, that the commissioner of administration is authorized to change the means of finance for this appropriation in the event that House Bill No. 250 of the 2000 Regular Session becomes law."

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, Hainkel, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Ellington, W. Fields, Fontenot, Gautreaux, Hines, Hollis, Hoyt, Irons, Johnson, B. Jones, C.D. Jones, Lambert, Lentini, Marionneaux, McPherson, Michot, Mount, Robichaux, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, and Ullo to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1
In Senate Committee Amendment No. 1, proposed by the Senate Committee on Finance and adopted by Senate on June 3, 2000, on page 1, delete lines 3 through 5 and insert the following:

"Section 8A. The commissioner of administration is hereby directed to reduce appropriations from the State General Fund (Direct) in Section 15 of this Act by \$73,139,629. This reduction shall be accomplished by applying a percentage reduction equally to all appropriations from the State General Fund (Direct) in Section 15 except the following: 01-101 Indian Affairs, 01-126 Board of Tax Appeals, 04-160 Agriculture"

AMENDMENT NO. 2
In Senate Committee Amendment No. 1, proposed by the Senate Committee on Finance and adopted by Senate on June 3, 2000, on page 1, delete lines 29 through 35 and insert the following:

"If the commissioner of administration certifies to the Joint Legislative Committee on the Budget that applying the reduction set forth in this Section will seriously impair an agency's ability to operate effectively or violate a constitutional or contractual obligation, he may reduce the percentage reduction applied to agencies so certified by up to one (1%) percent on his own authority and may make further reductions in excess of 1% with the approval of the Joint Legislative Committee on the Budget. Provided, however, if such reductions are made, the Commissioner

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shall recalculate the percentage reduction to be applied to non-exempt agencies so that the total reduction to the State General Fund (Direct) equals \$73,139,629."

AMENDMENT NO. 3

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 1, on line 6, after the word "Forestry," insert the following:

"05-251 Office of the Secretary only \$15,250,000 of the State General Fund (Direct) for this agency shall be exempt, 05-252 Office of Commerce and Industry only \$7,194,789 of the State General Fund (Direct) for this agency shall be exempt"

AMENDMENT NO. 4

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 1, on line 23, after the word "Program," insert the following:

"19-678 State Activities,"

AMENDMENT NO. 5

In Senate Committee Amendment No. 80, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 8, delete lines 29 through 32 and insert in lieu thereof:

"The Commissioner of Administration shall reduce the expenditure for the Swanson Correctional Center for Youth - Madison Parish Unit by \$400,000 to reflect a reduction in debt service payments and shall reduce the appropriation from the State General Fund (Direct) in this Schedule by \$400,000, the Secretary of the Department of Corrections shall have the"

AMENDMENT NO. 6

In Senate Committee Amendment No. 88 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 9, line 37, after the word "positions" insert "fifteen (15) of which shall be used for the Toll Free Hotline"

AMENDMENT NO. 7

In Senate Committee Amendment No. 106 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 12, at the end of line 39, delete "\$33,875,339" and insert "\$22,037,465"

AMENDMENT NO. 8

In Senate Committee Amendment No. 106 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 12, at the end of line 40, delete "\$33,875,339" and insert "\$22,037,465"

AMENDMENT NO. 9

In Senate Committee Amendment No. 106 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 13, at the end of line 2, delete "\$10,000,000" and insert "\$6,505,460"

AMENDMENT NO. 10

In Senate Committee Amendment No. 106 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 13, at the end of line 3, delete "\$23,875,339" and insert "\$15,532,005"

AMENDMENT NO. 11

In Senate Committee Amendment No. 106, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 13, at the end of line 4, delete "\$33,875,339" and insert "\$22,037,465"

AMENDMENT NO. 12

In Amendment No. 216 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000 on page 25 at the end of line 11, delete "3,924,169" and insert "4,098,185"

