

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

**FOURTH DAY'S PROCEEDINGS**

**Thirty-Seventh Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, March 12, 2008

The Senate was called to order at 1:00 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

**ABSENT**

Gautreaux B	Quinn	Shepherd
Total - 3		

The President of the Senate announced there were 36 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Ray Watson, 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 Walsworth, the reading of the Journal was dispensed with and the Journal of March 11, 2008, was adopted.

**Morning Hour**

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

March 12, 2008

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. 4—**

BY SENATORS MARTINY, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVE WOOTON

**A CONCURRENT RESOLUTION**

To commend and to congratulate former congresswoman and national treasure, Corinne Claiborne "Lindy" Boggs, on the occasion of her ninety-second birthday and to celebrate her many achievements in a life dedicated to public service.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 5—**

BY SENATOR LONG AND REPRESENTATIVE HOWARD

**A CONCURRENT RESOLUTION**

To commend Florien High School of the Sabine Parish School System on being honored with a Bronze Medal by U.S. News & World Report as one of the best high schools in the nation.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATOR LONG AND REPRESENTATIVE HOWARD

**A CONCURRENT RESOLUTION**

To commend Negreet High School of the Sabine Parish School System on being honored with a Bronze Medal by U.S. News & World Report as one of the best high schools in the nation.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 7—**

BY SENATOR LONG AND REPRESENTATIVE FANNIN

**A CONCURRENT RESOLUTION**

To commend Dodson High School of the Winn Parish School System on being honored with a Bronze Medal by U.S. News & World Report as one of the best high schools in the nation.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 8—**

BY SENATOR LONG AND REPRESENTATIVE FANNIN

**A CONCURRENT RESOLUTION**

To commend Calvin High School of the Winn Parish School System on being honored with a Bronze Medal by U.S. News & World Report as one of the best high schools in the nation.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 9—**

BY SENATOR LONG AND REPRESENTATIVE FANNIN

**A CONCURRENT RESOLUTION**

To commend Winnfield Senior High School of the Winn Parish School System on being honored with a Bronze Medal by U.S. News & World Report as one of the best high schools in the nation.

Reported without amendments.

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

**Introduction of Senate Resolutions**

Senator Broome 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. 4—**  
BY SENATOR GRAY

**A RESOLUTION**

To commend Benjamin Karp for his "Children of New Orleans" campaign which is raising money to help the Tulane Hospital for Children.

On motion of Senator Gray, 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 CONCURRENT RESOLUTIONS**

March 12, 2008

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. 1—**  
BY REPRESENTATIVES FANNIN AND TUCKER

**A CONCURRENT RESOLUTION**

To direct the commissioner of administration to change the expenditure limit for Fiscal Year 2007-2008.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions**

Senator Broome 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. 1—**  
BY REPRESENTATIVES FANNIN AND TUCKER

**A CONCURRENT RESOLUTION**

To direct the commissioner of administration to change the expenditure limit for Fiscal Year 2007-2008.

On motion of Senator Broome, the resolution was read by title and referred to the Committee on Finance.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

March 12, 2008

To the President and Members of the Senate:

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

**SENATE RESOLUTION NO. 3—**  
BY SENATOR CHAISSON

**A RESOLUTION**

To amend and readopt Senate Rule No. 13.22(A) and (C) of the Senate Rules of Order, relative to the Senate Executive Committee; to provide for the membership of the committee; to revise the date by which the committee must set the required allotment; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT W. KOSTELKA  
Chairman

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

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

**SENATE BILL NO. 3—**  
BY SENATOR SCALISE

**AN ACT**

To amend and reenact R.S. 47:293(4), relative to the federal income tax reductions provided for in Section 6428 of the Internal Revenue Code as enacted in the federal Economic Stimulus Act of 2008; to provide that such federal income tax reductions shall not decrease the federal income tax deduction; and to provide for related matters.

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

**SENATE BILL NO. 5—**  
BY SENATORS MARIONNEAUX, KOSTELKA, MICHOT, SCALISE AND WALSWORTH

**AN ACT**

To enact R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11, relative to individual income tax; to provide for a deduction from state income taxes for certain elementary and secondary education tuition; to provide for a deduction for state income taxes for certain home-school educational expenses; and to provide for related matters.

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

**Senator Adley in the Chair**

**SENATE BILL NO. 7—**  
BY SENATORS CHAISSON, MICHOT, SCALISE AND WALSWORTH  
**AN ACT**

To amend and reenact R.S. 47:301(3)(i)(ii)(bb), relative to the definition of the term "manufacturer" for purposes of eligibility for the state sales and use tax exclusions from the terms "cost price" and "sales price" for purchases of machinery and equipment used in manufacturing; to provide that the term "manufacturer" shall include persons who have North American Industrial Classification System codes within the information Section 51, or the manufacturing Sectors 511-511110, as they existed in 2002, assigned either by the Louisiana Department of Labor, if the persons are required to register with the Louisiana

Department of Labor for purposes of unemployment insurance, or by the Louisiana Department of Revenue, as determined from federal income tax data, if the persons are not required to register with the Department of Labor for purposes of unemployment insurance; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	McPherson
Adley	Gautreaux N	Michot
Alario	Gray	Morrish
Amedee	Hebert	Mount
Broome	Jackson	Murray
Cassidy	Kostelka	Nevers
Cheek	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Duplessis	Martiny	Walsworth
Total - 30		

