

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

FIFTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Friday, June 23, 2000

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

ROLL CALL

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

PRESENT

Mr. President	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	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	Ullo
Fields, W	Malone	
Total—38		

ABSENT

Cain
Total—1

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

Prayer

The prayer was offered by Monsignor Charles Dubois, 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 Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
EDUCATION**

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

June 23, 2000

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To suspend until June 30, 2000, certain provisions of R.S. 17:154.1(A)(1) and (B), relative to the minimum requirements for instructional time and the length of the school year, to suspend such provisions only for Castor High School in Bienville Parish due to the recent closure of such school as a result of tornado damages.

Reported favorably.

Respectfully submitted,
GERALD J. THEUNISSEN
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

June 23, 2000

To the President and Members of the Senate:

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

HOUSE BILL NO. 12—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 33:1423(B)(1), R.S. 34:851.20(A)(1) and (F), R.S. 56:103(B), (C)(1), and (F), 103.1(B)(1), 104(A)(1)(a), (2), (3), (4), and (6), 105(B), 109(A) and (D)(4), 152(A), 162, 302.1(A), (B)(1), and (C)(2)(a) and (c), 302.2(A), 302.5, 643, and 646, to enact R.S. 34:851.20(N) and R.S. 56:104(B)(4), 109(D)(5), 302.1(G), and 649.7, and to repeal R.S. 56:103(D), 104(B)(1) and (3), 302(D) and (E), 302.1(D), 302.2(C) and (D), and 302.3(E), all relative to licenses issued by the Department of Wildlife and Fisheries; to provide relative to the issuance of such licenses; to provide relative to the cost of and qualifications for such licenses; to provide for the collection of fees for such licenses; to provide for the distribution and expenditure of revenues collected from such licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 20—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 56:14.1 and Code of Criminal Procedure Art. 887(I), relative to wildlife and fisheries; to create the Wildlife Enforcement Enhancement Fund; to provide for the uses of the fund; to provide for the purpose of the fund; to provide for the assessment of additional costs for certain wildlife and fisheries violations; and to provide for related matters.

Reported with amendments.

June 23, 2000

HOUSE BILL NO. 21—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:305(B)(2) and to enact R.S. 56:16, relative to gear fees; to authorize a one-time crab trap gear fee increase; to create the Section 201 Petition Fund; to provide for the deposit of the crab trap gear fee increase into the fund; to provide for the expenditure of monies in the fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 33—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 30:136.3(B) and (C), 212, 213, 215, and 216 and to enact R.S. 30:136.1(D), R.S. 44:18, and R.S. 56:30.4, relative to mineral leases on state lands; to provide for permits to conduct geophysical and geological surveys on state-owned lands, including water bottoms; to provide for the promulgation of rules; to provide for fees; to provide for the setting of minimum terms; to provide for public bid and advertisement of certain permits; to provide for the disposition of proceeds; to provide for furnishing of geophysical and geological information; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

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

Senator Romero 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. 12—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 33:1423(B)(1), R.S. 34:851.20(A)(1) and (F), R.S. 56:103(B), (C)(1), and (F), 103.1(B)(1), 104(A)(1)(a), (2), (3), (4), and (6), 105(B), 109(A) and (D)(4), 152(A), 162, 302.1(A), (B)(1), and (C)(2)(a) and (c), 302.2(A), 302.5, 643, and 646, to enact R.S. 34:851.20(N) and R.S. 56:104(B)(4), 109(D)(5), 302.1(G), and 649.7, and to repeal R.S. 56:103(D), 104(B)(1) and (3), 302(D) and (E), 302.1(D), 302.2(C) and (D), and 302.3(E), all relative to licenses issued by the Department of Wildlife and Fisheries; to provide relative to the issuance of such licenses; to provide relative to the cost of and qualifications for such licenses; to provide for the collection of fees for such licenses; to provide for the distribution and expenditure of revenues collected from such licenses; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 20—

BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 56:14.1 and Code of Criminal Procedure Art. 887(I), relative to wildlife and fisheries; to create the Wildlife Enforcement Enhancement Fund; to provide for the uses of the fund; to provide for the purpose of the fund; to provide for the assessment of additional costs for certain wildlife and fisheries violations; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 20 by Representative Triche

AMENDMENT NO. 1

On page 3, line 8, after "Article," delete the remainder of the line and on line 9, delete "assessed by the court," and insert in lieu thereof "as determined by the court,"

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

HOUSE BILL NO. 21—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:305(B)(2) and to enact R.S. 56:16, relative to gear fees; to authorize a one-time crab trap gear fee increase; to create the Section 201 Petition Fund; to provide for the deposit of the crab trap gear fee increase into the fund; to provide for the expenditure of monies in the fund; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 21 by Representative Odinet

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 56:305(B)(2)," to "R.S. 56:302.3(B)(2) and (D) and 305(B)(2),"

AMENDMENT NO. 2

On page 1, line 3, change "gear fees;" to "the imposition of additional fees by the Department of Wildlife and Fisheries;"

AMENDMENT NO. 3

On page 1, line 6, between "fund;" and "and to" insert the following:

"to provide for imposition of certain fees on hoop nets used by recreational fishermen;"

AMENDMENT NO. 4

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

"Section 1. R.S. 56:302.3(B)(2) and (D) are hereby amended and reenacted to read as follows:

§302.3. Recreational gear license

* * *

B. Residents over the age of sixteen years shall pay a gear fee as follows:

* * *

(2) Hoop nets: (a) Twenty dollars for use of not more than five hoop nets.

(b) Mobility impaired persons, as defined in R.S. 47:463.4(E), who are bona fide residents and over the age of sixty years, may use one hoop net not greater than eighteen feet by eight feet, for the purpose of catching catfish for home consumption only. There shall be no gear fee or license charge and all persons must be in possession of valid identification.

* * *

D. No recreational fisherman shall use gill nets, trammel nets, strike nets, hoop nets, or seines, except bait seines in compliance with R.S. 56:323; or hoop nets as provided in Paragraph (B)(2) of this Section."

AMENDMENT NO. 5

On page 1, line 8, change "Section 1." to "Section 2."

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

HOUSE BILL NO. 33—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 30:136.3(B) and (C), 212, 213, 215, and 216 and to enact R.S. 30:136.1(D), R.S. 44:18, and R.S. 56:30.4, relative to mineral leases on state lands; to provide for permits to conduct geophysical and geological surveys on state-owned lands, including water bottoms; to provide for the promulgation of rules; to provide for fees; to provide for the setting of minimum terms; to provide for public bid and advertisement of certain permits; to provide for the disposition of proceeds; to provide for furnishing of geophysical and geological information; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 33 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 4, after "collected" insert "from the mineral lessees"

AMENDMENT NO. 2

On page 2, line 6, after "collected" insert "from the mineral lessees"

AMENDMENT NO. 3

On page 11, at the beginning of line 6, delete "bonus"

AMENDMENT NO. 4

On page 11, line 7, change "30:136.1" to "30:136.1(D)"

On motion of Senator Romero the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To suspend until June 30, 2000, certain provisions of R.S. 17:154.1(A)(1) and (B), relative to the minimum requirements for instructional time and the length of the school year, to suspend such provisions only for Castor High School in Bienville Parish due to the recent closure of such school as a result of tornado damages.

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

Rules Suspended

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 2—

BY REPRESENTATIVE LEBLANC

AN ACT

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

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 2 by Representative LeBlanc

AMENDMENT NO. 1

On page 5, line 3, delete the figure "(123)" and insert the figure "(130)"

On motion of Senator Hainkel, the amendments were adopted.

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

Table with 3 columns: Mr. President, Fields, C, Johnson; Barham, Fields, W, Lambert; Bean, Fontenot, Lentini; Boissiere, Gautreaux, Malone; Campbell, Hines, McPherson; Dardenne, Hollis, Mount; Dean, Hoyt, Smith; Ellington, Irons, Theunissen; Total—24

NAYS

Total—0

ABSENT

Table with 3 columns: Bajoie, Jones, B, Romero; Cain, Jones, C, Schedler; Chaisson, Marionneaux, Tarver; Cravins, Michot, Thomas; Heitmeier, Robichaux, Ullo; Total—15

June 23, 2000

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.

HOUSE BILL NO. 3—
BY REPRESENTATIVES LEBLANC AND DEWITT AND SENATORS HAINKEL AND DARDENNE
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields, C	Jones, B
Barham	Fields, W	Lambert
Bean	Fontenot	Lentini
Boissiere	Gautreaux	Malone
Campbell	Hines	McPherson
Chaisson	Hollis	Mount
Dardenne	Hoyt	Romero
Dean	Irons	Smith
Ellington	Johnson	Theunissen
Total—27		

NAYS

Total—0

ABSENT

Bajoie	Jones, C	Schedler
Cain	Marionneaux	Tarver
Cravins	Michot	Thomas
Heitmeier	Robichaux	Ullo
Total—12		

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

HOUSE BILL NO. 5—
BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 33:381(C)(20), relative to the village of McNary; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

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

HOUSE BILL NO. 7—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 36:508.1(B) and (F), relative to the Department of Transportation and Development; to provide for the qualifications of the assistant secretary for the office of planning and programming; to provide for a designee of the assistant secretary; and to provide for related matters.