AMENDMENT NO. 13

In Amendment No. 218 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000 on page 26 at the end of line 37, delete "36,134,651" and insert "36,308,667"

AMENDMENT NO. 14

In Amendment No. 218 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000 on page 26 at the end of line 39, delete "695,808" and insert "869,824"

AMENDMENT NO. 15

In Amendment No. 218 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000 on page 26 at the end of line 46, delete "36,134,651" and insert "36,308,667"

AMENDMENT NO. 16

In Amendment No. 220 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000 on page 27 line 7, delete "52" and insert "17"

AMENDMENT NO. 17

Delete Amendment No. 221 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000

AMENDMENT NO. 18

In Senate Committee Amendment No. 234, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 28, at the end of line 34, delete "300" and insert "617"

AMENDMENT NO. 19

In Senate Committee Amendment No. 234, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 28, at the end of line 38, delete "\$33,875,339" and insert "\$22,037,465"

AMENDMENT NO. 20

On page 33, between lines 10 and 11, insert the following:

"Payable out of State General Fund (Direct) for the Policy and Planning Program \$250,000"

AMENDMENT NO. 21

On page 48, between lines 44 and 45, insert the following:

"Payable out of the State General Fund (Direct) for implementation of the provisions of Act 817 of the 1999 Regular Session of the Legislature be it more or less estimated \$1.00"

AMENDMENT NO. 22

On page 118, between lines 18 and 19, insert the following:

Table with financial data including EXPENDITURES, MEANS OF FINANCE, and TOTAL MEANS OF FINANCING.

Provided that the inflationary increases authorized in this appropriation shall be financed by increasing provider fees as of July 1, 2000, as allowed by state and federal law and determined by the Department of Health and Hospitals."

AMENDMENT NO. 23

On page 162, between lines 21 and 22, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues to restore gubernatorially-mandated personnel reductions in the Tax Collection Program - 20 positions \$823,197"

AMENDMENT NO. 24

On page 233, after line 40, insert the following:

"In order to effectively continue leadership, accountability, financial management activities and direct assistance to school systems, the State Superintendent of Education is authorized to transfer between the appropriations of State Activities (19-678), Subgrantee Assistance (19-681) and Non-public Assistance (19-697) up to 2.25% of total State General Fund (Direct) appropriation for these three schedules."

AMENDMENT NO. 25

On page 236, delete line 19 and insert the following:

"Executive Office Program-Authorized Positions (57) \$ 2,908,236"

AMENDMENT NO. 26

On page 236, delete line 37 and insert the following:

"Regional Service Centers Program-Authorized Positions (67) \$ 5,859,057"

AMENDMENT NO. 27

On page 236, delete lines 50 through 51, in their entirety

AMENDMENT NO. 28

On page 236, delete line 52 and insert the following:

"TOTAL EXPENDITURES \$ 8,767,293"

AMENDMENT NO. 29

On page 237, delete line 2 and insert the following:

"State General Fund (Direct) \$3,614,449"

AMENDMENT NO. 30

On page 237, delete line 7 and insert the following:

"TOTAL MEANS OF FINANCING \$8,767,293"

AMENDMENT NO. 31

On page 237, delete line 11 and insert the following:

"reductions made to other items, including twenty-three (23) positions \$1,935,847"

AMENDMENT NO. 32

On page 237, between lines 11 and 12, insert the following:

"Payable out of Federal Funds for expenses associated with federal grants made to the department, including seventeen (17) positions \$691,000"

AMENDMENT NO. 33

On page 243, delete lines 34 through 50

AMENDMENT NO. 34

On page 243, after line 50, insert the following:

"Payable out of State General Fund (Direct) for full funding of the Minimum Foundation Program \$896,861"

AMENDMENT NO. 35

In Senate Committee Amendment No. 251, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 39, delete lines 21 through 41 in their entirety

AMENDMENT NO. 36

In Senate Committee No. 251, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 32, line 14, delete the figure "\$110,197,822" and insert the figure "\$18,124,143"