**NAYS**

Total - 0

**ABSENT**

Cravins	Gautreaux B	Scalise
Dorsey	Heitmeier	Shepherd
Dupre	Quinn	Thompson
Total - 9		

The Chair declared the bill was passed and sent to the House. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 9—**

BY SENATORS MARIONNEAUX, ADLEY, DORSEY, ERDEY, KOSTELKA, LONG, MICHOT, MORRISH, RISER, SHAW AND WALSWORTH

**AN ACT**

To enact R.S. 47:293(4)(c), relative to the federal income tax deduction for individual income tax; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	Michot
Adley	Gautreaux N	Morrish
Alario	Gray	Mount
Amedee	Hebert	Murray
Broome	Jackson	Nevers
Cassidy	Kostelka	Riser
Cheek	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Walsworth
Dorsey	Martiny	
Duplessis	McPherson	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Cravins	Heitmeier	Shepherd
Dupre	Quinn	Thompson
Gautreaux B	Scalise	
Total - 8		

The Chair declared the bill was passed and sent to the House. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 10—**

BY SENATORS MARIONNEAUX, ADLEY, DORSEY, ERDEY, KOSTELKA, LONG, MICHOT, MORRISH, RISER, SHAW AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 47:602(A) and (G), 603(A)(2), 605(C), and 609(A) and to repeal R.S. 47:603, relative to the corporation franchise tax; to accelerate the elimination of borrowed capital from taxable capital; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 10 by Senator Marionneaux

**AMENDMENT NO. 1**

On page 2, line 29, change "credit" to "capital"

**AMENDMENT NO. 2**

On page 4, line 17, following "thereafter, and" delete the remainder of the line and on line 18, delete "for in Paragraph (2) of this Subsection,"

On motion of Senator Marionneaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Erdey	Michot
Adley	Gautreaux N	Morrish
Alario	Gray	Mount
Amedee	Hebert	Murray
Broome	Jackson	Nevers
Cassidy	Kostelka	Riser
Cheek	LaFleur	Shaw
Crowe	Long	Smith
Donahue	Marionneaux	Walsworth
Dorsey	Martiny	
Duplessis	McPherson	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Cravins	Heitmeier	Shepherd
Dupre	Quinn	Thompson
Gautreaux B	Scalise	
Total - 8		

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The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 11—

BY SENATORS MICHOT, ALARIO, CHEEK, DONAHUE, DUPRE, N. GAUTREAUX, JACKSON, LONG, MURRAY, SMITH AND WALSWORTH AN ACT

To amend and reenact R.S. 47:481 and R.S. 48:196(A) and to enact R.S. 48:77, relative to the dedication of revenues to transportation related matters; to provide for the deposit into and allowable uses thereof of certain monies into the Transportation Trust Fund, the Transportation Mobility Fund, and the State Highway Improvement Fund; to provide for an effective date; and to provide for related matters.

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

Mr. President in the Chair

SENATE BILL NO. 12—

BY SENATORS MARIONNEAUX, ADLEY, DORSEY, ERDEY, KOSTELKA, LONG, MICHOT, MORRISH, RISER, SHAW AND WALSWORTH AN ACT

To amend and reenact R.S. 47:301(3)(i)(i), 13(k)(i), and 28(a), relative to sales and use tax of the state and statewide political subdivisions; to provide for an accelerated reduction of the sales price, cost price, gross proceeds derived from a lease or rental, monthly lease or rental price paid, and the monthly lease or rental price contracted or agreed to by way of an exclusion of certain manufacturing machinery and equipment; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Hebert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Engrossed Senate Bill No. 12 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "(i)(i)" insert ", (ii)(aa), (aa)(I), and (cc)" and after "(28)(a)" insert "and to repeal R.S. 47:301(3)(ii)(cc)(II)"

AMENDMENT NO. 2

On page 1, line 6, after "manufacturing" insert "and other"

AMENDMENT NO. 3

On page 1, line 9, after "(i)(i)" insert ", (ii)(aa), (aa)(I), and (cc)"

AMENDMENT NO. 4

On page 2, at the end of line 4, change "or" to "or."

AMENDMENT NO. 5

On page 2, line 7, after "Louisiana" insert ", or any other type of machinery or equipment necessary for any other type of business operating in Louisiana."

AMENDMENT NO. 6

On page 2, between lines 22 and 23, insert: "(ii) For purposes of this Subparagraph, the following definitions shall apply: (aa) "Machinery and equipment" means tangible personal property or other property that is eligible for depreciation for federal income tax purposes and that is used as an integral part in the manufacturing of tangible personal property for sale necessary for any type of business operating in Louisiana. "Machinery and

equipment" shall also mean tangible personal property or other property that is eligible for depreciation for federal income tax purposes and that is used as an integral part of the production, processing, and storing of food and fiber or of timber.

(l) Unless otherwise provided for in Item (aa) of this Subparagraph, machinery and equipment, for purposes of this Subparagraph, also includes but is not limited to the following:

\* \* \*
\* \* \*

(cc) "Manufacturing" means putting raw materials through a series of steps that brings about a change in their composition or physical nature in order to make a new and different item of tangible personal property that will be sold to another. Manufacturing begins at the point at which raw materials reach the first machine or piece of equipment involved in changing the form of the material and ends at the point at which manufacturing has altered the material to its completed form. Placing materials into containers, packages, or wrapping in which they are sold to the ultimate consumer is part of this manufacturing process. Unless otherwise provided for in Item (aa) of this Subparagraph, manufacturing, for purposes of this Subparagraph, does not include any of the following:

\* \* \*

AMENDMENT NO. 7

On page 3, line 1, change "or" to "or."

AMENDMENT NO. 8

On page 3, line 3, after "Louisiana" insert ", or any other type of machinery or equipment necessary for any other type of business operating in Louisiana."

AMENDMENT NO. 9

On page 3, line 25, change "or" to "or."

AMENDMENT NO. 10

On page 3, line 27, after "Louisiana" insert ", or any other type of machinery or equipment necessary for any other type of business operating in Louisiana."

AMENDMENT NO. 11

On page 4, between lines 13 and 14, insert: "Section 2. R.S. 47:301(3)(ii)(cc)(II) is hereby repealed."

AMENDMENT NO. 12

On page 4, line 12, change "Section 2." to "Section 3."

Senator Marionneaux asked for a ruling from the Chair as to whether the amendment was germane to the call.

The Chair ruled that the amendment was not germane to the call.

The amendment was withdrawn.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, and another column. Includes Mr. President, Dupre, Michot, Adley, Erdey, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Risier, Cheek, Jackson, Scalise, Cravins, Kostelka, Shaw, Crowe, LaFleur, Smith, Donahue, Long, Thompson, Dorsey, Martiny, Walsworth, Duplessis, McPherson.

Total - 35

NAYS

Total - 0

ABSENT

Gautreaux B  
Marionneaux  
Total - 4

Quinn  
Shepherd

The Chair declared the bill was passed and sent to the House. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**SENATE BILL NO. 13—**

BY SENATORS MARIONNEAUX, ADLEY, DORSEY, ERDEY, KOSTELKA, LONG, MICHOT, MORRISH, RISER, SHAW AND WALSWORTH

AN ACT

To enact R.S. 47:321(K), relative to the sales and use tax; to provide for the effectiveness and applicability of the exemptions for electric power or energy, natural gas, water, and steam; to provide for an effective date; and to provide for related matters.

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

**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 Scalise asked that Senate Bill No. 3 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 3—**

BY SENATOR SCALISE

AN ACT

To amend and reenact R.S. 47:293(4), relative to the federal income tax reductions provided for in Section 6428 of the Internal Revenue Code as enacted in the federal Economic Stimulus Act of 2008; to provide that such federal income tax reductions shall not decrease the federal income tax deduction; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Erdey	Michot
Alario	Gautreaux N	Morrish
Amedee	Gray	Mount
Broome	Hebert	Murray
Cassidy	Heitmeier	Nevers
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux B  
Total - 3

Quinn

Shepherd

The Chair declared the bill was passed and sent to the House. Senator Scalise moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Called from the Calendar**

Senator Marionneaux asked that Senate Bill No. 5 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 5—**

BY SENATORS MARIONNEAUX, KOSTELKA, MICHOT, SCALISE AND WALSWORTH

AN ACT

To enact R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11, relative to individual income tax; to provide for a deduction from state income taxes for certain elementary and secondary education tuition; to provide for a deduction for state income taxes for certain home-school educational expenses; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Nevers sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 5 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, change "and (xv), 297.10, and 297.11" to ", (xv), and (xvi), 297.10, 297.11, and 297.12"

AMENDMENT NO. 2

On page 1, line 4, after "tuition" insert "and fees"

AMENDMENT NO. 3

On page 1, line 5, after "certain" insert "public school and"

AMENDMENT NO. 4

On page 1, line 7, change "and (xv), 297.10, and 297.11" to ", (xv), and (xvi), 297.10, 297.11, and 297.12"

AMENDMENT NO. 5

On page 2, between lines 4 and 5, insert:  
"(xvi) The deduction for fees and other educational expenses for a quality public education."

AMENDMENT NO. 6

On page 2, between lines 28 and 29, insert:  
"\$297.12. Tax deduction; fees and other educational expenses for a quality public education

A. There shall be allowed a deduction from tax table income for the sum of fees or other amounts paid during a tax year by a taxpayer to a public elementary or secondary school for a quality education, which includes all of the following:

(1) The purchase of school uniforms required by such schools for general day-to-day use.

(2) The purchase of textbooks, curricula, or other instructional materials required by such schools.

(3) The purchase of school supplies required by such schools.

(4) Purchases, fees, or other amounts paid for a student's participation in curricular or extracurricular activities sponsored by the school, including but not limited to band, sports, and clubs.

B.(1) The deduction authorized by this Section shall be equal to fifty percent of the actual amount paid by the taxpayer per student, or five thousand dollars per student, whichever is less.

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**(2) In addition, the amount of the deduction shall not exceed the total taxable income of the individual.**

Senator Nevers moved adoption of the amendments.

Senator Marionneaux objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Erdey	Murray
Alario	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Heitmeier	Riser
Cheek	Jackson	Scalise
Cravins	LaFleur	Shaw
Crowe	Long	Smith
Dorsey	McPherson	Thompson
Duplessis	Morrish	Walsworth
Dupre	Mount	
Total - 29		

**NAYS**

Amedee	Kostelka	Martiny
Donahue	Marionneaux	Michot
Total - 6		

**ABSENT**

Mr. President	Gautreaux N
Gautreaux B	Shepherd
Total - 4	

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Morrish sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 5 by Senator Marionneaux

**AMENDMENT NO. 1**

On page 1, line 2, delete "enact R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11" and insert in lieu thereof "amend and reenact R.S. 47:297(D)(2)"

**AMENDMENT NO. 2**

On page 1, line 3, after "tax;" delete the remainder of the line and line 4 and on line 5, delete "certain home school educational expenses;" and insert in lieu thereof "to provide for a tax credit for educational expenses;"

**AMENDMENT NO. 3**

On page 1, delete lines 7 through 17, and on page 2, delete lines 1 through 28, and insert the following:

"Section 1. R.S. 47:297(D)(2) is hereby amended and reenacted to read as follows:

§297. Reduction to tax due  
\* \* \*

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

(1) **Beginning for tax years beginning on and after January 1, 2009**, a taxpayer required to file a Louisiana tax return may claim tax credit for educational expenses incurred **after January 1, 1988**, for each child **between four and eighteen years of age attending**

kindergarten, elementary, or secondary school (kindergarten through twelfth grade), if the child qualifies as a dependency exemption on the taxpayer's Louisiana income tax return.

(2)(a) Any taxpayer who so qualifies shall be entitled to a maximum tax credit of ~~twenty-five~~ **fifty** dollars per child for educational expenses.

**(b) Notwithstanding the provisions of Subsection (F) of this Section, the credit provided in this Subsection shall be refundable.**

**AMENDMENT NO. 4**

On page 2, line 29, after "applicable to" delete the remainder of the line and insert: "tax years beginning on and after"

Senator Marionneaux asked for a ruling from the Chair as to whether the amendment was germane to the call.

The Chair ruled that the amendment was not germane to the call.

The amendment was withdrawn.

**Floor Amendments Sent Up**

Senator Nevers sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 5 by Senator Marionneaux

**AMENDMENT NO. 1**

On page 1, line 2, change "and (xv), 297.10, and 297.11" to ", (xv), and (xvi), 297.10, 297.11, and 297.12"

**AMENDMENT NO. 2**

On page 1, line 4, after "tuition" insert ", fees, and expenses of teachers"

**AMENDMENT NO. 3**

On page 1, line 7, change "and (xv), 297.10, and 297.11" to ", (xv), and (xvi), 297.10, 297.11, and 297.12"

**AMENDMENT NO. 4**

On page 2, between lines 4 and 5, insert:  
**"(xvi) The deduction for purchases of classroom supplies by school teachers."**

**AMENDMENT NO. 5**

On page 2, between lines 28 and 29, insert:  
**"§297.12. Tax deduction;**  
**A. There shall be allowed a deduction from tax table income for the sum of amounts paid by a teacher in any elementary or secondary school for classroom supplies to be distributed free of charge to the teacher's pupils in such school.**

**B.(1) The deduction authorized by this Section shall be equal to fifty percent of the actual amount paid by the taxpayer, or five thousand dollars, whichever is less.**

**(2) In addition, the amount of the deduction shall not exceed the total taxable income of the individual.**

Senator Marionneaux asked for a ruling from the Chair as to whether the amendment was germane to the call.

The Chair ruled that the amendment was not germane to the call.

The amendment was withdrawn.

**Floor Amendments Sent Up**

Senator Kostelka sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Kostelka to Engrossed Senate Bill No. 5 by Senator Marionneau

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 6 proposed by Senator Nevers and adopted by the Senate on March 12, 2008.

Senator Kostelka moved adoption of the amendments.

Senator Nevers objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Amedee	Kostelka	Quinn
Cassidy	Marionneau	Scalise
Donahue	Martiny	Thompson
Gautreaux N	Michot	Walsworth
Total - 12		

**NAYS**

Adley	Dupre	McPherson
Alario	Erdey	Morrish
Broome	Gray	Mount
Cheek	Hebert	Murray
Cravins	Heitmeier	Nevers
Crowe	Jackson	Riser
Dorsey	LaFleur	Shaw
Duplessis	Long	Smith
Total - 24		

**ABSENT**

Mr. President	Gautreaux B	Shepherd
Total - 3		

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Morrish sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 5 by Senator Marionneau

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 47:293(9)(a)(xiv) and (xv), 297.10, and 297.11" and insert in lieu thereof "amend and reenact R.S. 47:297(D)(2)"

AMENDMENT NO. 2

On page 1, line 3, after "tax;" delete the remainder of the line and line 4 and on line 5, delete "certain home school educational expenses;" and insert in lieu thereof "to provide for a tax credit for educational expenses;"

AMENDMENT NO. 3

On page 1, delete lines 7 through 17, and on page 2, delete lines 1 through 28, and insert the following:

"Section 1. R.S. 47:297(D)(2) is hereby amended and reenacted to read as follows:

§297. Reduction to tax due

\* \* \*

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

(1) Beginning for tax years beginning on and after January 1, 2009, a taxpayer required to file a Louisiana tax return may claim tax credit for educational expenses incurred ~~after January 1, 1988~~, for each child **between four and eighteen years of age** attending kindergarten, elementary, or secondary school (kindergarten through twelfth grade), if the child qualifies as a dependency exemption on the taxpayer's Louisiana income tax return.

(2)(a) Any taxpayer who so qualifies shall be entitled to a maximum tax credit of ~~twenty-five~~ **fifty** dollars per child for educational tuition expenses.

(b) Notwithstanding the provisions of Subsection (F) of this Section, the credit provided in this Subsection shall be refundable.

(c) For purposes of this section, tuition shall be defined as any and all expenses, both public and private, that are associated with elementary or secondary education.

AMENDMENT NO. 4

On page 2, line 29, after "applicable to" delete the remainder of the line and insert: "tax years beginning on and after"

Senator Morrish moved adoption of the amendments.

Senator Marionneau objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Broome	Jackson	Murray
Cravins	LaFleur	Nevers
Dorsey	Long	Shaw
Dupre	McPherson	Smith
Gray	Morrish	Thompson
Hebert	Mount	
Total - 17		

**NAYS**

Adley	Duplessis	Michot
Alario	Erdey	Quinn
Amedee	Gautreaux N	Riser
Cassidy	Heitmeier	Scalise
Cheek	Kostelka	Walsworth
Crowe	Marionneau	
Donahue	Martiny	
Total - 19		

**ABSENT**

Mr. President	Gautreaux B	Shepherd
Total - 3		

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator N. Gautreaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 5 by Senator Marionneau

AMENDMENT NO. 1

Delete Senate Floor Amendments proposed by Senator Nevers and adopted by the Senate on March 12, 2008

AMENDMENT NO. 2

On page 1, line 2, change "and (xv), 297.10, and 297.11" to ", (xv), and (xvi), 297.10, 297.11, and 297.12"

March 12, 2008

AMENDMENT NO. 3

On page 1, line 4, after "tuition" insert "and fees"

AMENDMENT NO. 4

On page 1, line 5, after "certain" insert "public school and"

AMENDMENT NO. 5

On page 1, line 7, change "and (xv), 297.10, and 297.11" to ", (xv), and (xvi), 297.10, 297.11, and 297.12"

AMENDMENT NO. 6

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

"(xvi) **The deduction for fees and other educational expenses for a quality public education.**"

AMENDMENT NO. 7

On page 2, between lines 28 and 29, insert:

"§297.12. **Tax deduction; fees and other educational expenses for a quality public education**

**A. There shall be allowed a deduction from tax table income for the sum of fees or other amounts paid during a tax year by a taxpayer to a public elementary or secondary school for a quality education, which includes all of the following:**

**(1) The purchase of school uniforms required by such schools for general day-to-day use.**

**(2) The purchase of textbooks, curricula, or other instructional materials required by such schools.**

**(3) The purchase of school supplies required by such schools.**

**B.(1) The deduction authorized by this Section shall be equal to fifty percent of the actual amount paid by the taxpayer per student, or five thousand dollars per student, whichever is less.**

**(2) In addition, the amount of the deduction shall not exceed the total taxable income of the individual."**

On motion of Senator N. Gautreaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux N	Morrish
Alario	Gray	Mount
Amedee	Hebert	Murray
Broome	Heitmeier	Nevers
Cassidy	Jackson	Quinn
Cheek	Kostelka	Riser
Cravins	LaFleur	Scalise
Crowe	Long	Smith
Donahue	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	
Total - 34		

NAYS

Dorsey	Shepherd
Total - 2	

ABSENT

Mr. President	Gautreaux B	Shaw
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Marionneaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Michot asked that Senate Bill No. 11 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 11—

BY SENATORS MICHOT, ALARIO, CHEEK, DONAHUE, DUPRE, N. GAUTREAUX, JACKSON, LONG, MURRAY, SMITH AND WALSWORTH  
AN ACT

To amend and reenact R.S. 47:481 and R.S. 48:196(A) and to enact R.S. 48:77, relative to the dedication of revenues to transportation related matters; to provide for the deposit into and allowable uses thereof of certain monies into the Transportation Trust Fund, the Transportation Mobility Fund, and the State Highway Improvement Fund; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed Senate Bill No. 11 by Senator Michot

AMENDMENT NO. 1

On page 1, line 13, after "fund," and before "**Transportation**" insert "**the**"

On motion of Senator Michot, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 11 by Senator Michot

AMENDMENT NO. 1

On page 2, line 23, after "**capacity**" and before "**projects**" insert "**and/or safety**"

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 11 by Senator Michot

AMENDMENT NO. 1

On page 3, line 1, after "**projects**" and before "**as provided**" insert "**and for any project which the Department of Transportation and Development determines is critical to public safety even if such project is not a priority project**"

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 11 by Senator Michot



AMENDMENT NO. 1

On page 2, at the end of line 23, insert the following: "**As used in this Subparagraph, "capacity projects" means projects that add additional travel lanes to existing highways, construct new four-lane facilities, add new interchanges to existing highways, or add control-of-access facilities to existing highways.**"

On motion of Senator N. Gautreaux, the amendments were adopted.

**Floor Amendments Sent Up**

Senator N. Gautreaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 11 by Senator Michot

AMENDMENT NO. 1

On page 2, delete lines 19 through 21 and insert the following: "**(1) Thirty percent of the total avails shall be deposited in the**"

AMENDMENT NO. 2

On page 2, line 22, after "Section" and before "shall" insert "**and**"

AMENDMENT NO. 3

On page 2, line 24, change "**(b)**" to "**(2)**" and after "**avails**" and before "**deposited**" insert "**shall be**"

AMENDMENT NO. 4

On page 2, line 25, after "Section" and before "shall" insert "**and**"

AMENDMENT NO. 5

On page 2, delete line 28 and insert the following: "**(3) Fifty-six percent of the total avails shall be deposited in the Transportation**"

AMENDMENT NO. 6

On page 2, line 29, after "Section" and before "shall" insert "**and**"

AMENDMENT NO. 7

On page 3, delete line 2 and insert the following: "**(4) Seven percent of the total avails shall be deposited into the Transportation Mobility Fund pursuant to Subsection A of this Section.**"

On motion of Senator N. Gautreaux, the amendments were adopted.

**Floor Amendments Sent Up**

Senator McPherson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 11 by Senator Michot

AMENDMENT NO. 1

On page 1, line 3, after "matters;" delete the remainder of the line and insert "to create the Transportation Advancement Program Fund as a special fund in the State Treasury; to provide for the deposit into the fund and the use of monies in the fund; to provide for the deposit"

AMENDMENT NO. 2

On page 1, line 13, delete "Transportation Trust Fund" and insert "Transportation Advancement Program Fund"

AMENDMENT NO. 3

On page 1, line 17, change "Transportation Trust Fund;" to "Transportation Advancement Program Fund;"

AMENDMENT NO. 4

On page 2, between lines 1 and 2, insert "**A. There is hereby created, as a special fund in the state treasury, the Transportation Advancement Program Fund hereinafter referred to as the "fund".**"

AMENDMENT NO. 5

On page 2, line 2, change "**A.**" to "**B.**"

AMENDMENT NO. 6

On page 2, line 9, change "**B**" to "**C**"

AMENDMENT NO. 7

On page 2, delete lines 17 and 18 and insert the following: "**C. The avails of the taxes dedicated pursuant to Subsection B of this Section shall be deposited into the Transportation Advancement Program Fund and shall be used first to insure that when the executive budget is introduced the Continuation Budget as defined in R.S. 39:2(11) is fully funded in an amount not to exceed the official forecast as provided in Article VII, Section 10(E) of the Constitution. Any remaining funds may be used as provided in Subsection D of this Section for the purposes specified.**"

**D. Any remaining funds shall be used as follows:"**

AMENDMENT NO. 8

On page 2, line 22, delete "**Subsection A of**"

AMENDMENT NO. 9

On page 2, line 25, delete "**Subsection A of**"

AMENDMENT NO. 10

On page 2, line 29, change "**Subsection A of**"

AMENDMENT NO. 11

On page 3, line 3, change "**C.**" to "**E.**"

AMENDMENT NO. 12

On page 3, line 15, change "**B**" to "**D**"

Senator McPherson moved adoption of the amendments.

Senator Michot objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Gray	Murray
Alario	Hebert	Nevers
Cassidy	Heitmeier	Shepherd
Cravins	McPherson	Smith
Dorsey	Mount	
Total - 14		

NAYS

Mr. President	Gautreaux N	Quinn
Broome	Jackson	Riser
Cheek	Kostelka	Scalise
Crowe	Long	Shaw
Donahue	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Dupre	Michot	
Erdey	Morrish	
Total - 22		

ABSENT

Amedee	Gautreaux B	LaFleur
Total - 3		

The Chair declared the amendments were rejected.

March 12, 2008

**Floor Amendments Sent Up**

Senator Hebert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hebert to Engrossed Senate Bill No. 11 by Senator Michot

AMENDMENT NO. 1

On page 2, line 23, after "**projects**" insert: "**located in each parish based upon the number of dollars of taxes each parish contributes to the total amount provided for in Subsection (A)**"

AMENDMENT NO. 2

On page 2, line 27, after "**3463)**" insert: "**located in each parish in which a port is located based upon the number of dollars of taxes each such parish contributes provided for in Subsection (A) to the total amount contributed by all such parishes**"

AMENDMENT NO. 3

On page 3, line 1, after "**48:229**" insert: "**located in each parish based upon the number of dollars of taxes each parish contributes to the total amount provided for in Subsection (A)**"

Senator Hebert moved adoption of the amendments.

Senator Walsworth objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Cravins	Hebert	Morrish
Dorsey	Marionneau	Quinn
Gautreaux N	Martiny	Scalise
Gray	McPherson	Shepherd
Total - 12		

NAYS

Mr. President	Duplessis	Mount
Adley	Dupre	Murray
Alario	Erdey	Nevers
Broome	Heitmeier	Riser
Cassidy	Jackson	Shaw
Cheek	Kostelka	Smith
Crowe	Long	Thompson
Donahue	Michot	Walsworth
Total - 24		

ABSENT

Amedee	Gautreaux B	LaFleur
Total - 3		

The Chair declared the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise

Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneau	Smith
Duplessis	Martiny	Thompson
Dupre	Michot	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Adley	Gautreaux B	McPherson
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed, and sent to the House. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Notice Regarding Vote**

Senator Adley stated he appeared as absent on the vote on Senate Bill No. 11. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**Rules Suspended**

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

**Senate Resolutions on Second Reading Reported by Committees**

Senator Chaisson asked for and obtained a suspension of the rules to take up at this time the following Senate Resolutions reported by Committee earlier today.

**SENATE RESOLUTION NO. 3—**  
BY SENATOR CHAISSON

A RESOLUTION

To amend and readopt Senate Rule No. 13.22(A) and (C) of the Senate Rules of Order, relative to the Senate Executive Committee; to provide for the membership of the committee; to revise the date by which the committee must set the required allotment; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs.

The resolution was read by title. On motion of Senator Chaisson, the resolution was adopted.

**Rules Suspended**

Senator Broome 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 Broome 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. 5—**  
BY SENATOR MARTINY

A RESOLUTION

To commend Mr. James J. Coleman, Sr., for his years of generosity and dedication to his community and commitment to Crimestoppers, Inc., ("Crimestoppers") and acknowledges the creation of the James J. Coleman, Sr., Corporate Partner Award.

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

**SENATE CONCURRENT RESOLUTION NO. 10—**

BY SENATOR LONG

**A CONCURRENT RESOLUTION**

To commend the players, statisticians, and coaches of the 2007-2008 Calvin High School Lady Cougars Basketball Team on winning the Girls Class C High School Basketball State Championship.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Mount
Adley	Erdey	Murray
Alario	Gautreaux N	Nevers
Amedee	Hebert	Riser
Broome	Heitmeier	Scalise
Cassidy	Jackson	Shaw
Cheek	Kostelka	Shepherd
Cravins	Long	Smith
Crowe	Marionneaux	Thompson
Donahue	Martiny	Walsworth
Dorsey	McPherson	
Duplessis	Michot	
Total - 34		

**NAYS**

Total - 0

**ABSENT**

Gautreaux B	LaFleur	Quinn
Gray	Morrish	
Total - 5		

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

**SENATE CONCURRENT RESOLUTION NO. 11—**

BY SENATOR ADLEY

**A CONCURRENT RESOLUTION**

To memorialize the commissioner of the Internal Revenue Service and the Congress of the United States to take action to provide that refundable credits received by Louisiana homeowners to offset Louisiana Citizens Property Insurance Assessments on their homeowner's insurance premiums because of the unprecedented damage and destruction of homes in the recent hurricanes shall not be considered as income for federal tax purposes.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Morrish
Adley	Erdey	Mount
Alario	Gautreaux N	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Riser
Cheek	Jackson	Scalise
Cravins	Kostelka	Shaw
Crowe	Long	Shepherd

Donahue	Marionneaux	Smith
Dorsey	McPherson	Thompson
Duplessis	Michot	Walsworth
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Amedee	Gray	Martiny
Gautreaux B	LaFleur	Quinn
Total - 6		

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

**Messages from the House**

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

**Message from the House**

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

March 12, 2008

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 1—**

BY REPRESENTATIVES GREENE, ST. GERMAIN, AUSTIN BADON, BALDONE, BARRAS, BURRELL, CARTER, DANAHAY, MICKEY GULLORY, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, TEMPLET, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, BOBBY BADON, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, ELBERT GULLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HILL, HINES, HOWARD, HUTTER, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NORTON, PEARSON, PONTI, POPE, RICHARDSON, ROY, SCHRODER, SIMON, PATRICIA SMITH, TALBOT, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR WALSWORTH

**AN ACT**

To amend and reenact R.S. 47:301(10)(x) and to enact R.S. 47:321(K), relative to the sales and use tax; to provide for an exclusion for all purchases of certain fuels and gases; to provide for the effectiveness and applicability of the exemptions for electric power or energy, natural gas, water, and steam; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 4—**

BY REPRESENTATIVES TUCKER, FANNIN, HUTTER, DOWNS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOVE, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GULLORY, MICKEY GULLORY, GUINN, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR WALSWORTH

March 12, 2008

AN ACT

To amend and reenact R.S. 47:481 and R.S. 48:196(A), and to enact R.S. 48:77, relative to the dedication of revenues to transportation related matters; to provide for the deposit into and allowable uses thereof of certain monies in the Transportation Trust Fund, the Transportation Mobility Fund, and the State Highway Improvement Fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 5—

BY REPRESENTATIVE TUCKER AND SENATOR WALSWORTH

AN ACT

To enact R.S. 49:327(B)(1)(g), relative to the investment of certain monies on deposit in the state treasury; to authorize the investment in taxable and tax exempt bonds issued by the Louisiana Stadium and Exposition District; and to provide for related matters.

HOUSE BILL NO. 6—

BY REPRESENTATIVE DOVE

AN ACT

To provide relative to state funds; to authorize the transfer and deposit of certain nonrecurring revenues into certain special treasury funds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 9—

BY REPRESENTATIVES RICHMOND, GREENE, TUCKER, AND ABRAMSON

AN ACT

To amend and reenact R.S. 47:6016(B)(1)(c), (E), (G), (H), and (I), relative to the new markets tax credit; to increase the total aggregate amount of the credit; to reduce the maximum amount of credit for businesses that do not meet certain criteria; to provide enhanced credits for certain target industries; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 18—

BY REPRESENTATIVES GREENE, AUSTIN BADON, BALDONE, BARRAS, CARTER, DANAHAY, MICKEY GUILLORY, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, ROBIDEAUX, JANE SMITH, AND TEMPLET AND SENATOR WALSWORTH

AN ACT

To enact R.S. 47:293(4)(c), relative to the individual income tax; to provide that certain federal income tax rebates or credits shall not reduce the federal income tax deduction; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 45—

BY REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To amend and reenact R.S. 33:2740.27, relative to the Algiers Development District; to provide relative to the status of the district and its actions; to provide relative to the appointment and terms of the members of the board of commissioners; to provide relative to the powers and duties of the district; to provide relative to plans for public improvements, facilities, and services; to provide relative to all acts by and on behalf of the district since its creation; and to provide for related matters.

HOUSE BILL NO. 46—

BY REPRESENTATIVES FANNIN, TUCKER, ABRAMSON, ANDERS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CROMER, DANAHAY, DOVE, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, ELBERT GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HENRY, HOFFMANN, HOWARD, JOHNSON, KATZ, KLECKLEY, LAMBERT, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

AN ACT

To appropriate funds for Fiscal Year 2007-2008 to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes; to provide for an effective date; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Broome 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. 1—

BY REPRESENTATIVES GREENE, ST. GERMAIN, AUSTIN BADON, BALDONE, BARRAS, BURRELL, CARTER, DANAHAY, MICKEY GUILLORY, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, RITCHIE, ROBIDEAUX, JANE SMITH, TEMPLET, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, BOBBY BADON, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, ELBERT GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HILL, HINES, HOWARD, HUTTER, MICHAEL JACKSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NORTON, PEARSON, PONTI, POPE, RICHARDSON, ROY, SCHRODER, SIMON, PATRICIA SMITH, TALBOT, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 47:301(10)(x) and to enact R.S. 47:321(K), relative to the sales and use tax; to provide for an exclusion for all purchases of certain fuels and gases; to provide for the effectiveness and applicability of the exemptions for electric power or energy, natural gas, water, and steam; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 4—

BY REPRESENTATIVES TUCKER, FANNIN, HUTTER, DOWNS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOVE, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 47:481 and R.S. 48:196(A), and to enact R.S. 48:77, relative to the dedication of revenues to transportation related matters; to provide for the deposit into and allowable uses thereof of certain monies in the Transportation Trust Fund, the Transportation Mobility Fund, and the State Highway Improvement Fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Broome, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 5—

BY REPRESENTATIVE TUCKER AND SENATOR WALSWORTH

AN ACT

To enact R.S. 49:327(B)(1)(g), relative to the investment of certain monies on deposit in the state treasury; to authorize the investment in taxable and tax exempt bonds issued by the Louisiana Stadium and Exposition District; and to provide for related matters.

On motion of Senator Broome, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 6—**

BY REPRESENTATIVE DOVE

AN ACT

To provide relative to state funds; to authorize the transfer and deposit of certain nonrecurring revenues into certain special treasury funds; to provide for an effective date; and to provide for related matters.

On motion of Senator Broome, the bill was read by title and referred to the Committee on Finance.

**HOUSE BILL NO. 9—**

BY REPRESENTATIVES RICHMOND, GREENE, TUCKER, AND ABRAMSON

AN ACT

To amend and reenact R.S. 47:6016(B)(1)(c), (E), (G), (H), and (I), relative to the new markets tax credit; to increase the total aggregate amount of the credit; to reduce the maximum amount of credit for businesses that do not meet certain criteria; to provide enhanced credits for certain target industries; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 18—**

BY REPRESENTATIVES GREENE, AUSTIN BADON, BALDONE, BARRAS, CARTER, DANAHAY, MICKEY GUILLORY, HENRY, HOFFMANN, HONEY, NOWLIN, PERRY, RICHARD, RICHMOND, ROBIDEAUX, JANE SMITH, AND TEMPLET AND SENATOR WALSWORTH

AN ACT

To enact R.S. 47:293(4)(c), relative to the individual income tax; to provide that certain federal income tax rebates or credits shall not reduce the federal income tax deduction; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 45—**

BY REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To amend and reenact R.S. 33:2740.27, relative to the Algiers Development District; to provide relative to the status of the district and its actions; to provide relative to the appointment and terms of the members of the board of commissioners; to provide relative to the powers and duties of the district; to provide relative to plans for public improvements, facilities, and services; to provide relative to all acts by and on behalf of the district since its creation; and to provide for related matters.

On motion of Senator Broome, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 46—**

BY REPRESENTATIVES FANNIN, TUCKER, ABRAMSON, ANDERS, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CROMER, DANAHAY, DOVE, DOWNS, ELLINGTON, FOIL, GALLOT, GISCLAIR, GREENE, ELBERT GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HENRY, HOFFMANN, HOWARD, JOHNSON, KATZ, KLECKLEY, LAMBERT, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

AN ACT

To appropriate funds for Fiscal Year 2007-2008 to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes; to provide for an effective date; and to provide for related matters.

On motion of Senator Broome, the bill was read by title and referred to the Committee on Finance.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

B. Gautreaux	1 Day	Quinn	½ Day
Shepherd	½ Day		

**Adjournment**

Senator Broome moved that the Senate adjourn until Thursday, March 13, 2008, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Thursday, March 13, 2008.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk

