

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

SEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, May 6, 1998

The House of Representatives was called to order at 1:00 P.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

| | | |
|--------------------|-------------|------------------|
| Mr. Speaker | Green | Powell |
| Alario | Guillory | Pratt |
| Alexander, A.—93rd | Hammett | Quezaire |
| Alexander, R.—13th | Heaton | Riddle |
| Ansardi | Hebert | Romero |
| Barton | Hill | Rousselle |
| Baudoin | Holden | Salter |
| Baylor | Hopkins | Scalise |
| Bowler | Hudson | Schneider |
| Bruce | Hunter | Schwegmann |
| Bruneau | Iles | Shaw |
| Carter | Jenkins | Smith, J.D.—50th |
| Chaisson | Jetson | Smith, J.R.—30th |
| Clarkson | Johns | Stelly |
| Copelin | Kennard | Theriot |
| Crane | Kenney | Thomas |
| Curtis | Lancaster | Thompson |
| Damico | LeBlanc | Thornhill |
| Daniel | Long | Toomy |
| Deville | Marionneaux | Travis |
| DeWitt | Martiny | Triche |
| Diez | McCain | Vitter |
| Dimos | McCallum | Waddell |
| Donelon | McDonald | Walsworth |
| Dupre | McMains | Warner |
| Durand | Mitchell | Welch |
| Farve | Montgomery | Weston |
| Fauchoux | Morrell | Wiggins |
| Flavin | Morrish | Wilkerson |

| | | |
|-----------|---------|-----------|
| Fontenot | Murray | Willard |
| Frith | Odinot | Windhorst |
| Fruge | Perkins | Winston |
| Gautreaux | Pierre | Wright |
| Glover | Pinac | |
| Total—101 | | |

ABSENT

| | | |
|----------|--------|--------|
| Landrieu | Michot | Strain |
| Total—3 | | |

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Rep. McDonald.

Pledge of Allegiance

Rep. Pratt led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Dimos, the reading of the Journal was dispensed with.

On motion of Rep. Dimos, the Journal of May 5, 1998, was adopted.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 42—
BY REPRESENTATIVE JOHN SMITH
A RESOLUTION

To commend and congratulate Miss Ashley Antony of Anacoco High School in Vernon Parish on her selection as Class B All-State girls basketball Player of the Year.

Read by title.

On motion of Rep. John Smith, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 43—
BY REPRESENTATIVE JOHN SMITH
A RESOLUTION

To commend and congratulate Mr. Kyle Hornsby of Anacoco High School in Vernon Parish on his selection as 1997-1998 Class B All-State boys basketball Player of the Year.

Read by title.

On motion of Rep. John Smith, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To commend and congratulate Miss Ashley Fletcher for being named Louisiana's "Middle School Student of the Year" for the year 1998.

Read by title.

On motion of Rep. John Smith, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

HOUSE BILL NO. 273—

BY REPRESENTATIVE PRATT
AN ACT

To enact R.S. 47:321(F) and (G), relative to state sales and use tax; to provide for the effectiveness of certain exemptions to the tax; to create the Education Compensation Enhancement Fund in the state treasury; to provide for the use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 274—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 47:6012, relative to the income tax; to provide for a credit for reforestation; to provide for the taxable periods subject to the tax; and to provide for related matters.

Read by title.

HOUSE BILL NO. 275—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact Section 3.1(A)(1) of Act No. 541 of the 1976 Regular Session of the Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Legislature, Act No. 449 of the 1980 Regular Session of the Legislature, Act No. 927 of the 1981 Regular Session of the Legislature, Act No. 476 of the 1984 Regular Session of the Legislature, Act No. 259 of the 1989 Regular Session of the Legislature, and Act No. 640 of the 1993 Regular Session of the Legislature, relative to the Louisiana Stadium and Exposition District; to provide for the authorization to issue bonds to finance and construct a facility for amateur and recreational ice skating and roller skating in Jefferson or Orleans Parish; and to provide for related matters.

Read by title.

HOUSE BILL NO. 276—

BY REPRESENTATIVES MONTGOMERY AND BRUCE
AN ACT

To enact R.S. 47:305.51, relative to state and local sales and use tax; to provide for an exemption for utilities used by certain steelworks and blast furnaces, including coke ovens and rolling mills; and to provide for related matters.

Read by title.

HOUSE BILL NO. 277—

BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 40:1501(B), relative to Tangipahoa Fire Protection District No. 1; to authorize the governing authority of the district, subject to voter approval, to increase certain ad valorem taxes; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Health and Welfare

May 6, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 11, by Pratt
Reported with amendments. (10-0)

RODNEY ALEXANDER
Chairman

Report of the Committee on Natural Resources

May 6, 1998

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 4, by John Smith
Reported favorably. (12-0)

JOHN R. SMITH
Chairman

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 41—

BY REPRESENTATIVE HEBERT
A RESOLUTION

To amend and readopt House Rule 9.10(H) of the Rules of Order of the House of Representatives, relative to the motion for the previous question; to prohibit a member who is recognized for the floor and at that time speaks in the debate from making such motion.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 28—

BY REPRESENTATIVE COPELIN
A CONCURRENT RESOLUTION

To direct the Louisiana Economic Development Corporation to conduct a study of the Capital Companies Tax Credit Program.

Read by title.

Under the rules, the above resolution was referred to the Committee on Commerce.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVES ODINET AND WARNER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Highway Beautification Act of 1965 to revise provisions relating to the lighting requirements of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the Federal-Aid primary system.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVES ODINET AND WARNER

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development and the United States Department of Transportation to renegotiate or modify their agreement relative to control of outdoor advertising in areas adjacent to the national system of Interstate and Defense Highways and the Federal-Aid Primary System in order to allow outdoor advertising signs in zoned and unzoned commercial and industrial areas which contain, include, or are illuminated by flashing, intermittent, or moving light or lights.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 32—
BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to post signs on both sides of Interstate 20 near the city of Grambling, Louisiana, indicating available food establishments.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate the month of May 1998 as "The More You Know About Teen Pregnancy" Awareness and Prevention Month.

Read by title.

On motion of Rep. Pratt, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To continue the Atchafalaya and Tech-Vermilion Flood Control Advisory Commission, as created by Senate Concurrent Resolution No. 76 of the 1997 Regular Session, to study and make recommendations relative to solutions to the flood problems in the parishes of Rapides, Avoyelles, St. Landry, Evangeline, Lafayette, St. Martin, Vermilion, Iberia, and St. Mary.

Read by title.

On motion of Rep. Diez, and under a suspension of the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works, under the rules.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR BRANCH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to lower the speed limit to forty-five miles per hour on Louisiana Highway 964 from its intersection with Louisiana Highway 61 north to the East Baton Rouge Parish line.

Read by title.

On motion of Rep. Diez, and under a suspension of the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works, under the rules.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR SMITH AND REPRESENTATIVES LONG AND R. ALEXANDER

A CONCURRENT RESOLUTION

To create the Port Deluce Development Study Committee to study the feasibility of development of a freshwater supply and recreational area from Port Deluce in Winn Parish.

Read by title.

On motion of Rep. Weston, and under a suspension of the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural Affairs, under the rules.

SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATORS JONES BAGNERIS, BAJOIE, CRAVINS, FIELDS, C., FIELDS, W., IRONS, JOHNSON, AND TARVER, AND REPRESENTATIVES ALEXANDER, BAYLOR, COPELIN, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON, WILKERSON, AND WILLARD

A CONCURRENT RESOLUTION

To recognize the considerable accomplishments of Marilyn Joy Clemons and to extend heartfelt condolences to her family on the occasion of her death.

Read by title.

On motion of Rep. Copelin, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Revenue to take any action necessary for his department to suspend or revoke any and all permits of any dealer of alcoholic beverages on an Indian reservation who fails to pay any sales taxes due to the state.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on Ways and Means, under the rules.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 262—
BY REPRESENTATIVES HUDSON, BAYLOR, HUNTER, AND MORRELL
AN ACT

To enact Chapter 15 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1251 through 1255, relative to the taxation of securities; to provide for the levy, collection, and administration of a tax on the sale of stocks, bonds, and certain other securities; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 263—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 47:303(B)(3) and to enact R.S. 47:303(B)(7), relative to the collection of sales and use taxes on motor vehicles; to authorize the vehicle commissioner to collect certain taxes on behalf of political subdivisions; to provide for agreements between the vehicle commissioner and the political subdivisions relative to the collection of certain taxes; to relieve the office of motor vehicles of any liability for their failure to collect certain taxes in the absence of an agreement; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar subject to call.

HOUSE BILL NO. 264—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 26:341(1), (2), and (3) and 342, relative to the excise tax on certain alcoholic beverages; to provide for an increase in the rate of such tax; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 265—
BY REPRESENTATIVE MORRELL
AN ACT

To enact Chapter 15 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:1251 through 1254, relative to the taxation of certain securities; to provide for the levy, collection, and administration of a tax on the sale of such securities; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 266—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 47:297(L), relative to the individual income tax; to provide for a credit for taxpayers with incomes below the poverty level; to provide for the taxable periods to which the credit applies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 267—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 47:297(L), relative to the individual income tax; to provide for an earned income tax credit; to provide for the taxable periods to which the credit applies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 268—
BY REPRESENTATIVE MORRELL
AN ACT

To enact R.S. 47:297(L), relative to the individual income tax; to provide for an earned income tax credit; to provide for the taxable periods to which the credit applies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 269—
BY REPRESENTATIVE COPELIN
AN ACT

To enact R.S. 51:1927.1, relative to certified capital companies; to require certified capital companies to remit to the Louisiana Economic Development Corporation certain monies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 270—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

HOUSE BILL NO. 271—
BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 47:305.51, relative to state sales and use tax; to provide for an exemption for purchases of utilities for stripper wells; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 272—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact Section 2 of Act No. 29 of the 1996 Regular Session of the Legislature, relative to the sales and use tax; to provide for the extension of the exemption for boiler fuel; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 191—

BY REPRESENTATIVE MORRISH
AN ACT

To enact R.S. 39:816, relative to School District Number 3 of Jefferson Davis Parish; to authorize the levy of a parcel fee within district boundaries; to provide for voter approval; to provide for imposition and collection; to provide a limitation on the amount of any such parcel fee; to provide relative to the use of proceeds; and to provide for related matters.

Called from the calendar.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

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:

Regular Calendar

HOUSE BILL NO. 43—

BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 47:287.95(J), relative to the corporation income tax; to provide for common paymaster situations with respect to salary, wages, and other compensation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|----------|------------------|
| Mr. Speaker | Glover | Pinac |
| Alario | Green | Powell |
| Alexander, A.—93rd | Guillory | Pratt |
| Alexander, R.—13th | Hammett | Quezaire |
| Ansardi | Heaton | Riddle |
| Barton | Hebert | Romero |
| Baudoin | Hill | Rousselle |
| Baylor | Hopkins | Salter |
| Bowler | Hudson | Scalise |
| Bruce | Hunter | Schneider |
| Bruneau | Iles | Schwegmann |
| Carter | Jenkins | Shaw |
| Chaisson | Jetson | Smith, J.D.—50th |

Clarkson
Copelin
Crane
Damico
Daniel
Deville
DeWitt
Diez
Dimos
Donelon
Dupre
Durand
Farve
Fauchaux
Flavin
Fontenot
Frith
Fruge
Gautreaux
Total—96

Johns
Kennard
Kenney
Lancaster
Long
Marionneaux
Martiny
McCain
McCallum
McDonald
McMains
Mitchell
Montgomery
Morrell
Morrish
Murray
Odinet
Perkins
Pierre

Smith, J.R.—30th
Stelly
Theriot
Thomas
Thompson
Thornhill
Toomy
Travis
Vitter
Waddell
Warner
Welch
Weston
Wiggins
Wilkerson
Willard
Windhorst
Winston
Wright

NAYS

Total—0

ABSENT

Curtis
Holden
Landrieu
Total—8

LeBlanc
Michot
Strain

Triche
Walsworth

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 44—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:1031, relative to the natural gas franchise tax; to provide that the tax is imposed on the exercise of a corporation franchise or charter or the continuance of such franchise or charter; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|----------|------------|
| Mr. Speaker | Glover | Pinac |
| Alario | Green | Powell |
| Alexander, A.—93rd | Guillory | Pratt |
| Alexander, R.—13th | Hammett | Quezaire |
| Ansardi | Heaton | Riddle |
| Barton | Hebert | Romero |
| Baudoin | Hill | Rousselle |
| Baylor | Hudson | Salter |
| Bowler | Hunter | Scalise |
| Bruce | Iles | Schneider |
| Bruneau | Jenkins | Schwegmann |
| Carter | Johns | Shaw |

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| | | |
|-----------|-------------|------------------|
| Chaisson | Kennard | Smith, J.D.—50th |
| Clarkson | Kenney | Smith, J.R.—30th |
| Copelin | Lancaster | Stelly |
| Crane | Landrieu | Theriot |
| Damico | Long | Thomas |
| Daniel | Marionneaux | Thompson |
| Deville | Martiny | Thornhill |
| DeWitt | McCain | Toomy |
| Diez | McCallum | Travis |
| Dimos | McDonald | Vitter |
| Donelon | McMains | Warner |
| Dupre | Mitchell | Welch |
| Durand | Montgomery | Weston |
| Faucheux | Morrell | Wiggins |
| Flavin | Morrish | Wilkerson |
| Fontenot | Murray | Willard |
| Frith | Odinet | Windhorst |
| Fruge | Perkins | Winston |
| Gautreaux | Pierre | Wright |
| Total—93 | | |

NAYS

| | | |
|---------|--------|---------|
| Hopkins | Triche | Waddell |
| Total—3 | | |

ABSENT

| | | |
|---------|---------|-----------|
| Curtis | Jetson | Strain |
| Farve | LeBlanc | Walsworth |
| Holden | Michot | |
| Total—8 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 56—
BY REPRESENTATIVE ALARIO
AN ACT

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

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|----------|------------|
| Mr. Speaker | Green | Powell |
| Alario | Guillory | Pratt |
| Alexander, A.—93rd | Hammett | Quezaire |
| Alexander, R.—13th | Heaton | Riddle |
| Ansardi | Hebert | Romero |
| Barton | Hill | Rousselle |
| Baudoin | Hudson | Salter |
| Baylor | Hunter | Scalise |
| Bowler | Iles | Schneider |
| Bruce | Jenkins | Schwegmann |
| Bruneau | Johns | Shaw |

| | | |
|-----------|-------------|------------------|
| Carter | Kennard | Smith, J.D.—50th |
| Chaisson | Kenney | Stelly |
| Clarkson | Lancaster | Theriot |
| Copelin | Landrieu | Thomas |
| Crane | Long | Thompson |
| Damico | Marionneaux | Thornhill |
| Daniel | Martiny | Toomy |
| Deville | McCain | Travis |
| DeWitt | McCallum | Vitter |
| Diez | McDonald | Walsworth |
| Dimos | McMains | Warner |
| Donelon | Mitchell | Welch |
| Dupre | Montgomery | Weston |
| Durand | Morrell | Wiggins |
| Faucheux | Morrish | Wilkerson |
| Flavin | Murray | Willard |
| Fontenot | Odinet | Windhorst |
| Fruge | Perkins | Winston |
| Gautreaux | Pierre | Wright |
| Glover | Pinac | |
| Total—92 | | |

NAYS

| | |
|------------------|---------|
| Hopkins | Triche |
| Smith, J.R.—30th | Waddell |
| Total—4 | |

ABSENT

| | | |
|---------|---------|--------|
| Curtis | Holden | Michot |
| Farve | Jetson | Strain |
| Frith | LeBlanc | |
| Total—8 | | |

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 57—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:287.732(A) and to enact R.S. 47:287.732(C) and 287.732.1, relative to the state income tax liability of S corporations and qualified Subchapter S subsidiary corporations; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|----------|-----------|
| Mr. Speaker | Green | Pratt |
| Alario | Guillory | Quezaire |
| Alexander, A.—93rd | Hammett | Riddle |
| Alexander, R.—13th | Heaton | Romero |
| Ansardi | Hebert | Rousselle |
| Barton | Hill | Salter |
| Baudoin | Hopkins | Scalise |
| Baylor | Hudson | Schneider |

| | | |
|-----------|-------------|------------------|
| Bowler | Hunter | Schwegmann |
| Bruce | Iles | Shaw |
| Bruneau | Jenkins | Smith, J.D.—50th |
| Carter | Jetson | Smith, J.R.—30th |
| Chaisson | Johns | Stelly |
| Clarkson | Kennard | Theriot |
| Copelin | Kenney | Thomas |
| Crane | Lancaster | Thompson |
| Damico | Landrieu | Thornhill |
| Daniel | Long | Toomy |
| Deville | Marionneaux | Travis |
| DeWitt | Martiny | Vitter |
| Diez | McCain | Waddell |
| Dimos | McCallum | Walsworth |
| Donelon | McDonald | Warner |
| Dupre | Mitchell | Welch |
| Durand | Montgomery | Weston |
| Farve | Morrell | Wiggins |
| Faucheux | Morrish | Wilkerson |
| Flavin | Murray | Willard |
| Fontenot | Odinet | Windhorst |
| Frith | Perkins | Winston |
| Frige | Pierre | Wright |
| Gautreaux | Pinac | |
| Glover | Powell | |
| Total—97 | | |

NAYS

Total—0

ABSENT

| | | |
|---------|---------|--------|
| Curtis | McMains | Triche |
| Holden | Michot | |
| LeBlanc | Strain | |
| Total—7 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 109—
BY REPRESENTATIVES ALARIO
AN ACT

To enact R.S. 47:606(F), relative to corporation franchise tax; to provide for the allocation of property and net sales when a corporation merges; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|----------|-----------|
| Mr. Speaker | Glover | Powell |
| Alario | Green | Pratt |
| Alexander, A.—93rd | Guillory | Quezaire |
| Alexander, R.—13th | Hammett | Riddle |
| Ansardi | Heaton | Romero |
| Barton | Hebert | Rousselle |
| Baudoin | Hill | Salter |

| | | |
|-----------|-------------|------------------|
| Baylor | Hudson | Scalise |
| Bowler | Hunter | Schneider |
| Bruce | Iles | Schwegmann |
| Bruneau | Jenkins | Shaw |
| Carter | Jetson | Smith, J.D.—50th |
| Chaisson | Johns | Stelly |
| Clarkson | Kennard | Theriot |
| Copelin | Kenney | Thomas |
| Crane | Lancaster | Thompson |
| Damico | Landrieu | Thornhill |
| Daniel | Long | Toomy |
| Deville | Marionneaux | Travis |
| DeWitt | Martiny | Vitter |
| Diez | McCain | Walsworth |
| Dimos | McCallum | Warner |
| Donelon | McDonald | Welch |
| Dupre | Mitchell | Weston |
| Durand | Montgomery | Wiggins |
| Farve | Morrell | Wilkerson |
| Faucheux | Morrish | Willard |
| Flavin | Murray | Windhorst |
| Fontenot | Odinet | Winston |
| Frith | Perkins | Wright |
| Frige | Pierre | |
| Gautreaux | Pinac | |
| Total—94 | | |

NAYS

| | |
|------------------|---------|
| Hopkins | Triche |
| Smith, J.R.—30th | Waddell |
| Total—4 | |

ABSENT

| | | |
|---------|---------|--------|
| Curtis | LeBlanc | Michot |
| Holden | McMains | Strain |
| Total—6 | | |

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 110—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:601, 606(C), and 611, relative to the corporation franchise tax; to repeal the minimum tax; to provide for a one-time initial corporation franchise tax; to exempt certain corporations from the tax; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|----------|----------|
| Mr. Speaker | Glover | Pinac |
| Alario | Green | Powell |
| Alexander, A.—93rd | Guillory | Pratt |
| Alexander, R.—13th | Hammett | Quezaire |

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| | | |
|-----------|-------------|------------------|
| Ansardi | Heaton | Riddle |
| Barton | Hebert | Romero |
| Baudoin | Hill | Rousselle |
| Baylor | Hudson | Salter |
| Bowler | Hunter | Scalise |
| Bruce | Iles | Schneider |
| Bruneau | Jenkins | Schwegmann |
| Carter | Jetson | Shaw |
| Chaisson | Johns | Smith, J.D.—50th |
| Clarkson | Kennard | Stelly |
| Copelin | Kenney | Theriot |
| Crane | Lancaster | Thomas |
| Damico | Landrieu | Thompson |
| Daniel | Long | Thornhill |
| Deville | Marionneaux | Toomy |
| DeWitt | Martiny | Travis |
| Diez | McCain | Vitter |
| Dimos | McCallum | Walsworth |
| Donelon | McDonald | Warner |
| Dupre | McMains | Welch |
| Durand | Mitchell | Weston |
| Farve | Montgomery | Wiggins |
| Fauchoux | Morrell | Wilkerson |
| Flavin | Morrish | Willard |
| Fontenot | Murray | Windhorst |
| Frith | Odinet | Winston |
| Fruge | Perkins | Wright |
| Gautreaux | Pierre | |
| Total—95 | | |

NAYS

| | |
|------------------|---------|
| Hopkins | Triche |
| Smith, J.R.—30th | Waddell |
| Total—4 | |

ABSENT

| | | |
|---------|---------|--------|
| Curtis | LeBlanc | Strain |
| Holden | Michot | |
| Total—5 | | |

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Speaker Pro Tempore Bruneau in the Chair

HOUSE BILL NO. 143—
BY REPRESENTATIVE MONTGOMERY AND SENATORS CRAVINS, BEAN, AND TARVER

AN ACT

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

Read by title.

Rep. DeWitt sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 143 by Representative Montgomery

AMENDMENT NO. 1

On page 3, between lines 23 and 24, insert the following:

"D.(1) There is hereby levied an additional franchise tax of one percent on taxable net slot machine proceeds.

(2) Notwithstanding any provision of law to the contrary, and after deposit to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the avails of the tax levied by this Subsection shall be deposited in the state general fund.

Section 2. It is the intent of the legislature that the avails of the tax levied pursuant to R.S. 27:393(D) shall be used solely for programs to control and eradicate fire ants."

AMENDMENT NO. 2

On page 2, line 24, change "Section 2." to "Section 3."

On motion of Rep. DeWitt, the amendments were withdrawn.

Rep. Morrish sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed House Bill No. 143 by Representative Montgomery

AMENDMENT NO. 1

On page 3, line 21, after "of a" delete the remainder of the line and insert:

"school or academy which was registered before 1980 on"

On motion of Rep. Morrish, the amendments were adopted.

Rep. Copelin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed House Bill No. 143 by Representative Montgomery

AMENDMENT NO. 1

On page 3, between lines 23 and 24, insert the following:

"D.(1) In addition to the taxes levied on taxable net slot machine proceeds as provided in Subsections A, B, and C of this Section, there is hereby levied an additional franchise tax of thirty-five percent of taxable net slot machine proceeds derived from the conduct of slot machine gaming as provided in R.S. 27:361(D). The tax levied pursuant to this Subsection shall cease at such time as live race meetings are conducted.

(2) Notwithstanding any provision of law to the contrary, after deposit to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the avails

of the tax levied pursuant to this Subsection shall be deposited in the state general fund.

Section 2. It is the intent of the legislature that the avails of the tax levied pursuant to R.S. 27:393(D) are available and shall be used exclusively for an increase in pay for public school teachers."