AMENDMENT NO. 37

In Senate Committee No. 251, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 32, line 15, delete the figure "110,197,822" and insert the figure "18,124,143"

AMENDMENT NO. 38

In Senate Committee No. 251, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 32, line 17, delete the figure "32,530,397" and insert the figure "5,350,247"

AMENDMENT NO. 39

In Senate Committee No. 251, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 32, line 18, delete the figure "77,667,425" and insert the figure "12,773,896"

AMENDMENT NO. 40

In Senate Committee No. 251, proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 32, line 19, delete the figure "110,197,822" and insert the figure "18,124,143"

AMENDMENT NO. 41

On page 284, between 25 and 26, insert the following:

" Section 18. The appropriations in this Section shall become effective if and only if House Bill 254 of the 2000 Regular Session of the Legislature becomes law."

09-306 MEDICAL VENDOR PAYMENTS

EXPENDITURES:

Payments to Private Providers for services associated with the Pharmacy Program for Persons over the age of 22 and not institutionalized \$92,073,679

TOTAL EXPENDITURES \$92,073,679

MEANS OF FINANCE:

State General Fund (Direct) \$27,180,150
Federal Funds \$64,893,529

TOTAL MEANS OF FINANCING \$92,073,679

20-966 SUPPLEMENTAL PAYMENTS TO LAW ENFORCEMENT PERSONNEL

Municipal Police Supplemental Payments \$11,203,600
Firefighters' Supplemental Payments \$ 8,506,250
Constables and Justices of the Peace Supplemental Payments \$ 360,000

Deputy Sheriffs' Supplemental Payments \$12,750,000

TOTAL EXPENDITURES \$32,819,850

MEANS OF FINANCE:

June 5, 2000

State General Fund (Direct)	<u>\$32,819,850</u>
TOTAL MEANS OF FINANCE	<u>\$32,819,850</u>

There shall be a board of review to oversee the eligibility for payment of deputy sheriffs' supplemental pay which shall be composed of three (3) members, one of whom shall be the commissioner of administration or his designee from the Division of Administration; one of whom shall be a member of the Louisiana Sheriffs' Association selected by the president thereof; and one of whom shall be the state treasurer or his designee from the Treasury. The board of review shall establish criteria for eligibility for deputy sheriffs becoming eligible after the effective date of this Act. Deputy sheriffs receiving supplemental pay prior to the effective date of this Act shall not be affected by the eligibility criteria.

The amount herein appropriated shall be paid to eligible individuals on a pro rata basis for the number of working days employed when an individual is terminated prior to the end of the month.

AMENDMENT NO. 42

On page 284, line 26, delete "Section 18" and insert in lieu thereof "Section 19"

AMENDMENT NO. 43

On page page 285, line 8, delete "Section 19" and insert in lieu thereof "Section 20"

The Chair declared the amendments were adopted.

Motion

Senator Dardenne moved to adopt the preamble and lay that motion on the table.

Without objection, the preamble was adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 14 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000.

Senator Marionneaux moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Fontenot	McPherson
Campbell	Hines	Michot
Dean	Lentini	Robichaux
Fields, C	Malone	Romero
Fields, W	Marionneaux	
Total—14		

NAYS

Mr. President	Ellington	Lambert
Bajoie	Gautreaux	Mount

Barham	Heitmeier	Schedler
Boissiere	Hollis	Smith
Cain	Hoyt	Theunissen
Chaisson	Irons	Thomas
Cravins	Johnson	Ullo
Dardenne	Jones, B	
Total—23		

ABSENT

Jones, C	Tarver
Total—2	

The Chair declared the amendments were rejected.

Motion

Senator Dardenne moved to adopt Schedule 01 and lay that motion on the table.

Without objection, Schedule 01 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 04 and lay that motion on the table.

Without objection, Schedule 04 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 05 and lay that motion on the table.

Without objection, Schedule 05 was adopted.

Motion

Senator Dardenne moved the adoption of Schedule 06.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean	Irons
Total—2	

ABSENT

Total—0

The Chair declared Schedule 06 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 06 was adopted and laid that motion on the table.

Motion

Senator Dardenne moved to adopt Schedule 07 and lay that motion on the table.

Without objection, Schedule 07 was adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 32 and 33, insert the following:

"Provided that the Secretary of the Department of Public Safety shall allocate sufficient funds to ensure minimum emission control enforcement activities in EPA non-attainment areas."

The Chair declared the amendments were adopted.

Motion

Senator Dardenne moved the adoption of Schedule 08.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names and a Total row. Includes Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Chaisson, Cravins, Dardenne, Ellington, Fields, C, Fields, W, Total—38.

NAYS

Dean Total—1

ABSENT

Total—0

The Chair declared Schedule 08 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 08 was adopted and laid that motion on the table.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 109, line 19, after "Schedule." insert the following:

"Notwithstanding any law to the contrary or any provision contained within this Schedule, any funds allocated for expenditures to small rural hospitals shall be exempt from reductions, including the various cost-containment measures that the secretary is hereby directed to utilize to accomplish these reductions."

Senator Hines moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names and a Total row. Includes Bajoie, Bean, Boissiere, Cain, Campbell, Ellington, Fields, C, Gautreaux, Total—24.

NAYS

Table with 3 columns of names and a Total row. Includes Mr. President, Barham, Chaisson, Dardenne, Dean, Total—13.

ABSENT

Table with 2 columns of names and a Total row. Includes Cravins, Fields, W, Total—2.

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 116, at the beginning of line 30, insert the following:

", through emergency rule, require that all qualifying public entities engaged in providing health care services to Medicaid recipients, certify expenditures that qualify for Medicaid reimbursement. The department shall"

AMENDMENT NO. 2

June 5, 2000

On page 116, line 34, after "retain" delete "not more than"

AMENDMENT NO. 3

On page 117, between lines 27 and 28, insert the following:

"All remaining amounts set forth herein from the above intergovernmental transfers from health care providers shall be utilized by the Department of Health & Hospitals for yearly budgetary requirements."

Senator Hines moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Robichaux
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Marionneaux
Bajoie	Romero
Total—4	

The Chair declared the amendments were adopted.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on the amendment by Senator Hines to House Bill No. 1. He had intended to vote yea on the amendment. He asked that the Official Journal so state.

Motion

Senator Dardenne moved the adoption of Schedule 09.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Hollis	Mount

Cain	Hoyt	Robichaux
Campbell	Irons	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver
Dardenne	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, W	Lentini	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Fields, C
Total—2

Romero

The Chair declared Schedule 09 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 09 was adopted and laid that motion on the table.

Motion

Senator Dardenne moved to adopt Schedule 10 and lay that motion on the table.

Without objection, Schedule 10 was adopted.

Motion

Senator Dardenne moved the adoption of Schedule 11.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—2

Malone

ABSENT

Total—0

The Chair declared Schedule 11 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 11 was adopted and laid that motion on the table.

Motion

Senator Dardenne moved to adopt Schedule 12 and lay that motion on the table.

Without objection, Schedule 12 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 13 and lay that motion on the table.

Without objection, Schedule 13 was adopted.

Motion

Senator Dardenne moved the adoption of Schedule 14.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Total—0

The Chair declared Schedule 14 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 14 was adopted and laid that motion on the table.

Motion

Senator Dardenne moved the adoption of Schedule 16.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields, C
Fields, W
Total—37

Malone
Marionneaux

NAYS

Dean
Total—2

Gautreaux

ABSENT

Total—0

The Chair declared Schedule 16 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 16 was adopted and laid that motion on the table.

Motion

Senator Dardenne moved to adopt Schedule 17 and lay that motion on the table.

Without objection, Schedule 17 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 18 and lay that motion on the table.

Without objection, Schedule 18 was adopted.

Motion

Senator Dardenne moved the adoption of Schedule 19.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, W	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Robichaux
Cain	Hollis	Romero
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields, C	Lambert	
Total—35		

NAYS

Dean
Total—1

ABSENT

Marionneaux
Total—3

McPherson
Schedler

The Chair declared Schedule 19 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 19 was adopted and laid that motion on the table.

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Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 263, between lines 9 and 10, insert the following:

"Provided, however, that of the funds appropriated herein to the Iberia Parish Tourist Commission Fund, an amount of \$100,000 shall be allocated to the Acadiana Fairgrounds Commission for tourist promotion for the Sugarena."

The Chair declared the amendments were adopted.

Senator C. Fields in the Chair

Floor Amendments Sent Up

Senator Thomas sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thomas to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 264, between lines 16 and 17 insert the following:

"Provided that of the monies appropriated out of the Washington Parish infrastructure and Park Fund \$20,000 shall be distributed to Washington Parish 4th District Fire Department for renovation and construction of a fire station"

The Chair declared the amendments were adopted.

Motion

Senator Dardenne moved the adoption of Schedule 20.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names (Mr. President, Bajoie, Barham, etc.) and counts for YEAS.

NAYS

Dean Total—1

ABSENT

Gautreaux Marionneaux Schedler Total—3

The Chair declared Schedule 20 was adopted. Senator Dardenne moved to reconsider the vote by which Schedule 20 was adopted and laid that motion on the table.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 251 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 31, between lines 2 and 3, insert the following:

"Payable out of State General Fund (Direct) for Federal matching funds in the amount of \$1,627,850 for the Louisiana Abstinence Program \$272,150"

Senator Fontenot moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names (Boissiere, Fields, W, Fontenot, Hines) and counts for YEAS.

NAYS

Table with 3 columns listing names (Mr. President, Bajoie, Barham, etc.) and counts for NAYS.

ABSENT

Marionneaux Robichaux Total—2

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 251 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 40, between lines 6 and 7, insert the following:

"20-XXX SCHOOL PERSONNEL PAY RAISE

Payable out of the State General Fund (Direct) for enhancement of salaries of teachers and other certificated personnel employed by city and parish school systems, certificated unclassified personnel employed at the La. School for the Visually Impaired, the La. School for the Deaf, the La. Special Education Center, the La. School for Math, Science and the Arts, the Southern and LSU Lab Schools, the Special School Districts, and the Department of Public Safety and Corrections \$220,000,000"

Motion

Senator C. Jones moved to table the amendment.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Bean	Hollis	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ulló
Ellington	Lentini	
Total—29		

NAYS

Campbell	Fontenot	McPherson
Chaisson	Hines	Robichaux
Fields, W	Malone	
Total—8		

ABSENT

Lambert	Marionneau
Total—2	

The Chair declared the amendment was tabled.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 251 proposed by the Senate Committee on Finance and adopted by the Senate on June 3, 2000, on page 40, between lines 6 and 7, insert the following:

"20-XXX SCHOOL PERSONNEL PAY RAISE

Payable out of the State General Fund (Direct) for a pay raise for all noncertificated, support personnel employed by city and parish school systems and for noncertificated unclassified support personnel at the La. School for the Visually Impaired, the La. School for the Deaf, the La. Special Education Center, the La. School for Math, Science and the Arts, the Southern and LSU Lab Schools, the Special School Districts, and the Department of Public Safety and Corrections, and for non-public lunchroom employees eligible for state salary supplements \$40,000,000"

Motion

Senator Hollis moved the previous question on the entire subject matter.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hollis	Michot
Barham	Hoyt	Mount
Bean	Irons	Romero
Boissiere	Johnson	Schedler
Dardenne	Jones, B	Tarver
Ellington	Jones, C	Theunissen
Fontenot	Lambert	Ulló
Heitmeier	Lentini	
Total—23		

NAYS

Cain	Fields, W	McPherson
Campbell	Gautreaux	Robichaux
Chaisson	Hines	Smith
Dean	Malone	Thomas
Fields, C	Marionneau	
Total—14		

ABSENT

Bajoie	Cravins
Total—2	

The Chair declared the previous question was called on the entire subject matter.