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

HOUSE BILL NO. 8—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 47:481, relative to certain fees and taxes imposed on motor vehicles; to provide for the deposit and credit of a portion of such fees and taxes to the state general fund; to provide for the legislative intent relative to Act 897 of the 1999 Regular Session of the Legislature of Louisiana; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields, C	Lambert
Barham	Fields, W	Lentini
Bean	Fontenot	Malone
Boissiere	Gautreaux	McPherson
Campbell	Hines	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Johnson	Theunissen
Ellington	Jones, B	
Total—29		

NAYS

Total—0

ABSENT

Bajoie	Marionneaux	Thomas
Cain	Robichaux	Ullo
Heitmeier	Schedler	
Jones, C	Tarver	
Total—10		

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

HOUSE BILL NO. 11—
BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 13:2074.5, relative to the City Court of Hammond; to authorize the transfer of surplus filing fees and costs into a civil fee account; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields, C	Lambert
Barham	Fields, W	Lentini
Bean	Fontenot	Malone
Boissiere	Gautreaux	McPherson
Campbell	Hines	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero

Dardenne
Dean
Ellington
Total—29

Irons
Johnson
Jones, B

NAYS

Smith
Theunissen

Total—0

ABSENT

Bajoie
Cain
Heitmeier
Jones, C
Total—10

Marionneau
Robichaux
Schedler
Tarver

Thomas
Ullo

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

HOUSE BILL NO. 15—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 33:2738.64, relative to Natchitoches Parish; to authorize the parish governing authority, subject to voter approval, to levy and collect an additional sales and use tax; to provide for sales tax districts within the parish; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Campbell
Chaisson
Cravins
Dardenne
Ellington
Fields, C
Total—28

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

Lentini
Malone
McPherson
Michot
Mount
Romero
Smith
Theunissen

NAYS

Dean
Total—1

ABSENT

Bajoie
Cain
Heitmeier
Jones, C
Total—10

Marionneau
Robichaux
Schedler
Tarver

Thomas
Ullo

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

HOUSE BILL NO. 22—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:847(E), relative to clerk of court in St. John the Baptist Parish; to authorize an additional fee for an extension of time for payment of traffic ticket fine; to authorize an additional fee for every attachment summary subpoena, and court order for

arrest; to authorize a fee for felony and misdemeanor expungement proceedings in the Fortieth Judicial District Court; 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
Barham
Bean
Boissiere
Campbell
Chaisson
Cravins
Dardenne
Dean
Ellington
Total—29

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

Lambert
Lentini
Malone
McPherson
Michot
Mount
Romero
Smith
Theunissen

NAYS

Total—0

ABSENT

Bajoie
Cain
Heitmeier
Jones, C
Total—10

Marionneau
Robichaux
Schedler
Tarver

Thomas
Ullo

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

HOUSE BILL NO. 23—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 33:9075, relative to neighborhood improvement districts; to create the Lake Oaks Subdivision Improvement District as a special taxing district in the parish of Orleans; to provide relative to a board of commissioners created to govern the district; to provide for the powers, duties, and functions of such board; to authorize the board, subject to voter approval, to levy a parcel fee; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Campbell
Chaisson
Cravins
Dardenne
Dean
Ellington
Total—29

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

Lambert
Lentini
Malone
McPherson
Michot
Mount
Romero
Smith
Theunissen

NAYS

June 23, 2000

Total—0

ABSENT

Bajoie	Marionneaux	Thomas
Cain	Robichaux	Ullo
Heitmeier	Schedler	
Jones, C	Tarver	
Total—10		

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 49:308.4(A), to reenact R.S. 49:308.4(A), and to repeal Section 2 of the Act introduced as Senate Bill No. 85 of the 2000 Regular Session of the Legislature, all relative to interfund borrowing; to provide for the applicability of repayment provisions; to provide for effectiveness provisions; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Engrossed House Bill No. 24 by Representative Alario

AMENDMENT NO. 1

On page 1, line 3, following "repeal" and before "Section" insert "the second"

AMENDMENT NO. 2

On page 2, line 9, following "Section 3." and before "Section 2" insert "The second"

AMENDMENT NO. 3

On page 2, line 10, following "Legislature" and before "is" insert ", reading as follows: "Section 2. The provisions of R.S. 49:308.4 shall be inapplicable, inoperable, and of no effect for the period beginning on July 1, 2000 and ending on June 30, 2001.""

On motion of Senator Lambert, 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	Fields, C	Lambert
Barham	Fields, W	McPherson
Bean	Fontenot	Michot
Boissiere	Gautreaux	Mount
Campbell	Hines	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Theunissen
Dardenne	Irons	Ullo
Dean	Johnson	
Ellington	Jones, B	
Total—28		

NAYS

Lentini
Total—2

Malone
ABSENT

Bajoie	Jones, C	Schedler
Cain	Marionneaux	Tarver
Heitmeier	Robichaux	Thomas
Total—9		

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

HOUSE BILL NO. 25—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 47:201.1, relative to the individual income tax; to provide for the filing of composite returns and for composite payments by certain noncorporate entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields, C	Lambert
Bajoie	Fields, W	Lentini
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Hines	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Ellington	Jones, C	
Total—32		

NAYS

Malone
Total—1

ABSENT

Cain	Marionneaux	Schedler
Heitmeier	Robichaux	Tarver
Total—6		

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

Recess

On motion of Senator Lambert, the Senate took a recess until 2:30 o'clock P.M.

After Recess

The Senate was called to order at 2:30 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	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	Ullo
Fields, W	Malone	
Total—38		

ABSENT

Cain
Total—1

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

Senate Business Resumed

Rules Suspended

Senator C. Fields 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. 10—
BY SENATOR C. FIELDS

A RESOLUTION

To extend the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Melba Dugas LeDuff, of Baton Rouge.

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

SENATE RESOLUTION NO. 11—
BY SENATOR C. FIELDS

A RESOLUTION

To commend and congratulate Faith Jenkins on being named Miss Louisiana 2000.

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

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana on the death of Harrison J. Cheramie, Jr.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Campbell	Hollis	Robichaux
Chaisson	Hoyt	Romero
Dardenne	Irons	Smith
Dean	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Johnson	Tarver
Cain	McPherson	
Cravins	Schedler	
Total—7		

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
JUDICIARY B**

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

June 23, 2000

To the President and Members of the Senate:

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

HOUSE BILL NO. 17—
BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 27:306(A)(2), relative to the Video Draw Poker Devices Control Law; to provide criteria for certain multiple licensed facilities owned by a single owner in a single building or structure; to provide for the number of video draw poker devices which may be operated at such facilities; to require that certain multiple licensed facilities be physically separate and noncontiguous places of business; to provide for exceptions; to provide for certain ownership interests; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

June 23, 2000

DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

June 23, 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. 12—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 33:1423(B)(1), R.S. 34:851.20(A)(1) and (F), R.S. 56:103(B), (C)(1), and (F), 103.1(B)(1), 104(A)(1)(a), (2), (3), (4), and (6), 105(B), 109(A) and (D)(4), 152(A), 162, 302.1(A), (B)(1), and (C)(2)(a) and (c), 302.2(A), 302.5, 643, and 646, to enact R.S. 34:851.20(N) and R.S. 56:104(B)(4), 109(D)(5), 302.1(G), and 649.7, and to repeal R.S. 56:103(D), 104(B)(1) and (3), 302(D) and (E), 302.1(D), 302.2(C) and (D), and 302.3(E), all relative to licenses issued by the Department of Wildlife and Fisheries; to provide relative to the issuance of such licenses; to provide relative to the cost of and qualifications for such licenses; to provide for the collection of fees for such licenses; to provide for the distribution and expenditure of revenues collected from such licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 33—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 30:136.3(B) and (C), 212, 213, 215, and 216 and to enact R.S. 30:136.1(D), R.S. 44:18, and R.S. 56:30.4, relative to mineral leases on state lands; to provide for permits to conduct geophysical and geological surveys on state-owned lands, including water bottoms; to provide for the promulgation of rules; to provide for fees; to provide for the setting of minimum terms; to provide for public bid and advertisement of certain permits; to provide for the disposition of proceeds; to provide for furnishing of geophysical and geological information; and to provide for related matters.

Reported favorably.