AMENDMENT NO. 2

On page 2, line 24, change "Section 2." to "Section 3."

Rep. Copelin moved the adoption of the amendments.

Rep. Montgomery objected.

By a vote of 41 yeas and 55 nays, the amendments were rejected.

Rep. Riddle sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Engrossed House Bill No. 143 by Representative Montgomery

AMENDMENT NO. 1

On page 3, between lines 23 and 24, insert the following:

"D.(1) There is hereby levied an additional franchise tax of one percent on taxable net slot machine proceeds.

(2) Notwithstanding any provision of law to the contrary, and after deposit to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the avails of the tax levied by this Subsection shall be deposited in the state general fund.

Section 2. It is the intent of the legislature that the avails of the tax levied pursuant to R.S. 27:393(D) shall be used solely for programs to control and eradicate cockroaches."

AMENDMENT NO. 2

On page 2, line 24, change "Section 2." to "Section 3."

On motion of Rep. Riddle, the amendments were withdrawn.

Speaker Downer in the Chair

Rep. Montgomery moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|-----------|-----------|
| Alario | Gautreaux | Odinet |
| Alexander, A.—93rd | Glover | Pierre |
| Alexander, R.—13th | Green | Pinac |
| Ansardi | Guillory | Powell |
| Barton | Hammett | Pratt |
| Baylor | Heaton | Quezaire |
| Bowler | Hebert | Romero |
| Bruce | Hill | Rousselle |
| Bruneau | Holden | Salter |

| | | |
|----------|------------|------------------|
| Chaisson | Hopkins | Schwegmann |
| Clarkson | Hudson | Shaw |
| Copelin | Hunter | Smith, J.D.—50th |
| Curtis | Johns | Smith, J.R.—30th |
| Damico | Kenney | Theriot |
| Daniel | Lancaster | Thomas |
| Deville | LeBlanc | Thompson |
| DeWitt | Martiny | Travis |
| Dupre | McCain | Triche |
| Durand | McDonald | Waddell |
| Farve | Mitchell | Warner |
| Faucheux | Montgomery | Welch |
| Flavin | Morrell | Willard |
| Frith | Morrish | Winston |
| Fruge | Murray | |
| Total—71 | | |

NAYS

| | | |
|-------------|-------------|-----------|
| Mr. Speaker | Jetson | Stelly |
| Baudoin | Kennard | Thornhill |
| Carter | Long | Toomy |
| Crane | Marionneaux | Vitter |
| Diez | McCallum | Walsworth |
| Dimos | McMains | Weston |
| Donelon | Perkins | Wiggins |
| Fontenot | Riddle | Wilkerson |
| Iles | Scalise | Windhorst |
| Jenkins | Schneider | Wright |
| Total—30 | | |

ABSENT

| | | |
|----------|--------|--------|
| Landrieu | Michot | Strain |
| Total—3 | | |

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Montgomery moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Wright and Thornhill, under a suspension of the rules, the above roll call was corrected to reflect them as voting nay on the final passage of House Bill No. 143.

HOUSE BILL NO. 226—

BY REPRESENTATIVE MCDONALD AND SENATOR BARHAM
AN ACT

To repeal R.S. 47:7, Subpart C-1 of Part 1 of Chapter 1 of Subtitle II of the Louisiana Revised Statutes of 1950, composed of R.S. 47:85 through 89, 284, 305(C)(1), 305.12, 305.21, 305.24, 305.27, 305.29, 305.34, 305.35, 317, 614, 615, 633.1(A), (B), and (D), 644, 648.11, 868(A), 906, 1009, 1039, and Chapter 16 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, composed of R.S. 47:1301 through 1351, relative to certain tax dedications, exemptions, credits, and special rate taxes; to repeal certain dedications; to repeal certain tax exemptions, credits, and special rate severance taxes for which an exclusion has been enacted or which are no longer effective because of their terms; and to provide for related matters.

Read by title.

Rep. Dimos, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 226 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 6, before "1009" delete "906,"

AMENDMENT NO. 2

On page 1, line 17, following "868(A)," and before "1009" delete "906,"

On motion of Rep. Dimos, the amendments were adopted.

Rep. McDonald moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|-------------|------------------|
| Mr. Speaker | Green | Pratt |
| Alario | Guillory | Quezaire |
| Alexander, A.—93rd | Hammett | Riddle |
| Alexander, R.—13th | Heaton | Romero |
| Ansardi | Hebert | Rousselle |
| Barton | Hill | Salter |
| Baudoin | Holden | Scalise |
| Baylor | Hopkins | Schneider |
| Bowler | Hudson | Schwegmann |
| Bruce | Hunter | Shaw |
| Bruneau | Iles | Smith, J.D.—50th |
| Carter | Jetson | Smith, J.R.—30th |
| Chaisson | Johns | Stelly |
| Clarkson | Kennard | Theriot |
| Copelin | Kenney | Thomas |
| Crane | Lancaster | Thompson |
| Curtis | Landrieu | Thornhill |
| Damico | LeBlanc | Toomy |
| Daniel | Long | Travis |
| Deville | Marionneaux | Triche |
| DeWitt | Martiny | Vitter |
| Diez | McCain | Waddell |
| Dimos | McDonald | Walsworth |
| Donelon | McMains | Warner |
| Dupre | Mitchell | Welch |
| Durand | Montgomery | Weston |
| Farve | Morrell | Wiggins |
| Faucheux | Morrish | Wilkerson |
| Flavin | Murray | Willard |
| Fontenot | Odinet | Windhorst |
| Frith | Perkins | Winston |
| Fruge | Pierre | Wright |
| Glover | Pinac | |
| Total—98 | | |

NAYS

Jenkins
Total—1

ABSENT

| | | |
|-----------|--------|--------|
| Gautreaux | Michot | Strain |
| McCallum | Powell | |
| Total—5 | | |

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. McDonald moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 231—

BY REPRESENTATIVE MCDONALD AND SENATOR BARHAM
AN ACT

To amend and reenact R.S. 47:287.92(B) and R.S. 47:287.93(A) and to repeal R.S. 47:287.94(H) and (I) and R.S. 47:287.95(I), relative to income tax; to provide for the allocation and/or apportionment of certain income to the state; to provide for the treatment of certain income from corporations with a situs in the state; and to provide for related matters.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------------------|-------------|------------------|
| Mr. Speaker | Gautreaux | Pinac |
| Alario | Glover | Powell |
| Alexander, A.—93rd | Green | Pratt |
| Alexander, R.—13th | Hammett | Quezaire |
| Ansardi | Heaton | Riddle |
| Barton | Hebert | Rousselle |
| Baudoin | Hill | Salter |
| Baylor | Holden | Scalise |
| Bowler | Hopkins | Schneider |
| Bruce | Hudson | Schwegmann |
| Bruneau | Iles | Shaw |
| Carter | Jenkins | Smith, J.D.—50th |
| Chaisson | Jetson | Smith, J.R.—30th |
| Clarkson | Johns | Stelly |
| Copelin | Kennard | Theriot |
| Crane | Kenney | Thomas |
| Curtis | Lancaster | Thompson |
| Damico | Landrieu | Thornhill |
| Daniel | LeBlanc | Toomy |
| Deville | Long | Travis |
| DeWitt | Marionneaux | Triche |
| Diez | Martiny | Vitter |
| Dimos | McCallum | Walsworth |
| Donelon | McDonald | Warner |
| Dupre | McMains | Welch |
| Durand | Mitchell | Wiggins |
| Faucheux | Montgomery | Willard |
| Flavin | Morrish | Windhorst |
| Fontenot | Odinet | Winston |
| Frith | Perkins | Wright |
| Fruge | Pierre | |
| Total—92 | | |

NAYS

| | | |
|----------|---------|-----------|
| Farve | Murray | Wilkerson |
| Guillory | Waddell | |
| Hunter | Weston | |
| Total—7 | | |

ABSENT

| | | |
|---------|---------|--------|
| McCain | Morrell | Strain |
| Michot | Romero | |
| Total—5 | | |

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McDonald moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Hudson, the rules were suspended in order to take up Introduction of Resolutions, House and House Concurrent at this time.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 44— BY REPRESENTATIVE HUDSON

A RESOLUTION

To amend and readopt House Rules 6.13(A)(introductory paragraph), 6.14(A), and 7.1 and to adopt House Rule 8.8(D) of the Rules of Order of the House of Representatives to provide for the designation of and procedures relating to priority bills.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 45— BY REPRESENTATIVES MONTGOMERY, BRUNEAU, COPELIN, GREEN, LANCASTER, LEBLANC, SHAW, WINDHORST, AND WADDELL

A RESOLUTION

To amend and readopt House Rules 1.2(E), (H), (I), and (J), 2.5(12), 2.10(A)(7), (10), (12), (15), and (16), 3.1, 3.2, 3.3, 3.5(A), (C), and (D), 4.5(C), 6.3(C), 6.5(A), 6.13(A)(1), 6.14, 6.15, 6.34, 7.6, 7.8, 7.9, 7.11(A), 7.15, 8.16, 8.18, 8.21, 8.23, 9.9, 9.11(C), 9.12, 9.14(A) and (C)(16), 10.1, 10.3(A) and (C), 10.6, 11.4(B), 12.3, 14.1, 14.2(20), 14.7, 14.9, 14.13(A), 14.15, 14.17, 14.18(B), 14.21(A), 14.23, 14.24(B), 14.26, 14.39, 14.45, 14.49(B), 14.50, 14.52, and 14.53, to adopt House Rule 6.37(C), and to repeal House Rules 1.2(G), 2.10(A)(14), 2.11, 4.9, 6.17, 6.30, 6.31, 9.14(C)(12), 14.3, 14.16, 14.27, 14.35, and 14.46 of the Rules of Order of the House of Representatives, to provide for a general revision of the Rules of Order of the House of Representatives.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 46— BY REPRESENTATIVE BRUNEAU

A RESOLUTION

To amend and readopt House Rules 2.10(A)(4) and (12), 6.13, 6.16, 7.16(A), 8.6, 8.20, 8.21, 8.22, 8.23, 8.24, 8.25, and 9.10(H) of the Rules of Order of the House of Representatives and to adopt House Rules 8.2(A)(7), 8.21.1, and 8.27, to revise the Rules of Order of the House of Representatives.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE WILLARD

A CONCURRENT RESOLUTION

To express condolences of the Louisiana Legislature upon the passing of Mr. Robino Joseph Barnes, Jr. and to remember his life.

Read by title.

On motion of Rep. Willard, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To urge and encourage the furtherance of a partnership between the Louisiana Department of Transportation and Development, Louisiana Transportation Research Center, Louisiana State University, the Louisiana Transportation Research Center Foundation, Inc., and private sector transportation entities to plan, develop, and build a transportation training and education facility.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the U.S. Fish and Wildlife Service and the U.S. Forestry Service to coordinate the opening and closing of hunting seasons in the Kisatchie National Forest with the opening and closing dates on land in the state which is not owned by the federal government.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE WIGGINS AND SENATOR DYESS

A CONCURRENT RESOLUTION

To commend and congratulate the Pineville Lady Rebels Softball Team upon winning the 1998 4-A State Softball Championship.

Read by title.

On motion of Rep. Wiggins, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES CURTIS, HUNTER, DEWITT, AVERY, ALEXANDER, BAYLOR, COPELIN, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, JETSON, MITCHELL, MORRELL, MURRAY, PRATT, PIERRE, QUEZAIRE, WELCH, WESTON, WILKERSON AND WILLARD AND SENATORS BAGNERIS, BAJOIE, CRAVINS, FIELDS, FIELDS, IRONS, JOHNSON, JONES AND TARVER

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Louis Berry, civil rights activist, lawyer, and educator.

Read by title.

On motion of Rep. Curtis, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

HOUSE BILL NO. 278—
BY REPRESENTATIVES HUDSON AND KENNARD
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Public Safety and Corrections - Public Safety Services, office of state police for payment of legal fees incurred by Colonel Kenneth D. Norris and Major R. L. Montgomery in their successful defense of criminal evidence presented against them before the Grand Jury for the Fourteenth Judicial District for the Parish of Calcasieu.

Read by title.

HOUSE BILL NO. 279—
BY REPRESENTATIVE WINDHORST
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Christina N. Williams and Robert L. Williams v. State of Louisiana, Through the Department of Health and Hospitals, et al."; to provide for interest; to provide for payment of expert witness fees and court costs; and to provide for related matters.

Read by title.

HOUSE BILL NO. 280—
BY REPRESENTATIVES WINDHORST AND CLARKSON
AN ACT

To amend and reenact R.S. 47:820.5(B)(introductory paragraph), relative to tolls; to provide for a reduction in tolls on the Greater New Orleans Mississippi River Bridges; and to provide for related matters.

Read by title.

HOUSE BILL NO. 281—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 33:2717.19, relative to tax exemptions; to exempt charitable organizations conducting certain games of chance from sales taxes imposed by local governmental subdivisions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 282—
BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1997-1998 Fiscal Year; and to provide for related matters.

Read by title.

HOUSE BILL NO. 283—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:1556(A) and (B) and to enact R.S. 33:1556.2, relative to coroners; to provide for certain fees to be paid to coroners; to provide for state salary for coroners; to provide for payment of such salary by the state treasurer; and to provide for related matters.

Read by title.

HOUSE BILL NO. 284—
BY REPRESENTATIVE DEVILLE
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the Board of Tax Appeals judgment in the case entitled "Thomas Jefferson Construction Corporation v. Secretary, Department of Revenue and Taxation", and to provide for related matters.

Read by title.

HOUSE BILL NO. 285—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 47:305.51, relative to exemptions from state and local sales and use taxes; to provide an exemption for purchases made by certain domestic nonprofit charitable organizations; to provide for implementation by the Department of Revenue; and to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 286—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 47:820.4, relative to the Transportation Infrastructure Model for Economic Development program; to provide for an extension of the four cents per gallon tax on gasoline, motor fuels, and special fuels; and to provide for related matters.

Read by title.

HOUSE BILL NO. 287—
BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 47:297.3, relative to the individual income tax; to provide a credit for certain natural parents who raise their children in a common household; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 288—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 47:301(14)(a), relative to the state sales and use tax; to provide for the collection of the tax on certain complimentary hotel rooms; and to provide for related matters.

Read by title.

HOUSE BILL NO. 289—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 33:4574.11, relative to the Southwest Louisiana Convention and Visitors Bureau; to authorize the bureau to levy and collect a tax on complimentary hotel rooms within its

jurisdiction; to provide relative to such tax; and to provide for related matters.

Read by title.

HOUSE BILL NO. 290—

BY REPRESENTATIVE DEWITT
AN ACT

To enact Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9061 through 9068, relative to the establishment and creation of a special taxing district; to establish and create the Louisiana Development District as a body politic and corporate and special taxing district of the state of Louisiana; to provide for the governance of the district and for the necessary powers and authority of the district including the power to levy certain taxes and to issue bonds and incur debt; to provide relative to the issuance of such debt and the source of funds available to the district to secure the payment of such debt; and to provide for related matters.

Read by title.

HOUSE BILL NO. 291—

BY REPRESENTATIVES WARNER AND ODINET
AN ACT

To enact R.S. 47:297(L), relative to the individual income tax; to provide for a credit for a portion of long-term care insurance premiums paid by Louisiana citizens; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 292—

BY REPRESENTATIVES WARNER AND ODINET
AN ACT

To enact R.S. 33:2738.81, relative to St. Bernard Parish; to authorize the governing authority of said parish, subject to voter approval, to levy an additional sales and use tax; to provide for allowable uses of the avails of such tax, including funding a portion into bonds; and to provide for related matters.

Read by title.

HOUSE BILL NO. 293—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 47:305(D)(1)(s), relative to the exemption for medical devices used by the patient; to provide relative to such exemption and application thereof; to provide for the effect of the Act; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 294—

BY REPRESENTATIVE R. ALEXANDER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 26:342, relative to the excise tax on beverages of low alcoholic content; to provide for an increase in the rate of such tax; and to provide for related matters.

Read by title.

HOUSE BILL NO. 295—

BY REPRESENTATIVE R. ALEXANDER AND SENATOR HINES
AN ACT

To amend and reenact R.S. 26:341, relative to taxes on alcoholic beverages; to provide for an increase in the rate of tax on liquors and wines; and to provide for related matters.

Read by title.

HOUSE BILL NO. 296—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 47:321(F), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; to provide for the conditions which must be met before the Act becomes effective; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 297—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 27:245(C), relative to the Louisiana Economic Development and Gaming Corporation Act; to authorize the Louisiana Gaming Control Board to renegotiate and execute a casino operating contract; and to provide for related matters.

Read by title.

HOUSE BILL NO. 298—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 47:633.5(B), relative to the severance tax on oil and gas; to provide that the severance tax rate established for wells utilizing produced water for the purpose of enhanced oil and gas recovery is not limited to wells utilizing water from the same reservoir and field; and to provide for related matters.

Read by title.

HOUSE BILL NO. 299—

BY REPRESENTATIVE LEBLANC
AN ACT

To amend Act No. 28 of the 1997 Regular Session of the Legislature, relative to the comprehensive capital budget, by adding thereto a new Section; to provide for an additional appropriation; and to provide for related matters.

Read by title.

HOUSE BILL NO. 300—

BY REPRESENTATIVE WILLARD
AN ACT

To enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4321 through 4324, relative to the providing of certain tax relief for economically distressed or disadvantaged shopping centers or complexes; and to provide for related matters.

Read by title.

HOUSE BILL NO. 301—

BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 29:731 and to enact R.S. 29:731.1, relative to emergency preparedness; to create and provide revenues for the Emergency Management, Preparedness, and Assistance Trust Fund; to establish procedures, practices, and participation by the office of emergency preparedness and local and nonprofit organizations in the fund; and to provide for related matters.

Read by title.

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HOUSE BILL NO. 302—

BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact Section 2 of Act No. 23 of the 1996 Regular Session, relative to income tax credits; to provide a tax credit for employers who provide alcohol and substance abuse treatment programs for their employees; to extend the authorization for the credit; and to provide for related matters.

Read by title.

HOUSE BILL NO. 303—

BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 47:301(13)(f), (14)(j), (16)(d), (e), and (f), (22), (23), and (24), relative to the state sales and use tax; to define tangible personal property to exclude certain transactions relating to the sales of services; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 304—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 23:1377(B)(1), (C)(2) and (3), and (E), relative to the Workers' Compensation Second Injury Fund; to provide for the methods of assessment and allocation of the liabilities of the fund; and to provide for related matters.

Read by title.

HOUSE BILL NO. 305—

BY REPRESENTATIVE SCHWEGMANN (BY REQUEST) AND REPRESENTATIVES MORRELL AND WILLARD AND SENATOR JOHNSON
AN ACT

To enact R.S. 27:93.1, relative to the taxation of riverboats; to authorize the levy and collection of a tax on net gaming proceeds by certain levee districts for certain purposes; to provide for the duration of the tax; to provide for certain tax credits; and to provide for related matters.

Read by title.

HOUSE BILL NO. 306—

BY REPRESENTATIVES BAUDOIN, PERKINS, AND WIGGINS
AN ACT

To amend and reenact R.S. 27:91(C) and to enact R.S. 27:311(D)(5) and Part IV of Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to consist of R.S. 27:501, all relative to taxation of gaming activities; to increase the franchise fee on net gaming proceeds of riverboat gaming operations; to increase the franchise fee on device owners of video draw poker devices; to provide for a credit for donations to aid in the support of parimutuel wagering facilities and the horse breeding industry; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 307—

BY REPRESENTATIVE PRATT
AN ACT

To enact Chapter 46 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2611 through 2613, relative to assessments; to authorize the Department of Health and Hospitals to impose certain assessments on health maintenance organizations; to provide for definitions; to provide for the imposition, collection, administration, and appeal of such assessments; to provide for the distribution of monies derived

from such assessments; to provide for severability; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 308—

BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 47:44.1, relative to the individual income tax; to exempt all retirement income from taxation; and to provide for related matters.

Read by title.

HOUSE BILL NO. 309—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 47:6012, relative to income tax credits; to establish a credit against the corporate and personal income taxes for the rehabilitation of historic structures; to provide for the determination of the credit; to provide for the taxable periods to which the credit applies; and to provide for related matters.

Read by title.

HOUSE BILL NO. 310—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 47:321(F), relative to state sales and use tax; to provide for the effectiveness of certain exemptions to the tax; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 311—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 47:305.14(A)(1) and to enact R.S. 47:305.14(A)(5), relative to the state sales and use tax; to provide an exemption for temporary fundraising activities; and to provide for related matters.

Read by title.

HOUSE BILL NO. 312—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact Chapter 46 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2611 through 2613, relative to taxes; to authorize the Department of Health and Hospitals to impose a health services tax on health maintenance organizations; to provide for definitions; to provide for the imposition, collection, administration, and appeal of such taxes; to provide for the distribution of monies derived from such taxes; to provide for severability; to provide for an effective date; and to provide for related matters.

Read by title.

HOUSE BILL NO. 313—

BY REPRESENTATIVES MURRAY AND HUNTER
AN ACT

To enact R.S. 23:1536(H), relative to unemployment compensation tax; to reduce the unemployment compensation tax by twenty-five percent for Fiscal Year 1998-1999; and to provide for related matters.

Read by title.

HOUSE BILL NO. 314—
BY REPRESENTATIVES CLARKSON AND WINDHORST
AN ACT

To enact R.S. 47:820.5(D), relative to tolls on certain bridges; to specify the termination date of collection of tolls on certain bridges; and to provide for related matters.

Read by title.

HOUSE BILL NO. 315—
BY REPRESENTATIVE WESTON
AN ACT

To enact Subpart U of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.61, relative to state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to education; to provide for collection and disbursement of the donation by the Department of Revenue; and to provide for related matters.

Read by title.

HOUSE BILL NO. 316—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 47:13, relative to taxation of activities on Indian reservations; to provide for the circumstances under which state taxes may be levied upon such activities; to provide for certain tax compacts and agreements; to provide for certain dedications; and to provide for related matters.

Read by title.

HOUSE BILL NO. 317—
BY REPRESENTATIVE WILLARD
AN ACT

To enact R.S. 27:93.1, relative to the taxation of riverboats; to authorize the levy and collection of a tax on net gaming proceeds by certain levee districts for certain purposes; to provide for the duration of the tax; to provide for certain tax credits; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Education

May 6, 1998

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 2, by Wilkerson
Reported with amendments. (10-0)

House Concurrent Resolution No. 14, by Jetson
Reported favorably. (9-0)

House Concurrent Resolution No. 15, by Jetson
Reported favorably. (9-0)

CHARLES MCDONALD
Chairman

**Report of the Committee on
House and Governmental Affairs**

May 6, 1998

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 3, by Windhorst
Reported favorably. (10-0)

CHARLES D. LANCASTER, JR.
Chairman

Suspension of the Rules

On motion of Rep. Weston, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to add the following legislative instruments to its agenda without giving the notice required by House Rule 14.21(A).

House Bill No. 124

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended to permit the Committee on Appropriations to meet on Thursday, May 7, and Friday, May 8, 1998.

Leave of Absence

Rep. Strain - 1 day

Adjournment

On motion of Rep. Pierre, at 3:45 P.M., the House agreed to adjourn until Monday, May 11, 1998, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, May 11, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