Senator Hines moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fields, W	McPherson
Campbell	Hines	Robichaux
Fields, C	Marionneau	
Total—8		

NAYS

Mr. President	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Hollis	Romero

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Bean	Hoyt	Schedler
Boissiere	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—29		

ABSENT

Cravins	Lambert
Total—2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean	Malone
Total—2	

ABSENT

Total—0

The Chair declared the amended 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.

Rules Suspended

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

**Introduction of Resolutions,
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 39—
BY SENATOR W. FIELDS**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate upon the death of Angela Y. Christian, MD.

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

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to mandate that the Health Care Financing Administration implement a single statewide reimbursement rate for Medicare managed care plans throughout the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones, B	Malone
Total—2	

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

Reports of Committees

The following reports of committees were received and read:

Mr. President in the Chair

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

June 5, 2000

To the President and Members of the Senate:

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

HOUSE BILL NO. 98—

BY REPRESENTATIVES THOMPSON, ALARIO, DANIEL, DURAND, FARRAR, FAUCHEUX, HEATON, HILL, HUNTER, LANDRIEU, MONTGOMERY, ODINET, TOWNSEND, WARNER, WILLARD, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, K. CARTER, CAZAYOUX, CLARKSON, CRANE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DOWNER, DUPRE, ERDEY, FLAVIN, FRITH, FUTRELL, GLOVER, GREEN, GUILLORY, HAMMETT, HOLDEN, HOPKINS, HUDSON, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LEBLANC, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, TRAVIS, TRICHE, WADDELL, WALSWORTH, WELCH, WILKERSON, WINSTON, AND WOOTON

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.2 of the Constitution of Louisiana, relative to a limitation on the sales and use tax; to provide that food for home consumption, natural gas, electricity, and water shall be exempt from state sales and use taxes; to provide for submission of the amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 330 (Substitute for House Bill No. 201 by Representative DeWitt)—

BY REPRESENTATIVES DEWITT AND SCALISE AND SENATORS HOLLIS AND BOISSIERE

AN ACT

To amend and reenact R.S. 22:1068(E)(1)(a) and (2)(d) and R.S. 51:1922, 1923(2), (3), (6)(a)(i), and (7), 1924(B) and (D)(2) and (5), 1925, 1926(A)(introductory paragraph) and (2) and (3)(a), 1927.1(B), 1931, 1933, and 1935(A) and to enact R.S. 51:1923(10), (11), (12), (13), and (14), 1927.2, and 1928(C)(4), relative to the Louisiana capital companies tax credit program; to provide for definitions; to provide for income tax credit or premium tax reduction; to provide requirements for continuance of certification; to provide for annual audits; to provide for annual reports to the legislature; to provide for program termination; to provide for investment in approved funds; to provide for payment of costs of the program; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

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

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

HOUSE BILL NO. 98—

BY REPRESENTATIVES THOMPSON, ALARIO, DANIEL, DURAND, FARRAR, FAUCHEUX, HEATON, HILL, HUNTER, LANDRIEU, MONTGOMERY, ODINET, TOWNSEND, WARNER, WILLARD, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, K. CARTER, CAZAYOUX, CLARKSON, CRANE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DOWNER, DUPRE, ERDEY, FLAVIN, FRITH, FUTRELL, GLOVER, GREEN, GUILLORY, HAMMETT, HOLDEN, HOPKINS, HUDSON, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LEBLANC, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, TRAVIS, TRICHE, WADDELL, WALSWORTH, WELCH, WILKERSON, WINSTON, AND WOOTON