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. 12—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 33:1423(B)(1), R.S. 34:851.20(A)(1) and (F), R.S. 56:103(B), (C)(1), and (F), 103.1(B)(1), 104(A)(1)(a), (2), (3), (4), and (6), 105(B), 109(A) and (D)(4), 152(A), 162, 302.1(A), (B)(1), and (C)(2)(a) and (c), 302.2(A), 302.5, 643, and

646, to enact R.S. 34:851.20(N) and R.S. 56:104(B)(4), 109(D)(5), 302.1(G), and 649.7, and to repeal R.S. 56:103(D), 104(B)(1) and (3), 302(D) and (E), 302.1(D), 302.2(C) and (D), and 302.3(E), all relative to licenses issued by the Department of Wildlife and Fisheries; to provide relative to the issuance of such licenses; to provide relative to the cost of and qualifications for such licenses; to provide for the collection of fees for such licenses; to provide for the distribution and expenditure of revenues collected from such licenses; 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. 17—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 27:306(A)(2), relative to the Video Draw Poker Devices Control Law; to provide criteria for certain multiple licensed facilities owned by a single owner in a single building or structure; to provide for the number of video draw poker devices which may be operated at such facilities; to require that certain multiple licensed facilities be physically separate and noncontiguous places of business; to provide for exceptions; to provide for certain ownership interests; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 17 by Representative Martiny

AMENDMENT NO. 1

On page 1, at the beginning of line 9, insert "to provide an effective date;"

AMENDMENT NO. 2

On page 2, line 22, after "destinations," delete the remainder of the line and delete lines 23, 24, 25 and 26 and on page 3 delete lines 1 and 2.

AMENDMENT NO. 3

On page 4, after line 15, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

HOUSE BILL NO. 33—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 30:136.3(B) and (C), 212, 213, 215, and 216 and to enact R.S. 30:136.1(D), R.S. 44:18, and R.S. 56:30.4, relative to mineral leases on state lands; to provide for permits to conduct geophysical and geological surveys on state-owned lands, including water bottoms; to provide for the promulgation of rules; to provide for fees; to provide for the setting of minimum terms; to provide for public bid and advertisement of certain permits; to provide for the disposition of proceeds; to provide for furnishing of geophysical and geological information; 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.

Regular Order of the Day Resumed

**House Concurrent Resolutions
on Second Reading**

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

**HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVE LEBLANC**

A CONCURRENT RESOLUTION

To commend and congratulate the University of Louisiana at Lafayette Ragin' Cajun baseball team on making it to the College World Series.

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

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
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields, C	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cain	Marionneau	McPherson
Total—3		

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

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

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

Senator Ellington in the Chair

**HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVES DOWNER, MCDONALD, JOHN SMITH, AND
TRICHE**

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue to create, without delay, a temporary special debt collection team to assist in the collection of delinquent taxes.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Robichaux
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, C	Tarver
Dean	Lambert	Theunissen
Ellington	Lentini	Thomas
Fields, C	Malone	Ullo
Fields, W	Marionneau	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Fontenot
Cain	Jones, B
Total—4	

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

**HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVES DOWNER, LEBLANC, MCDONALD, JOHN SMITH,
AND TRICHE**

A CONCURRENT RESOLUTION

To create a special state tax collection task force to help the Department of Revenue identify delinquent taxes owed to the state, the impediments in collecting such taxes and deficiencies in the department's assessment and audit process and dispute resolution procedures, and to suggest alternative collection practices.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneau
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Campbell	Hollis	Robichaux
Chaisson	Hoyt	Romero
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, C	Theunissen
Ellington	Lambert	Thomas
Fields, C	Lentini	Ullo
Fields, W	Malone	

June 23, 2000

Total—35
NAYS

Total—0
ABSENT

Mr. President Jones, B
Cain Schedler
Total—4

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

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

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

HOUSE BILL NO. 26—
BY REPRESENTATIVES PRATT AND MURRAY
AN ACT

To amend and reenact R.S. 11:558.2(A)(1) and (3), relative to the Louisiana State Employees' Retirement System; to provide with respect to the criteria used to determine eligibility for retirement and calculation of benefits of certain city court and district court judges; to provide regarding effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields, C Johnson
Bajoie Fields, W Jones, C
Bean Gautreaux Lentini
Boissiere Heitmeier Robichaux
Chaisson Hines Tarver
Cravins Irons
Total—17

NAYS

Barham Hoyt Mount
Campbell Jones, B Romero
Dardenne Lambert Schedler
Dean Malone Smith
Ellington Marionneaux Theunissen
Fontenot McPherson Thomas
Hollis Michot Ullo
Total—21

ABSENT

Cain
Total—1

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Boissiere, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Rules Suspended

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

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

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

Called from the Calendar

Senator Johnson asked that Senate Bill No. 4 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 4—
BY SENATORS JOHNSON AND HINES
A JOINT RESOLUTION

Proposing to amend Article VI, Section 29(D) of the Constitution of Louisiana, relative to revenue and finance; to provide for certain voting requirements for enacting certain tax exemptions or exclusions from sales and use taxes levied by local governmental subdivisions, school boards, and other political subdivisions whose boundaries are not coterminous with those of the state; and to specify an election for submission of the proposition to electors and provide a ballot proposition; 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 to Engrossed Senate Bill No. 4 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 4, between "enacting" and "certain" insert "or renewal of"

AMENDMENT NO. 2

On page 2, between lines 21 and 22 insert the following:

"E. Any and all exemptions or exclusions granted prior to January 1, 2001, as provided for by this Section, shall require a favorable vote of two-thirds of the elected members of each house of the legislature upon renewal."

AMENDMENT NO. 3

On page 3, line 4, between "enact" and "uniform" insert "or renew"

Senator Marionneaux moved adoption of the amendments.

Senator Johnson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean Fields, W Michot
Campbell Fontenot Tarver
Dean Hines
Fields, C Marionneaux
Total—10

NAYS

Mr. President	Heitmeier	Malone
Bajoie	Hollis	McPherson
Barham	Hoyt	Mount
Boissiere	Irons	Robichaux
Chaisson	Johnson	Romero
Cravins	Jones, B	Schedler
Dardenne	Jones, C	Smith
Ellington	Lambert	Theunissen
Gautreaux	Lentini	Ullo
Total—27		

ABSENT

Cain	Thomas
Total—2	

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Mount
Bajoie	Heitmeier	Robichaux
Boissiere	Hines	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Ellington	Jones, C	Ullo
Fields, C	Lambert	
Fields, W	McPherson	
Total—25		

NAYS

Barham	Hollis	Michot
Bean	Hoyt	Tarver
Campbell	Lentini	Thomas
Dean	Malone	
Fontenot	Marionneaux	
Total—13		

ABSENT

Cain
Total—1

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

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

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

HOUSE BILL NO. 27—
BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 47:315.3(A), relative to the state and local sales and use tax; to provide for refunds for taxes paid on the sale or rental of certain tangible personal property covered by Medicare; and to provide for related matters.

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

HOUSE BILL NO. 28—
BY REPRESENTATIVES LEBLANC AND SCALISE
AN ACT

To amend Act 10 of the 1999 Regular Session of the Legislature by adding Section 17.1 thereto, providing for certain appropriations for the ordinary expenses of the executive branch of state government for the 1999-2000 Fiscal Year.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Hines	Robichaux
Cain	McPherson	
Total—5		

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

Mr. President in the Chair

HOUSE BILL NO. 30—
BY REPRESENTATIVES STELLY AND MCMAINS
AN ACT

To amend and reenact R.S. 47:295(H)(3), all as enacted in that Act which was introduced as House Bill No. 295 of the 2000 Regular Session of the Legislature, relative to the Education Enhancement Fund; to provide for the uses of the monies in the fund relative to pay increases for certain elementary, secondary, and higher education personnel and for other purposes; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 30 by Representative Stelly

AMENDMENT NO. 1

June 23, 2000

On page 2, line 7, after "legislature" insert ", considering what is paid to classroom teachers in other member states of the Southern Regional Education Board"

AMENDMENT NO. 2

On page 3, line 6, after "instruction" delete the remainder of the line and delete lines 7 and 8, and insert ", research, and other needs of public education."

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed House Bill No. 30 by Representatives Stelly and McMains.

AMENDMENT NO. 1

On page 1 line 4, after "Legislature" add "and to enact Chapter 16 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:1301 through 1306" and change "the Education Enhancement Fund" to "taxes"

AMENDMENT NO. 2

On page 1, line 5, change "fund" to "Education Enhancement Fund"

AMENDMENT NO. 3

On page 1, line 7, between "purposes;" and "and" insert "to provide for the levy, collection, and administration of a tax on the use of hydrocarbon processing facilities; to provide for any litigation or legal remedies available concerning the tax;"

AMENDMENT NO. 4

On page 3, line 18, change "This" to "Section 1 of this"

AMENDMENT NO. 5

On page 3, after line 22, add the following:

"Section 3. Chapter 16 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1301 through 1306, is hereby enacted to read as follows:

CHAPTER 16. TAX ON THE USE OF HYDROCARBON PROCESSING FACILITIES

§1301. Definitions

The following terms shall have the meaning ascribed to them in this Section unless the context clearly indicates otherwise:

(1) "Barrel" means a volumetric unit of measure for crude oil and petroleum products equivalent to forty-two U.S. gallons.

(2) "Crude oil" means any liquid hydrocarbon naturally occurring at atmospheric temperature and pressure, and any natural gas liquids or condensate contained therein.

(3) "Cubic feet of natural gas" means natural gas measured at a base pressure of 15.025 pounds per square inch absolute and at a base temperature of sixty degrees Fahrenheit; provided that whenever the conditions of pressure and temperature differ from the above bases, conversion of the volume from these conditions to the above bases shall be made in accordance with the Ideal Gas Laws with correction for deviation from Boyle's Law, which correction must be made unless the pressure at the point of measurement is two hundred pounds per square inch gauge, or less, all in accordance with methods and tables generally recognized by and commonly used in the natural gas industry. For all purposes of computing standard cubic feet of natural gas under this Subparagraph the barometric pressure shall be assumed to be 14.7 pounds per square inch absolute at the place of measurement.

(4) "Department" means the Department of Revenue.

(5)(a) "Hydrocarbon" means a chemical compound containing atoms of both carbon and hydrogen, including but not

limited to crude oil, condensate, natural gas, natural gas liquids, and any refined petroleum products. "Refined petroleum products" means a substance derived from refining petroleum which has commercial value such as oils, gasoline, diesel, jet fuel, naphtha, kerosene, or asphalts.

(b) "Hydrocarbon" shall not mean petrochemicals, coal, lignite, materials derived from agriculture or forestry products, or nitrogenous fertilizers. "Petrochemicals" means products other than refined petroleum products and which are typically single chemical compounds produced from a chemical process in which petroleum is used. Such products are used as materials in the manufacture of other finished products. "Petrochemicals" shall include but not be limited to the following: acetylene, ethylene, propylene, butylene, butadiene, benzene, toluene, xylene, methanol, or any other mixture or derivative of such petrochemicals.

(6) "Hydrocarbon processing" means any process, procedure, or operation by which a hydrocarbon or mixture of hydrocarbons undergoes any one or more of the following:

- (a) Absorption
(b) Adsorption
(c) Catalytic reaction
(d) Chemical reaction or treatment
(e) Compression
(f) Cooling
(g) Dehydration
(h) Desulfurization
(i) Depressurization
(j) Emulsion treating
(k) Evaporation
(l) Expansion
(m) Extraction
(n) Filtration
(o) Fractionation
(p) Heating or heat exchange
(q) Isomerization
(r) Liquefaction
(s) Nitrogen rejection
(t) Phase separation
(u) Pressure, velocity, or flow measurement
(v) Pressurization
(w) Pumping
(x) Purification
(y) Refrigeration
(z) Regasification
(aa) Sweetening
(bb) Thermal reaction or treatment
(cc) Throttling
(dd) "Hydrocarbon processing" shall not include the direct venting or flaring into the atmosphere of gas produced from oil or gas wells.

(7) "Hydrocarbon processing facility" means any plant, building, construction, structure, or equipment located in Louisiana and used to perform all or a part of the processes, procedures, or operations provided for in Paragraph (6) of this Section; however, such terms shall not include motor vehicles, railway cars, ships, barges, or vessels.

(8) "Natural gas" means naturally occurring mixtures of hydrocarbon gases and vapors, including but not limited to methane and ethane, that exist in either a gaseous state or in a solution with crude oil.

(9) "Owner" means the person or persons having title to hydrocarbons at the time they are processed in hydrocarbon processing facilities in Louisiana.

(10) "Person" or "taxpayer" means an individual, firm, association of persons, partnership, corporation, or other entity.

(11) "State" means a state of the United States.

(12) "Use of hydrocarbon processing facilities" or "use of facilities" means processing, or causing to be processed, hydrocarbons in a hydrocarbon processing facility in Louisiana. §1302. Tax imposition

A.(1) In addition to all other taxes and licenses, there is hereby levied a tax upon the use of hydrocarbon processing facilities in Louisiana by the owners of the hydrocarbons processed therein.

(2)(a) The tax shall become effective on January 1 of the year following the year in which an amendment to the Constitution of Louisiana to provide that no severance tax shall be levied on oil and gas is finally adopted by the electorate and becomes law, hereinafter referred to as the "starting date."

(b) However, if suit is filed prior to the starting date and collection of the tax is enjoined as provided for in R.S. 47:1306(B), then the tax shall not be collected until the first day of the third month following a judgment of a court, which has become final, and which upholds the imposition of the tax provided for in this Section as such tax applies to the use of facilities for processing hydrocarbons from both within and without the state, as provided for in R.S. 47:1306(B). If suit is filed pursuant to R.S. 47:1306 before the starting date, then there shall be no tax, penalty, interest, or other amount related to this tax, due or collected for the period between the starting date, and the date when collection of the tax resumes as provided for in this Paragraph.

B.(1) The tax shall be levied at the following rates of usage of the facilities, subject to annual adjustment as provided for in Paragraph (2) of this Subsection:

(a) At the rate of seven cents per thousand cubic feet of any natural gas and natural gas liquids which undergo hydrocarbon processing in a hydrocarbon processing facility within this state.

(b) At the rate of sixty cents per barrel of any condensate, crude oil, and any natural gas liquids or condensate contained therein, which undergo hydrocarbon processing in a hydrocarbon processing facility within this state.

(c) At a rate per barrel which is one and fifteen hundredths of the rate provided in Subparagraph (b) of this Paragraph for crude oil, for refined petroleum products which undergo hydrocarbon processing in a hydrocarbon processing facility within this state.

(2) The department shall adjust the tax rates provided for in Paragraph (1) of this Subsection by January first of each year beginning one year after the starting date, so that the rate shall increase or decrease in order to correspond to the average annual increase or decrease in the price of hydrocarbons during the previous year; provided that such adjusted rates shall never be less than the rates provided for in Paragraph (1) of this Subsection.

(3) In order to encourage national oil and gas production from wells with minimal production capabilities, the owners of the following hydrocarbons from the following types of wells, whether or not such wells are located inside or outside of the state of Louisiana, shall be exempt from the payment of the tax when using facilities in the state to process them:

(a) Oil produced from a well classified as an oil well and determined to be incapable of producing an average of more than twenty-five barrels of oil per producing day during an entire month of operation, and which also produces at least fifty percent salt water per day; however, the use of hydrocarbon processing facilities to process oil from a multiple well lease or property shall be taxable, unless all such wells are determined to be incapable.

(b) Oil produced from a well classified as an oil well, and determined to be a "stripper well", which is an oil well incapable of producing an average of more than ten barrels of oil per producing day during an entire operating month.

(c) Gas produced from an oil well which has been determined to have a wellhead pressure of fifty pounds per square inch gauge or less under operating conditions or, in the case of gas rising in a vaporous state through the annular space between the casing and tubing of such oil well and released through lines connected with the casinghead gas which has been determined to have a casinghead pressure of fifty pounds per square inch gauge or less under operating conditions for the entire operating month. For purposes of applying this exemption, an oil well being produced by the method commonly known as gas lift shall be presumed to have a wellhead pressure of fifty pounds per square

inch or less under operating conditions in the absence of a determination to the contrary.

(d) Gas produced from a gas well which has been determined to be incapable of producing an average of two hundred fifty thousand cubic feet of gas per day during an entire operating month.

§1303. Payment

The tax shall be paid in the manner provided for in this Chapter by the owner or proportionately by the owners of the hydrocarbons at the time hydrocarbon processing facilities located in this state are first used to process them, and the rate of usage shall be measured at the first point of processing.

§1304. Duplication

There shall be no duplication of the tax, in that once any owner has paid all or his proportionate share of the tax due on the use of any hydrocarbon processing facility to process hydrocarbons owned by him, no further tax shall be due from him or from any subsequent owner of his interest for the use of facilities to process the same hydrocarbons or derivatives of those hydrocarbons.

§1305. Administration and collection

A. The taxes levied by this Chapter shall be due and payable monthly. Every owner of hydrocarbons using hydrocarbon facilities within this state shall pay the tax due on or before the fifteenth day of the second month following the month in which the tax accrues and shall provide such information as may be required by law or regulation.

B.(1) The tax due from owners of hydrocarbons shall be collected and remitted by the owner or operator of the facility in which the hydrocarbons are processed. In addition, every person purchasing hydrocarbons upon which the tax levied by this Chapter has not been paid shall deduct from any amount due any owner the amount of the tax levied by this Chapter before making such payments.

(2) Any owner or operator of a hydrocarbon processing facility who neglects, fails, or refuses to collect and remit the tax levied by this Chapter, and any person purchasing hydrocarbons who fails to deduct and withhold the amount of taxes due as required by this Chapter, shall be liable for the full amount of such taxes, interest, and penalties that should have been collected and remitted, or deducted and withheld.

(3) The taxes due shall operate as a first lien and privilege on the hydrocarbons of the owner from whom the tax is due, which lien and privilege shall follow such hydrocarbons into the hands of third persons whether in good or bad faith, and whether the hydrocarbons are found in a manufactured or unmanufactured state.

C. Unless otherwise provided by law, the Department of Revenue shall administer, enforce, and collect the tax in the same manner and according to the same procedures provided by law and regulations to the department for the administration, enforcement, and collection of other taxes including but not limited to laws concerning the imposition of interest and penalties.

§1306. Effective date; validity

A. The tax provided for in this Chapter shall become effective on the starting date, and the tax and any penalty, interest, or other amounts related to the tax shall be collected from that date unless the provisions of Subsection B of this Section are applicable.

B.(1) Notwithstanding any other provision of law to the contrary, for the period from the date this Chapter becomes effective to the starting date, any person in interest may contest the imposition or validity of the tax provided in this Chapter by filing suit against the Department of Revenue in the Nineteenth Judicial District Court of the state of Louisiana in the manner and according to the procedure provided for in this Subsection. Notwithstanding any other provision of law to the contrary, the court in which such suit is filed shall issue an injunction prior to the starting date, without the necessity of bond being filed by any party. The injunction shall restrain the collection of the tax against any and all persons unless and until the first day of the third month following a final, nonappealable judgment which upholds the imposition and the validity of the tax as such tax applies to the use

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of facilities for processing hydrocarbons from both within and without the state. If such suit is filed pursuant to this Subsection before the starting date, then there shall be no tax, penalty, interest, or other amount related to this tax collected for the period between the starting date and the date when collection of the tax resumes as provided for in this Section.

(2) If no suit is filed before the starting date, as provided for in this Subsection, then any person in interest contesting the imposition or the validity of the tax thereafter shall remit to the department the amount of tax, penalty, interest, or other amount related to the tax, which is due and at that time shall give notice of his intention to file suit for the recovery of the tax. Upon receipt of the notice, the amount remitted shall be placed in an escrow account and shall be held by the department for a period of thirty days. Such person shall then file within the thirty-day period against the department in the Nineteenth Judicial District Court of the state of Louisiana. If such suit is filed for recovery of the tax within the thirty-day period, the funds in the escrow account shall be further held pending the outcome of the suit. If the taxpayer prevails, the department shall refund the amount to the claimant with interest at one-half the rate provided by law for refunds of escrowed taxes pursuant to suits concerning other taxes levied by the state.

(3)(a) This Subsection shall be construed to provide a legal remedy in the state courts in case the taxes or their collection are claimed to be an unlawful burden upon interstate commerce or otherwise a violation of any Act of Congress, the United States Constitution, or the Constitution of Louisiana.

(b) Any action to determine the validity of the tax levied by this amendment shall be tried by preference over other ordinary proceedings, and, should it be appealed, shall be given preference on any appellate docket.

(c) Any interested person may intervene as of right in any such action, which term "interested person" shall include but shall not be limited to the United States or any agency thereof, or any state of the United States, or political subdivision thereof, or any entity or person who is or may be directly, indirectly, or ultimately liable for the payment of the tax.

Section 4. If any provision or item of this Act or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Act which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this Act are severable.

Section 5. Sections 3 and 4 of this Act shall become effective only if and when an amendment to the Constitution of Louisiana to provide that no severance tax shall be levied on oil and gas is finally adopted by the electorate and becomes law.

Section 6. Section 3, 4, and 5 of this Act shall be null and void if an amendment to the Constitution of Louisiana to provide that no severance tax shall be levied on oil and gas is not finally adopted by the electorate and becomes law prior to January 1, 2008."

Senator Hollis asked for a ruling from the Chair as to whether the amendments 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 Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount

Boissiere	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	Ullo
Fields, W	Malone	
Fontenot	Marionneaux	

Total—37

NAYS

Total—0

ABSENT

Mr. President

Cain

Total—2

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

HOUSE BILL NO. 31—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact Section 6 of the Act which originated as House Bill No. 140 of the 2000 Regular Session of the Legislature; to provide that the suspension of certain exemptions to one percent of the state sales and use tax shall become ineffective on June 30, 2001; and to provide for related matters.

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

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

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

Called from the Calendar

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

HOUSE BILL NO. 5—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 33:381(C)(20), relative to the village of McNary; to authorize the governing authority of the village to abolish the office of police chief or to provide for the filling of such office by appointment; to provide for the method of appointment and for the salary, term, duties, qualifications, and supervision of an appointed police chief; to authorize the mayor and the board of aldermen to enter a cooperative endeavor for law enforcement services; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
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Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	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	Ullo
Fields, W	Malone	

Total—38

NAYS

Total—0

ABSENT

Cain
Total—1

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

Called from the Calendar

Senator Mount asked that House Bill No. 27 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 27—
BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 47:315.3(A), relative to the state and local sales and use tax; to provide for refunds for taxes paid on the sale or rental of certain tangible personal property covered by Medicare; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed House Bill No. 27 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:315.3(A)" insert "and to enact R.S. 47:340"

AMENDMENT NO. 2

On page 1, line 4, after "Medicare;" insert "to provide for a sales tax on gaming services;"

AMENDMENT NO. 3

On page 2, between lines 3 and 4 insert the following:

"Section 2. R.S. 47:340 is hereby enacted to read as follows:

§340. Sales tax on certain gaming activities

A. There is hereby levied a sales tax on the furnishing of gaming services by riverboats in an amount equal to eight percent of the net gaming proceeds. Net gaming proceeds as used in this Section shall mean the total of all cash and property, including checks received by a licensee, whether collected or not, received by the licensee from gaming operations, less the total of all cash paid out as winnings to patrons.

B. The sales tax provided for in this Section shall be in effect until sixty days after final adjournment of the 2002 Regular Session of the

Legislature and shall continue in effect indefinitely if the Legislature enacts, prior to that time, legislation authorizing local option elections for riverboats to dock permanently. In the event such legislation is not enacted, the additional tax provided for in this Section shall cease and no longer be collected.

C. Any law enacted pursuant to Paragraph B of this Section shall not cause, permit or authorize any exclusivity or other violation of breach by the state under any casino operating contract, or amendment thereof, entered into pursuant to authority set forth in R.S. 27:201, et seq."

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, line 6, change "Section 3." to "Section 4."

Senator Lentini asked for a ruling from the Chair as to whether the amendments 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 Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cain
Total—2
Campbell

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

Called from the Calendar

Senator B. Jones asked that House Bill No. 31 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 31—
BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact Section 6 of the Act which originated as House Bill No. 140 of the 2000 Regular Session of the Legislature; to provide that the suspension of certain exemptions to one percent

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of the state sales and use tax shall become ineffective on June 30, 2001; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Cain Total—2

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 23, 2000

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 7— BY SENATOR HAINKEL

AN ACT

To enact R.S. 40:1498(F), relative to fire protection districts; to provide for an increase in per diem for governing board members of a fire protection district with a population of more than 100,000 persons; and to provide for related matters.

Reported with amendments.

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

Rules Suspended

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

Senator Hainkel asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 7—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 40:1498(F), relative to fire protection districts; to provide for an increase in per diem for governing board members of a fire protection district with a population of more than 100,000 persons; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 7 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, after "members of" delete the remainder of the line and delete line 4 and insert "Fire Protection District No. 4 of St. Tammany Parish; and to provide"

AMENDMENT NO. 2

On page 1, line 12, after "board of" delete the remainder of the line and delete lines 13 and 14 and insert "Fire Protection District No. 4 of St. Tammany Parish may be paid a"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Mr. President, Fontenot, Marionneaux, Bajoie, Gautreaux, McPherson, Barham, Heitmeier, Michot, Bean, Hines, Mount, Boissiere, 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, Ullo, Fields, W, Malone, Total—38.

NAYS

Total—0

ABSENT

Cain Total—1

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

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

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

Called from the Calendar

Senator Heitmeier asked that House Bill No. 7 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 7— BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 36:508.1(B) and (F), relative to the Department of Transportation and Development; to provide for the qualifications of the assistant secretary for the office of planning and programming; to provide for a designee of the assistant secretary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Total—36; Fontenot, Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone; Marionneaux, McPherson, Michot, Mount, Robichaux, Romero, Schedler, Smith, Tarver, Theuissen, Thomas, Ullo

NAYS

Irons Total—1

ABSENT

Mr. President Cain Total—2

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 23, 2000

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 2— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 47:302.13(A), relative to sales tax; to provide for the dedication of an additional one percent of the state sales tax collected on certain rooms in Iberia Parish to the Iberia Parish Tourist Commission; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 5— BY SENATOR CRAVINS

AN ACT

To enact R.S. 13:2105.1, relative to the Opelousas City Court; to authorize the marshal to collect a fee of six dollars and fifty cents for subpoena services; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 6— BY SENATOR THOMAS

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:2053(D), relative to payments to independent institutions of higher education; to correct the name of Our Lady of the Lake College in law; to add St. Joseph Seminary College as an independent institution of higher education eligible for certain reimbursements from the state for educating Louisiana residents; and to provide for related matters.

Reported without amendments.

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

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

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

SENATE CONCURRENT RESOLUTION NO. 15— BY SENATOR SCHEDLER AND REPRESENTATIVE R. ALEXANDER A CONCURRENT RESOLUTION

To urge and request the governor to use any surplus funds for Fiscal Year 1999-2000 to restore funding to the Medicaid program and to urge and request the Department of Health and Hospitals to use any such funds received to restore reimbursement rate payments which were reduced to private Medicaid providers.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Total—37; Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux; McPherson, Michot, Mount, Robichaux, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President Cain Total—2

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

SENATE CONCURRENT RESOLUTION NO. 16— BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Melba Dugas LeDuff, of Baton Rouge.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Total—37; Gautreaux, Heitmeier, Hines, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Marionneaux; McPherson, Michot, Mount, Robichaux, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President Cain Total—2

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

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To commend and congratulate Faith Jenkins on being named Miss Louisiana 2000.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Campbell, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Total—37; Fontenot, 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

Total—0

ABSENT

Cain McPherson Total—2

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

Appointment of Conference Committee on Senate Bill No. 7

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 Bill No. 7: Senators Hainkel, Schedler, and Bajoie.

Privilege Report of the Legislative Bureau

June 23, 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 CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To suspend until June 30, 2000, certain provisions of R.S. 17:154.1(A)(1) and (B), relative to the minimum requirements for instructional time and the length of the school year, to suspend such provisions only for Castor High School in Bienville Parish

due to the recent closure of such school as a result of tornado damages.

Reported without amendments.

HOUSE BILL NO. 12—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 33:1423(B)(1), R.S. 34:851.20(A)(1) and (F), R.S. 56:103(B), (C)(1), and (F), 103.1(B)(1), 104(A)(1)(a), (2), (3), (4), and (6), 105(B), 109(A) and (D)(4), 152(A), 162, 302.1(A), (B)(1), and (C)(2)(a) and (c), 302.2(A), 302.5, 643, and 646, to enact R.S. 34:851.20(N) and R.S. 56:104(B)(4), 109(D)(5), 302.1(G), and 649.7, and to repeal R.S. 56:103(D), 104(B)(1) and (3), 302(D) and (E), 302.1(D), 302.2(C) and (D), and 302.3(E), all relative to licenses issued by the Department of Wildlife and Fisheries; to provide relative to the issuance of such licenses; to provide relative to the cost of and qualifications for such licenses; to provide for the collection of fees for such licenses; to provide for the distribution and expenditure of revenues collected from such licenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 17—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 27:306(A)(2), relative to the Video Draw Poker Devices Control Law; to provide criteria for certain multiple licensed facilities owned by a single owner in a single building or structure; to provide for the number of video draw poker devices which may be operated at such facilities; to require that certain multiple licensed facilities be physically separate and noncontiguous places of business; to provide for exceptions; to provide for certain ownership interests; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 20—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 56:14.1 and Code of Criminal Procedure Art. 887(I), relative to wildlife and fisheries; to create the Wildlife Enforcement Enhancement Fund; to provide for the uses of the fund; to provide for the purpose of the fund; to provide for the assessment of additional costs for certain wildlife and fisheries violations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 21—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:305(B)(2) and to enact R.S. 56:16, relative to gear fees; to authorize a one-time crab trap gear fee increase; to create the Section 201 Petition Fund; to provide for the deposit of the crab trap gear fee increase into the fund; to provide for the expenditure of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 33—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 30:136.3(B) and (C), 212, 213, 215, and 216 and to enact R.S. 30:136.1(D), R.S. 44:18, and R.S. 56:30.4, relative to mineral leases on state lands; to provide for permits to conduct geophysical and geological surveys on state-owned lands, including water bottoms; to provide for the promulgation of rules; to provide for fees; to provide for the setting of minimum terms; to

provide for public bid and advertisement of certain permits; to provide for the disposition of proceeds; to provide for furnishing of geophysical and geological information; 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.

Recess

On motion of Senator Lambert, the Senate took a recess until 5:30 o'clock P.M.

After Recess

The Senate was called to order at 5:30 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Fields, W	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Chaisson	Hoyt	Robichaux
Cravins	Irons	Romero
Dardenne	Johnson	Schedler
Dean	Jones, B	Smith
Ellington	Jones, C	Theunissen
Fields, C	Lambert	Ullo
Total—33		

ABSENT

Cain	Hollis	Tarver
Campbell	Marionneaux	Thomas
Total—6		

The President of the Senate announced there were 33 Senators present and a quorum.

Senate Business Resumed

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

June 23, 2000

To the Honorable President and Members of the Senate:

June 23, 2000

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 7 by Senator Hainkel:

Representatives Broome, Winston, and Bruneau.

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 18— BY SENATOR GAUTREAUX A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to exempt persons holding lifetime hunting and sports fishing licenses from payment of any wildlife management area permit fee to hunt or fish on any land administered by the Department of Wildlife and Fisheries including wildlife refuges and wildlife management and habitat conservation areas.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bajoie, Barham, Bean, Boissiere, Chaisson, Dardenne, Dean, Ellington, Fields, W, Fontenot, Total—30

NAYS

Total—0

ABSENT

Table listing names of members who were ABSENT: Mr. President, Cain, Campbell, Cravins, Fields, C, Hollis, Marionneaux, Tarver, Thomas, Total—9

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

SENATE CONCURRENT RESOLUTION NO. 19— BY SENATOR DEAN

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture and the House Committee on Agriculture to meet and to function as a joint committee to study the Louisiana Department of Agriculture's eradication program for Equine Infectious Anemia.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bajoie, Barham, Bean, Boissiere, Chaisson, Cravins, Dardenne, Dean, Ellington, Fields, C, Fields, W, Fontenot, Gautreaux, Heitmeier, Hines, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, McPherson, Michot, Mount, Robichaux, Romero, Schedler, Smith, Theunissen, Ullio, Total—32

NAYS

Total—0

ABSENT

Table listing names of members who were ABSENT: Mr. President, Cain, Campbell, Hollis, Marionneaux, Tarver, Thomas, Total—7

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 23, 2000

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 10— BY REPRESENTATIVES DEWITT AND CLARKSON AN ACT

To amend and reenact R.S. 17:3351(A)(5)(a) and (b) and (10) and to enact R.S. 17:1501.1, relative to the powers, duties, and responsibilities of public postsecondary education management boards and the Board of Regents; to grant authority to the management boards to establish, in accordance with certain guidelines, tuition and mandatory attendance fee amounts applicable to resident and nonresident students; to provide limitations; to provide for the application of certain policy

guidelines of the Board of Regents; to provide relative to Louisiana State University at Alexandria; to provide 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 Lambert 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. 10— BY REPRESENTATIVES DEWITT AND CLARKSON AN ACT

To amend and reenact R.S. 17:3351(A)(5)(a) and (b) and (10) and to enact R.S. 17:1501.1, relative to the powers, duties, and responsibilities of public postsecondary education management boards and the Board of Regents; to grant authority to the management boards to establish, in accordance with certain guidelines, tuition and mandatory attendance fee amounts applicable to resident and nonresident students; to provide limitations; to provide for the application of certain policy guidelines of the Board of Regents; to provide relative to Louisiana State University at Alexandria; to provide an effective date; and to provide for related matters.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 23, 2000

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 17— BY REPRESENTATIVES WILKERSON, R. ALEXANDER, AND SALTER A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to cut and clear trees and brush at the intersections of I-20 and Louisiana Highway 154, I-20 and Louisiana Highway 9, and I-20 and Louisiana Highway 151, all within Bienville Parish.

HOUSE CONCURRENT RESOLUTION NO. 18— BY REPRESENTATIVE WILKERSON A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to conduct a thorough review of the Medicaid fiscal intermediary contract to ensure that the process is designed to result in the most cost-efficient service delivery.

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

House Concurrent Resolutions

Senator Lambert 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. 17— BY REPRESENTATIVES WILKERSON, R. ALEXANDER, AND SALTER A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to cut and clear trees and brush at the intersections of I-20 and Louisiana Highway 154, I-20 and Louisiana Highway 9, and I-20 and Louisiana Highway 151, all within Bienville Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajor, Fontenot, Malone; Barham, Gautreaux, McPherson; Bean, Heitmeier, Michot; Boissiere, Hines, Mount; Chaisson, Irons, Robichaux; Cravins, Johnson, Romero; Dardenne, Jones, B, Schedler; Dean, Jones, C, Smith; Fields, C, Lambert, Theunissen; Fields, W, Lentini, Ullo; Total—30

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Ellington, Marionneaux; Cain, Hollis, Tarver; Campbell, Hoyt, Thomas; Total—9

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

HOUSE CONCURRENT RESOLUTION NO. 18— BY REPRESENTATIVE WILKERSON A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Health and Hospitals to conduct a thorough review of the Medicaid fiscal intermediary contract to ensure that the process is designed to result in the most cost-efficient service delivery.

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: Bajor, Fontenot, Malone

June 23, 2000

Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Chaisson	Hoyt	Robichaux
Cravins	Irons	Romero
Dardenne	Johnson	Schedler
Dean	Jones, B	Smith
Ellington	Jones, C	Theunissen
Fields, C	Lambert	Ullo
Fields, W	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Hollis	Thomas
Cain	Marionneaux	
Campbell	Tarver	
Total—7		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

June 23, 2000

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION

To urge and request the division of administration to expand implementation of, and to promote the use of, model and master contracts in state procurement of goods and services, particularly with regard to the procurement of computer software, hardware, and maintenance.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 18—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 11:791(A)(1) and to enact R.S. 11:707(F), relative to the Teachers' Retirement System; to provide with respect to the reemployment of certain retirees and the funding of the actuarial costs associated with such reemployment; to provide with respect to earnings limitations applicable to certain

reemployed retirees; to provide with respect to benefits; to provide with respect to the Deferred Retirement Option Plan; to provide an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAY DARDENNE
Chairman

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

Senator Dardenne 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. 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.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1
On page 16, line 3, after "layoffs," insert "or layoff avoidance measures"

AMENDMENT NO. 2
On page 16, line 28, delete "January," and insert in lieu thereof "April,"

AMENDMENT NO. 3
On page 17, delete lines 14 through 30 in their entirety

AMENDMENT NO. 4
On page 18, delete lines 1 through 15 in their entirety

AMENDMENT NO. 5
On page 26, at the end of line 22, delete "\$46,643,177" and insert "\$46,043,177"

AMENDMENT NO. 6
On page 26, at the end of line 26, delete "\$16,045,435" and insert in lieu thereof "\$16,645,435"

AMENDMENT NO. 7
On page 32, delete lines 26 through 29 in their entirety

AMENDMENT NO. 8
On page 32, line 35, delete "\$2,263,000" and insert in lieu thereof "\$500,000"

AMENDMENT NO. 9
On page 54, line 12, delete "(98)" and insert "(101)"

AMENDMENT NO. 10
On page 55, line 11, delete "(158)" and insert "(164)"

AMENDMENT NO. 11
On page 56, after line 60, insert the following:

"Payable out of the State General Fund

by Fees and Self-generated Revenues for the reinstatement of seven (7) authorized Insurance Compliance Technician 1 positions for the Licensing Division of the Office of Licensing and Compliance in the Market Compliance Program \$174,768"

AMENDMENT NO. 12

On page 58, line 27, delete "\$6,505,950" and insert in lieu thereof "\$6,500,000"

AMENDMENT NO. 13

On page 58, line 28, delete "\$1,142,109" and insert in lieu thereof "\$1,148,059"

AMENDMENT NO. 14

On page 58, after line 44, insert the following:

"Payable out of the State General Fund (Direct) for the Economic Development Awards Program, provided that the Louisiana Public Facilities Authority sends \$5,000,000 to the State Treasury for credit during FY 2000-2001 and such revenue is incorporated into the Official Forecast for FY 2000-2001 by the Revenue Estimating Conference \$5,000,000"

AMENDMENT NO. 15

On page 60, delete lines 7 through 14 in their entirety

AMENDMENT NO. 16

On page 60, between lines 23 and 24, insert the following:

"Payable out of the State General Fund (Direct) for Metro Vision (\$450,000), South Louisiana Economic Development Council (\$150,000), Macon Ridge Economic Development Region, Inc. (\$250,000), and Northwest and Northeast Louisiana Economic Development Activities (\$112,000) \$962,000"

AMENDMENT NO. 17

On page 63, between lines 21 and 22, insert the following:

"Payable out of State General Fund by Statutory Dedications from the Louisiana Economic Development Fund to the State General Fund \$962,000"

AMENDMENT NO. 18

On page 72, line 49, delete "\$16,125,909" and insert in lieu thereof "\$16,697,071"

AMENDMENT NO. 19

On page 73, line 53, delete "\$304,036,425" and insert in lieu thereof "\$304,607,587"

AMENDMENT NO. 20

On page 74, line 3, delete "\$38,909,588" and insert in lieu thereof "\$39,480,750"

AMENDMENT NO. 21

On page 74, line 10, delete "\$304,036,425" and insert in lieu thereof "\$304,607,587"

AMENDMENT NO. 22

On page 74, delete lines 11 through 15 in their entirety

AMENDMENT NO. 23

On page 90, delete lines 47 through 50 in their entirety

AMENDMENT NO. 24

On page 93, line 57, delete "\$112,000" and insert "\$400,000"

AMENDMENT NO. 25

On page 94, delete line 2 and insert the following:

"(Direct) in this Schedule by \$400,000. The Secretary of the Department of Corrections shall"

AMENDMENT NO. 26

On page 94, line 29, delete "\$141,000,234" and insert "\$142,500,234"

AMENDMENT NO. 27

On page 94, line 40, delete "\$141,000,234" and insert "\$142,500,234"

AMENDMENT NO. 28

On page 94, line 42, delete "\$141,000,234" and insert "\$142,500,234"

AMENDMENT NO. 29

On page 94, line 43, delete "\$141,000,234" and insert "\$142,500,234"

AMENDMENT NO. 30

On page 99, delete lines 15 through 17, in their entirety

AMENDMENT NO. 31

On page 109, delete lines 1 through 24 in their entirety

AMENDMENT NO. 32

On page 109, between lines 24 and 25, insert the following:

EXPENDITURES:

For eligibility determination and administration of the Medicaid Home and Community-Based Waiver for children under age 19 with disabilities, including twenty-eight (28) positions \$ 1,500,000

TOTAL EXPENDITURES \$ 1,500,000

MEANS OF FINANCE:

State General Fund (Direct) \$ 750,000
Federal Funds \$ 750,000

TOTAL MEANS OF FINANCING \$ 1,500,000

EXPENDITURES:

For eligibility determination and administration associated with an expansion of enrollment in the Louisiana Children's Health Insurance Program (LaCHIP) to include children in families with incomes up to 200% of the federal poverty level, including twenty-four (24) positions \$ 871,366

TOTAL EXPENDITURES \$871,366

MEANS OF FINANCE:

State General Fund (Direct) \$ 180,112
Federal Funds \$ 691,254

TOTAL MEANS OF FINANCING \$ 871,366

EXPENDITURES:

For additional outreach activities to be provided by Families Helping Families for the purpose of enrolling children under age 19 with disabilities in families with incomes up to 200% of the federal poverty level into the Louisiana Children's Health Insurance Program (LaCHIP) \$ 50,000

TOTAL EXPENDITURES \$ 50,000

June 23, 2000

MEANS OF FINANCE:	
State General Fund (Direct)	\$ 25,000
Federal Funds	<u>\$ 25,000</u>
TOTAL MEANS OF FINANCING	<u>\$ 50,000"</u>

AMENDMENT NO. 33

On page 114, between lines 8 and 9, insert the following:

"Provided that with the approval of the Joint Legislative Committee on the Budget, the funding priorities for rural hospitals in this Schedule may be realigned."

AMENDMENT NO. 34

On page 114, between lines 12 and 13, insert the following:

"EXPENDITURES:	
Uncompensated Care payments for public hospitals who have notified DHH that they intend to downsize to 60 beds or less as of June 19, 2000	\$1,750,000

TOTAL EXPENDITURES	<u>\$1,750,000</u>
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MEANS OF FINANCE:	
Federal Funds	<u>\$1,750,000</u>

TOTAL MEANS OF FINANCING	<u>\$1,750,000"</u>
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AMENDMENT NO. 35

On page 117, on line 21, delete "inflationary"

AMENDMENT NO. 36

On page 119, delete lines 5 through 24 in their entirety

AMENDMENT NO. 37

On page 119, between lines 24 and 25, insert the following:

"EXPENDITURES:	
For development and implementation by the Department of Health and Hospitals of a flexible, low-cost Medicaid Home and Community-Based Waiver to serve children under age 19 with disabilities who meet eligibility requirements similar to those specified by federal law under the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982, provided, however, that DHH shall begin operation of this waiver by January 15, 2001, subject to approval of the federal Health Care Financing Administration. It is the intent of the Legislature that this waiver, in combination with expanded LaCHIP eligibility, serve as an alternative to implementation of the TEFRA Medicaid eligibility option.	\$7,607,833

TOTAL EXPENDITURES	<u>\$ 7,607,833</u>
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MEANS OF FINANCE:	
State General Fund (Direct)	\$2,282,350
Federal Funds	<u>\$ 5,325,483</u>

TOTAL MEANS OF FINANCING	<u>\$ 7,607,833</u>
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EXPENDITURES:
For expansion of the Louisiana Children's

Health Insurance Program (LaCHIP) to include children in families with incomes up to 200% of the federal poverty level	<u>\$ 8,527,038</u>
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TOTAL EXPENDITURES	<u>\$ 8,527,038</u>
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MEANS OF FINANCE:

State General Fund (Direct)	\$ 1,762,538
Federal Funds	<u>\$ 6,764,500</u>

TOTAL MEANS OF FINANCING	<u>\$ 8,527,038"</u>
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AMENDMENT NO. 38

On page 146, delete lines 1 through 3 in their entirety

AMENDMENT NO. 39

On page 173, delete lines 36 and 37 in their entirety

AMENDMENT NO. 40

On page 174, at the end of line 1, delete "\$11,711,320" and insert in lieu thereof "\$11,611,320"

AMENDMENT NO. 41

On page 175, at the end of line 8, delete "\$15,098,213" and insert in lieu thereof "\$14,998,213"

AMENDMENT NO. 42

On page 175, delete line 18 in its entirety

AMENDMENT NO. 43

On page 175, at the end of line 22, delete "\$15,098,213" and insert in lieu thereof "\$14,998,213"

AMENDMENT NO. 44

On page 176, between lines 34 and 35, insert the following:

"Payable out of State General Fund by Interagency Transfers for the Attakapas Program including one (1) position	\$62,000"
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AMENDMENT NO. 45

On page 180, line 23, delete "(20)" and insert in lieu thereof "(22)"

AMENDMENT NO. 46

On page 186, at the end of line 31, delete "\$1,920,000" and insert in lieu thereof "\$2,720,000"

AMENDMENT NO. 47

On page 186, after line 46, insert the following:

"Payable out of the State General Fund by Statutory Dedications out of the Higher Education Initiatives Fund, Library and Scientific Acquisitions Account for allocation to the University of Louisiana at Monroe	\$27,983"
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AMENDMENT NO. 48

On page 218, delete lines 1 through 7 in their entirety and insert the following:

"Funds appropriated herein shall be distributed based on a funding formula adopted by the Board, phased in over forty-eight months beginning on July 1, 2000."

AMENDMENT NO. 49

On page 225, line 29, delete "\$84,404,944" and insert in lieu thereof "\$80,000,000"

AMENDMENT NO. 50

On page 225, line 38, delete "\$120,731,116" and insert in lieu thereof "\$116,326,172"

AMENDMENT NO. 51

On page 225, line 40, delete "\$87,056,337" and insert in lieu thereof "\$82,651,393"

AMENDMENT NO. 52

On page 225, line 50, delete "\$120,731,116" and insert in lieu thereof "\$116,326,172"

AMENDMENT NO. 53

On page 227, delete lines 22 through 25, and insert the following:

"Provided, however, of the State General Fund (Direct) appropriated herein for the non-licensees, \$267,522 shall be utilized for LETA's operating and personal services and one (1) position, \$100,000 shall be shared among the eight designated public radio stations, and the remaining \$423,478 shall be shared as statutorily prescribed by WYES and WLAE."

AMENDMENT NO. 54

On page 231, line 58, delete "2.25%" and insert in lieu thereof "2.7%"

AMENDMENT NO. 55

On page 238, line 1, delete "\$61,352,738" and insert in lieu thereof "\$60,652,738"

AMENDMENT NO. 56

On page 239, line 41, delete "\$768,856,857" and insert in lieu thereof "\$768,156,857"

AMENDMENT NO. 57

On page 239, line 43, delete "\$70,516,090" and insert in lieu thereof "\$69,816,090"

AMENDMENT NO. 58

On page 239, line 49, delete "\$768,856,857" and insert in lieu thereof "\$768,156,857"

AMENDMENT NO. 59

On page 242, delete lines 1 through 18 in their entirety

AMENDMENT NO. 60

On page 261, delete lines 19 through 24 in their entirety

AMENDMENT NO. 61

On page 261, between lines 24 and 25, insert the following:

"Payable out of State General Fund by Statutory Dedications out of the Iberia Parish Tourist Commission Fund in the event Senate Bill No. 2 of the 2000 Second Extraordinary Session of the Louisiana Legislature is enacted into law \$41,300"

AMENDMENT NO. 62

On page 263, after line 39, insert the following:

"Payable out of the State General Fund (Direct) for expenses of the Affiliated Blind of Louisiana Training Center \$400,000"

AMENDMENT NO. 63

On page 264, after line 39, insert the following:

"Payable out of State General Fund (Direct) for operating the New Orleans Center for Creative Arts \$600,000"

AMENDMENT NO. 64

On page 285 between lines 10 and 11, insert the following:

"Provided, however, that \$809,000 of this appropriation shall be used to make payments necessary for Southern University to maintain its Land Grant status as well as for Desegregation Settlement purposes subject to the approval of the Joint Legislative Committee on the Budget."

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

HOUSE BILL NO. 18—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 11:791(A)(1) and to enact R.S. 11:707(F), relative to the Teachers' Retirement System; to provide with respect to the reemployment of certain retirees and the funding of the actuarial costs associated with such reemployment; to provide with respect to earnings limitations applicable to certain reemployed retirees; to provide with respect to benefits; to provide with respect to the Deferred Retirement Option Plan; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 18 by Representative Crane

AMENDMENT NO. 1

On page 2, delete line 9 in its entirety and insert "(c) He is reemployed as a faculty member of the same public institution at which he was employed at the time of his retirement"

On motion of Senator Dardenne, 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 23, 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. 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.

Reported without amendments.

HOUSE BILL NO. 18—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 11:791(A)(1) and to enact R.S. 11:707(F), relative to the Teachers' Retirement System; to provide with respect to the reemployment of certain retirees and the funding of

June 23, 2000

the actuarial costs associated with such reemployment; to provide with respect to earnings limitations applicable to certain reemployed retirees; to provide with respect to benefits; to provide with respect to the Deferred Retirement Option Plan; to provide an effective date; 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.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 23, 2000

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVES DOWNER, MCDONALD, JOHN SMITH, AND TRICHE

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue to create, without delay, a temporary special debt collection team to assist in the collection of delinquent taxes.

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVES DOWNER, LEBLANC, MCDONALD, JOHN SMITH, AND TRICHE

A CONCURRENT RESOLUTION

To create a special state tax collection task force to help the Department of Revenue identify delinquent taxes owed to the state, the impediments in collecting such taxes and deficiencies in the department's assessment and audit process and dispute resolution procedures, and to suggest alternative collection practices.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVES MORRELL, BAYLOR, BROOME, K. CARTER, CURTIS, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PIERRE, PRATT, QUEZAIRES, RICHMOND, WELCH, WILKERSON, WILLARD, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BOWLER, BRUCE, BRUNEAU, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, ILES, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MONTGOMERY, MORRISH, NEVERS, ODINET, PERKINS, PINAC, PITRE, POWELL, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WALSWORTH, WARNER, WINDHORST, WINSTON, WOOTON, AND WRIGHT AND SENATORS BAJOEIE, BOISSIERE, CRAVINS, C. FIELDS, W. FIELDS, IRONS, JOHNSON, C. JONES, AND TARVER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of former state representative George C. "Nick" Connor, Jr.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to develop audio and video programs for installation in the waiting areas of state health care sites including public health units and state acute

care hospitals to inform the public about disease prevention, diagnosis, screening, and healthy living tips.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to continue its support of the El Camino East-West Corridor route of U.S. Highway 84 and LA Highway 6.

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 23, 2000

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 3—
BY REPRESENTATIVES LEBLANC AND DEWITT AND SENATORS HAINKEL AND DARDENNE

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

HOUSE BILL NO. 8—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:481, relative to certain fees and taxes imposed on motor vehicles; to provide for the deposit and credit of a portion of such fees and taxes to the state general fund; to provide for the legislative intent relative to Act 897 of the 1999 Regular Session of the Legislature of Louisiana; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 11—
BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 13:2074.5, relative to the City Court of Hammond; to authorize the transfer of surplus filing fees and costs into a civil fee account; and to provide for related matters.

HOUSE BILL NO. 15—
BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 33:2738.64, relative to Natchitoches Parish; to authorize the parish governing authority, subject to voter approval, to levy and collect an additional sales and use tax; to provide for sales tax districts within the parish; and to provide for related matters.

HOUSE BILL NO. 22—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:847(E), relative to clerk of court in St. John the Baptist Parish; to authorize an additional fee for an extension of time for payment of traffic ticket fine; to authorize an additional fee for every attachment summary subpoena, and court order for arrest; to authorize a fee for felony and misdemeanor expungement proceedings in the Fortieth Judicial District Court; and to provide for related matters.

HOUSE BILL NO. 23—
BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 33:9075, relative to neighborhood improvement districts; to create the Lake Oaks Subdivision Improvement District as a special taxing district in the parish of Orleans; to provide relative to a board of commissioners created to govern the district; to provide for the powers, duties, and functions of such board; to authorize the board, subject to voter approval, to levy a parcel fee; and to provide for related matters.

HOUSE BILL NO. 25—
BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 47:201.1, relative to the individual income tax; to provide for the filing of composite returns and for composite payments by certain noncorporate entities; and to provide for related matters.

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

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

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

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

June 23, 2000

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATOR FONTENOT
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Public Safety and Corrections, office of state fire marshal, to continue to maintain the state administrative agent function on behalf of HUD, so that Louisiana consumers of manufactured housing will have a state agency to handle their consumer complaints where code enforcement issues are concerned, and, based on its extensive training in the manufactured housing construction code standards, to handle these complaints and make determinations as to state and federal code enforcement issues, notwithstanding the party making the request for inspection or any other action taken by the parties to said complaint.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Cain	1 Day	Campbell	½ Day
Hollis	½ Day	Marionneaux	½ Day
Tarver	½ Day	Thomas	½ Day

Adjournment

Senator Lambert moved that the Senate adjourn until Saturday, June 24, 2000 at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 10:00 o'clock A.M. on Saturday, June 24, 2000.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk