

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

SEVENTEENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, May 29, 2000

The House of Representatives was called to order at 6:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Alexander, E	Guillory	Powell
Alexander, R	Hammett	Pratt
Ansardi	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Riddle
Bowler	Holden	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw
Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Travis
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Welch

Farrar	Morrish	Wilkerson
Faucheux	Murray	Willard
Flavin	Nevers	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wooton
Futrell	Pierre	Wright

Total—105

ABSENT

Total—0

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Rep. Shaw.

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. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of May 26, 2000, was adopted.

Privileged Report of the Committee on Enrollment

May 29, 2000

To the honorable Speaker and Members of the House of Representatives:

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVES STRAIN, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, McDONALD, McMAINS, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, THOMPSON, TOOMY, TOWNSEND, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT AND SENATORS BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROBICHAUX, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the untimely death of Dr. John S. "Doc" Sullivan, Jr. and to recognize and record his significant contributions to the livestock industry in Louisiana and, particularly, his work with Louisiana youth involved in livestock activities in the state.

Respectfully submitted,

DONALD RAY KENNARD

Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 29, 2000

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Concurrent Resolutions:

House Concurrent Resolution No. 16
Returned without amendments.

House Concurrent Resolution No. 24
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 29, 2000

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 263
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 29, 2000

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 8, 10, and 30

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Introduction of Resolutions

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 CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVES KENNARD, SHAW, ALARIO, R. ALEXANDER, BAUDOIN, BOWLER, BROOME, BRUCE, BRUNEAU, CRANE, CROWE, CURTIS, DARTEZ, DONELON, DUPRE, DURAND, FAUCHEUX, FRITH, FRUGE, GUILLORY, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, ILES, JOHNS, KENNEY, LANCASTER, McDONALD, MONTGOMERY, ODINET, PERKINS, POWELL, SCHWEGMANN, GARY SMITH, JANE SMITH, STELLY, THOMPSON, WALSWORTH, AND WARNER AND SENATORS THEUNISSEN, BOISSIERE, CAIN, CRAVINS, DARDENNE, ELLINGTON, HOLLIS, HOYT, IRONS, JOHNSON, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To express the full and whole-hearted support of the Legislature of Louisiana for providing state funding for Louisiana's participation in the establishment of the National World War II Memorial, dedicated to members of the armed forces who served during World War II and commemorating the nation's participation in that historic conflict, as a cooperative endeavor for a public purpose to carry out a public responsibility.

Read by title.

On motion of Rep. Kennard, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Ways and Means

May 29, 2000

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 214, by Glover
Reported with amendments. (14-0-1) (Regular)

House Bill No. 304, by Durand
Reported favorably. (12-0-1) (Regular)

House Bill No. 305, by Durand
Reported with amendments. (12-0-1) (Regular)

Senate Bill No. 8, by Schedler
Reported favorably. (12-0-1) (Regular)

Senate Bill No. 74, by McPherson
Reported favorably. (12-0-1) (Regular)

Senate Bill No. 87, by C. Romero
Reported favorably. (12-0-1) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

House and House Concurrent Resolutions Lying Over

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

HOUSE CONCURRENT RESOLUTION NO. 65— BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue and the Louisiana Manufactured Housing Association to provide information and notification to purchasers of manufactured homes of their right to immobilize a manufactured home and the available exemptions from sale taxes.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 66— BY REPRESENTATIVES DOWNER, MCDONALD, JOHN SMITH, LEBLANC, 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.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 67— 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.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 68— BY REPRESENTATIVE LEBLANC AND SENATOR DARDENNE

A CONCURRENT RESOLUTION

To create a joint legislative committee to study and make recommendations with respect to the impact which prescription drug pricing has on the state Medicaid program.

Read by title.

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

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, May 30, 2000, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 53, 125, 130, 140, 168, 170, 171, 175, 178, 182, 201, 210, 258, 268, 270, 273, 274, 284, 291, 314, 320, and 325

Adjournment

On motion of Rep. Riddle, at 6:30 P.M., the House agreed to adjourn until Tuesday, May 30, 2000, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, May 30, 2000.

ALFRED W. SPEER
Clerk of the House

Committee Meeting Notices

Committee on Ways and Means

Will meet at: 2:00 P.M. Date: May 30, 2000

Location: Committee Room 6

HB 53 FAUCHEUX – TAX/SALES-USE, ST-EXEMPT: Exempts machinery and equipment used by business to produce consumer products or provide consumer services

HB 125 FAUCHEUX – TAX/SALES-USE, STATE: Provides for the requirements for obtaining a refund under the Louisiana Motion Picture Incentive Act (SGF revs decr \$100,000 in FYs 00-01 thru 04-05. See fiscal note.)

HB 130 DEWITT – TAX/INCOME TAX: Levies a state income tax on limited liability companies and deletes exclusion from state income tax for S corporations (SGF revs incr \$86 million in FYs 00-01 thru 04-05 & expd incr \$16,000 in FY 00-01. See fiscal note.)

HB 140 ALARIO – TAX/SALES & USE: Extends termination date for exclusion from sales and use tax of sales and purchases made by approved nonpublic schools (SGF revs decr \$573,000 in FY 00-01 & \$585k in 01-02, Local revs decr \$515k in 00-01 & \$525k 01-02 & Other revs decr \$4,000. SFN)

HB 168 HUNTER – TAX CREDITS: Repeals the CAPCO program

HB 170 HUNTER – INSURERS/TAXES: Repeals authority of life and health insurers to offset portion of license tax liability for assessments paid to La. Life and Health Guaranty Association

HB 171 HUNTER – TAX/INCOME TAX: Increases rates on individuals (SGF revs incr \$610 mill in FY 01 -02, \$640 mill in 02-03, \$672 mill in 03-04 & \$706 mill in FY 04 -05. See fiscal note.)

HB 175 HUNTER – TAX/SEVERANCE TAX: Repeals reduced severance tax rates for certain oil and natural gas wells (SGF revs incr \$24 million in FYs 00-01 thru 04-05. See fiscal note.)

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- HB 178 PIERRE – TAX/SEVERANCE-EXEMPTION :** Extends the period of suspension for severance taxes on inactive and new discovery wells
- HB 182 K CARTER – TAX CREDITS:** Repeals the CAPCO program
- HB 201 DEWITT – TAX CREDITS:** Repeals the CAPCO program
- HB 210 HUNTER – TAX/INCOME TAX:** Deletes deductibility of federal taxes and excess itemized deductions
- HB 258 HOLDEN – TAX/TAXATION:** Relative to the corporation income tax, provides for "waters edge" combined reporting unitary taxation and for the allocation and apportionment of income (SGF revs increase in FYs 02-03 thru 04-05. See fiscal note.)
- HB 268 GUILLORY – DISTRICTS/ECONOMIC DEVEL:** Provides for rebates of certain sales and use taxes to businesses in certain economic development districts
- HB 270 PIERRE – TAX/TAXATION:** Enacts a processing tax on processing activities in the state except for the processing of oil and natural gas (SGF revs incr \$247 mill, Others revs incr \$10 mill all in FYs 00-01 thru 04-05 & SGF expd incr \$98,000 in FY 01 & \$1,500 in 02-05. See note.)
- HB 273 HEATON – TAX/CORP FRANCHISE:** Levies the tax on limited liability companies and limited partnerships (SGF revs incr \$44 million in FYs 00-01 thru 04-05 & expd incr \$16,000 in FY 00-01. See fiscal note.)
- HB 274 HEATON – TAX/CORP INCOME:** Requires payment of tax by limited liability companies and limited partnerships (SGF revs incr \$26 million in FYs 00-01 thru 04-05 & expd incr \$16,000 in FY 00-01. See fiscal note.)
- HB 284 HEBERT – TAX/TAXATION:** Repeals certain exemptions as they apply to a portion of the state sales and use tax and provides that the avails therefrom be used to fund teacher pay increases (SGF revs incr an avg \$111.7 mill in FYs 01-05, Other rev incr \$500k in 01. See note.)
- HB 291 HAMMETT – TAX/INCOME TAX:** Provides for a limitation on state individual income tax credits (SGF revs incr \$3.7 million in FYs 01-02 thru 04-05. See fiscal note.)
- HB 314 DIEZ – TAX/SALES & USE:** Limits the exemption from the sales and use tax for ships and ship supplies (SGF & Local revs increase. See fiscal note.)
- HB 320 SCALISE – TAX/TAXATION:** Provides relative to CAPCO's
- HB 325 BAYLOR – TAX/SALES-USE, STATE:** Extends the levy of the state sales and use tax to all services

BRYANT O. HAMMETT, JR.
Chairman