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.2 of the Constitution of Louisiana, relative to a limitation on the sales and use tax; to

provide that food for home consumption, natural gas, electricity, and water shall be exempt from state sales and use taxes; to provide for submission of the amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 330 (Substitute for House Bill No. 201 by Representative DeWitt)—

BY REPRESENTATIVES DEWITT AND SCALISE AND SENATORS HOLLIS AND BOISSIERE

AN ACT

To amend and reenact R.S. 22:1068(E)(1)(a) and (2)(d) and R.S. 51:1922, 1923(2), (3), (6)(a)(i), and (7), 1924(B) and (D)(2) and (5), 1925, 1926(A)(introductory paragraph) and (2) and (3)(a), 1927.1(B), 1931, 1933, and 1935(A) and to enact R.S. 51:1923(10), (11), (12), (13), and (14), 1927.2, and 1928(C)(4), relative to the Louisiana capital companies tax credit program; to provide for definitions; to provide for income tax credit or premium tax reduction; to provide requirements for continuance of certification; to provide for annual audits; to provide for annual reports to the legislature; to provide for program termination; to provide for investment in approved funds; to provide for payment of costs of the program; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 330 by Representative DeWitt

AMENDMENT NO. 1
On page 1, line 5, after "R.S. 51:1923" insert "(6)(c) and (d)," and at the end of the line, delete "and"

AMENDMENT NO. 2
On page 1, line 6, after "(14)," insert "and (15), and after "1927.2" insert (A) and (B)"

AMENDMENT NO. 3
On page 3, line 1, after "R.S. 51:1923" insert "(6)(c) and (d)," and after "13," delete "and"

AMENDMENT NO. 4
On page 3, line 1, after "(14)," insert "and (15),"

AMENDMENT NO. 5
On page 4, delete lines 3 and 4 and insert the following:

"(3) "Department" means the office of financial institutions through the department of Economic Development or its successor."

AMENDMENT NO. 6
On page 4, between lines 16 and 17, insert the following:

"(c) For investments made on or after December 1, 2000, any business, which is classified as a qualified Louisiana business at the time of the first investment in said business by a certified Louisiana capital company that continues to meet provisions of 6(a)(i), shall remain classified as a qualified Louisiana business for any later additional investment into the business by that certified Louisiana capital company, provided each additional investment meets the definition of a qualified investment.

(d) Has, together with its affiliates, been unable to obtain conventional financing. Such determination shall be made in accordance

with rules promulgated by the secretary or his successor."

AMENDMENT NO. 7

On page 4, delete lines 17 through 19 and insert the following:

"(7) "Secretary" means the secretary of the Department of Economic Development or his successor, through the commissioner of the office of financial institutions."

AMENDMENT NO. 8

On page 5, after line 26, insert the following:

"(15) "Qualified Louisiana early stage technology-based business" means a qualified Louisiana business that is involved, at the time of the certified capital company's initial investment in such business, in activities in information technology, communications, medical, biomedical, advanced materials, food, environmental, or micromanufacturing technologies related to developing initial product or service offerings, such as prototype development or the establishment of initial production or service processes. The term includes a qualified business that is less than 2 year old and has, together with its affiliates, less than \$3 million in annual revenues for the fiscal year immediately preceding the initial investment by the certified capital company on a consolidated basis, as determined in accordance with generally accepted accounting principles."

AMENDMENT NO. 9

On page 13, line 4, after "pools" insert "of priority certified Louisiana capital company groups"

AMENDMENT NO. 10

On page 13, at the end of line 10, insert the following:

"With respect to investment pools certified after January 1, 2000 for certified Louisiana capital company groups that are not priority certified Louisiana capital company groups, at least twenty-five percent of each investment pool must be invested in qualified investments in qualified Louisiana early stage technology-based businesses, with a minimum of fifty percent of such qualified investments as equity investments within five years after the investment date for each investment pool."

AMENDMENT NO. 11

On page 13, line 22, change "Department of Revenue" to "Economic Development Fund"

AMENDMENT NO. 12

On page 14, line 5, change "Department of Revenue" to "Economic Development Fund"

AMENDMENT NO. 13

On page 14, line 9, change "Department of Revenue" to Economic Development Fund"

AMENDMENT NO. 14

On page 14, between lines 19 and 20, insert the following:

"A. By September 1, 2000 and each year thereafter, each existing CAPCO shall report to the secretary or his successor the amount and percentage of certified capital invested in qualified technology-based businesses, startup qualified Louisiana businesses, as well as any follow-on equity raised by the qualified Louisiana business invested in by certified Louisiana capital companies since their initial certification. The secretary or his successor shall report such information to the House Committee on Commerce and the Senate Committee on Commerce and Consumer Protection."

AMENDMENT NO. 15

On page 14, at the beginning of line 20, insert "B."

AMENDMENT NO. 16

On page 17, at the end of line 3, insert the following:

"The secretary shall promulgate rules regarding the criteria for approval and operation of such technology funds. These rules shall include but not be limited to investment criteria, investment time frames, and management fees."

AMENDMENT NO. 17

On page 17, between lines 9 and 10, insert:

"(c) All funds received by capital companies pursuant to R.S. 51:1935(A)(1)(b) shall be invested in qualified investments pursuant to their investment objectives in accordance with the investment time frames outlined in this Chapter."

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

**Privilege Report of the
Legislative Bureau**

June 5, 2000

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 BILL NO. 98—

BY REPRESENTATIVES THOMPSON, ALARIO, DANIEL, DURAND, FARRAR, FAUCHEUX, HEATON, HILL, HUNTER, LANDRIEU, MONTGOMERY, ODINET, TOWNSEND, WARNER, WILLARD, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, K. CARTER, CAZAYOUX, CLARKSON, CRANE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DIEZ, DOERGE, DOWNER, DUPRE, ERDEY, FLAVIN, FRITH, FUTRELL, GLOVER, GREEN, GUILLORY, HAMMETT, HOLDEN, HOPKINS, HUDSON, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LEBLANC, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MURRAY, NEVERS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, TRAVIS, TRICHE, WADDELL, WALSWORTH, WELCH, WILKERSON, WINSTON, AND WOOTON

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.2 of the Constitution of Louisiana, relative to a limitation on the sales and use tax; to provide that food for home consumption, natural gas, electricity, and water shall be exempt from state sales and use taxes; to provide for submission of the amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 330 (Substitute for House Bill No. 201 by Representative DeWitt)—

BY REPRESENTATIVES DEWITT AND SCALISE AND SENATORS HOLLIS AND BOISSIERE

AN ACT

To amend and reenact R.S. 22:1068(E)(1)(a) and (2)(d) and R.S. 51:1922, 1923(2), (3), (6)(a)(i), and (7), 1924(B) and (D)(2) and (5), 1925, 1926(A)(introductory paragraph) and (2) and (3)(a), 1927.1(B), 1931, 1933, and 1935(A) and to enact R.S. 51:1923(10), (11), (12), (13), and (14), 1927.2, and 1928(C)(4), relative to the Louisiana capital companies tax credit program; to provide for definitions; to provide for income tax credit or premium tax reduction; to provide requirements for continuance of certification; to provide for annual audits; to provide for annual reports to the legislature; to provide for program termination; to

provide for investment in approved funds; to provide for payment of costs of the program; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

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

**Appointment of Conference Committee
on Senate Concurrent Resolution No. 32**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Concurrent Resolution No. 32: Senators Bajoie, Johnson, and C.D. Jones.

Leaves of Absence

The following leaves of absence were asked for and granted:

C. Fields ½ Day

Adjournment

Senator Lambert moved that the Senate adjourn until Tuesday, June 6, 2000 at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Tuesday, June 6, 2000.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk