

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

**TWENTY-FIFTH 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

Wednesday, June 7, 2000

The House of Representatives was called to order at 9:00 A.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	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson

Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinot	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	

Total—104

ABSENT

Morrish  
Total—1

The Speaker announced that there were 104 members present and a quorum.

**Prayer**

Prayer was offered by Reverend Joshua Dara.

**Pledge of Allegiance**

Rep. Triche 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 June 6, 2000, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 6, 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 the report of the Conference Committee on the disagreement to House Bill No. 2.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

June 6, 2000

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 10, 31, and 52

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

### Message from the Senate

#### HOUSE BILLS

June 6, 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. 140  
Returned with amendments.

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 RESOLUTION NO. 65— BY REPRESENTATIVE DEWITT

##### A RESOLUTION

To commend the Honorable John D. Travis upon the occasion of his departure from the House of Representatives of the Legislature of Louisiana, to extend the best wishes of the House as he pursues new endeavors, to recognize his contributions to the legislative institution and to the people of Louisiana, and to express the appreciation of the members for his sixteen years of effective service in the House of Representatives.

Read by title.

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

### Speaker Pro Tempore Bruneau in the Chair

#### Suspension of the Rules

On motion of Rep. Travis, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

### 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 RESOLUTION NO. 63—

BY REPRESENTATIVE LUCAS

##### A RESOLUTION

To direct the secretary of the Department of Health and Hospitals to avoid concentrating community and group homes.

Read by title.

Rep. Lucas moved to suspend the rules to consider the adoption of the resolution.

Rep. Crane objected.

On motion of Rep. Lucas, the resolution was returned to the calendar.

### Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

#### SENATE BILL NO. 13—

BY SENATORS JOHNSON, CHAISSON, ELLINGTON, GAUTREAUX, HINES, MOUNT AND ROBICHAUX AND REPRESENTATIVES CAZAYOUX, DAMICO, DIEZ, DUPRE, FAUCHEUX, FRITH, FUTRELL, HOLDEN, MARTINY, MORRELL, MURRAY, PINAC, THOMPSON, TOOMY, TOWNSEND AND WOOTON

##### 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.

Read by title.

On motion of Rep. Murray, the vote by which the above Senate Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

### House Bills Amended by the Senate to be Concurred in by the House

Rep. Alario asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

#### HOUSE BILL NO. 140—

BY REPRESENTATIVE ALARIO

##### AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, and to enact R.S. 47:301(16)(f), relative to the state and local sales and use tax; to extend the termination date of the exclusion for certain transactions involving certain private and parochial elementary and secondary schools; to define tangible personal property to exclude pharmaceuticals administered to livestock which are to be consumed as food; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 140 by Representative Alario

AMENDMENT NO. 1

On page 1, line 8, after "administered to" insert "certain"

AMENDMENT NO. 2

On page 1, line 9, delete "which are consumed as food"

AMENDMENT NO. 3

On page 1, at the end of line 15, change "2003" to "2002"

AMENDMENT NO. 7

On page 2, line 9, after "livestock" delete the remainder of the line and delete line 10, and insert:

"used for agricultural purposes. All such pharmaceuticals shall be registered with the Louisiana Department of Agriculture and Forestry."

AMENDMENT NO. 8

On page 2, line 13, change "2001" to "2000"

AMENDMENT NO. 9

On page 2, between lines 13 and 14, insert:

"Section 3. The provisions of Section 2 of this Act shall not be subject to the suspension provided for in Act No. 18 of the 2000 First Extraordinary Session."

AMENDMENT NO. 10

On page 2, line 14, change "Section 4." to "Section 5."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 140 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by June 3, 2000, on page 1, line 4, between "are" and "consumed" insert "to be"

AMENDMENT NO. 2

Delete Senate Committee Amendment No. 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by June 3, 2000 and insert the following:

"On page 1, at the end of line 14, insert "This Act shall not apply to transactions occurring between July 1, 2000 and June 30, 2001. It shall apply to transactions occurring between July 1, 2001 and June 30, 2003.""

AMENDMENT NO. 3

In Senate Committee Amendment No. 9 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by June 3, 2000, on page 1, line 16, change "Section 3" to "Section 4"

Rep. Alario moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, E	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	
Glover	Pitre	
Total—103		

NAYS

Total—0

ABSENT

Alexander, R Morrish  
Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 140: Reps. Alario, Hammett, and LeBlanc.

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

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

**SENATE BILL NO. 81—**  
BY SENATORS THOMAS, BARHAM, SMITH AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 17:3095(A)(1) and 3096(E)(3) and to enact R.S. 17:3098(E) and Subpart V of Part I of Chapter 1 of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.62, and R.S. 47:293(6)(a)(vi), relative to the Student Tuition Assistance and Revenue Trust Program; to provide that deposits made in education savings accounts as part of such program are exempt from state income taxation up to a certain amount; to increase tuition assistance grant rates at certain levels of adjusted gross income; to specify that the basis for a determination of the tuition assistance grant rates is federal adjusted gross income; to provide for income taxation of amounts converted from such accounts for other than educational purposes; to provide for disposition of certain state income tax refunds; and to provide for related matters.

Read by title.

Rep. Montgomery moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Alexander, E	Guillory	Powell
Alexander, R	Hammitt	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
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Donelon	Martiny	Triche
Downer	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Erdey	Montgomery	Welch
Farrar	Morrell	Wilkerson
Faucheux	Murray	Willard
Flavin	Nevers	Windhorst
Frith	Odinot	Winston
Fruge	Perkins	Wooton
Futrell	Pierre	Wright
Total—102		

**NAYS**

Total—0

**ABSENT**

Devillier  
Morrish  
Travis  
Total—3

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 85—**  
BY SENATOR MICHOT  
AN ACT

To amend and reenact the introductory paragraph of R.S. 51:2452(A), and 2453(1)(b)(i) and (2), and the introductory paragraph of (8), 2454, 2455(E)(3), and 2461(A) and (B), relative to tax credits; to provide relative to requirements for incentive tax credits under the Louisiana Quality Jobs Program; to remove the time limitation on receiving applications for incentive tax credits; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 85 by Senator Michot

AMENDMENT NO. 1

In Amendment No. 1 of the set of 7 amendments proposed by the House Committee on Ways and Means and adopted by the House on June 6, 2000, on line 6, after "full-time" and before "employees" insert "and part-time"

AMENDMENT NO. 2

Delete Amendment Nos. 2, 3, and 4 of the set of 7 amendments proposed by the House Committee on Ways and Means and adopted by the House on June 6, 2000

AMENDMENT NO. 3

On page 1, line 3, after "2453(1)(b)(i)", delete "and (2)"

AMENDMENT NO. 4

On page 1, delete line 4 in its entirety and insert "and 2461(A) and (B), and to enact R.S. 51:2455(E)(4), relative to tax credits; to provide"

AMENDMENT NO. 5

On page 1, line 10, after "2453(1)(b)(i)", delete "and (2)"

AMENDMENT NO. 6

On page 1, line 11, after "reenacted" and before "to read" insert "and R.S. 51:2455(E)(4) is hereby enacted"

AMENDMENT NO. 7

On page 3, delete lines 12 through 26 in their entirety

AMENDMENT NO. 8

On page 4, delete lines 1 through 5 in their entirety

AMENDMENT NO. 9

On page 1, line 10, after "2454" delete the remainder of the line and on page 5, delete lines 15 through 21 in their entirety

AMENDMENT NO. 10

On page 5, between lines 20 and 21, insert:

"(4) Pay an average of at least one and one-half times the minimum hourly wage required by law for all new direct jobs."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Glover, L. Jackson, and Montgomery to Engrossed Senate Bill No. 85 by Senator Michot

AMENDMENT NO. 1

On page 1, line 4, between "(B)" and the comma "," insert "and to enact R.S. 51:1787(A)(2)(c)"

AMENDMENT NO. 2

On page 1, line 7, between "credits;" and "and" insert "to provide for eligibility of certain industries for a tax credit for new jobs created;"

AMENDMENT NO. 3

On page 1, between line 8 and 9, insert the following:

"Section 1. R.S. 51:1787(A)(2)(c) is hereby enacted to read as follows:

§1787. Incentives

A. The board, after consultation with the secretaries of the Department of Economic Development and Department of Revenue, and with the approval of the governor, may enter into contracts not to exceed five years to provide:

\* \* \*

(2)

\* \* \*

(c) In lieu of the tax credit provided in Subparagraph (a) of this Paragraph, for the motor vehicle parts manufacturing industry as defined in the 3363 NAICS Code Title, for a five thousand dollar tax credit for each new job created. This tax credit may be applied to any state income tax liability or any state franchise tax liability within a ten-year period from the date that the contract becomes effective or until the entire credit is used, whichever occurs first. As used in this Subparagraph, the term "NAICS" means the North American Industrial Classification System.

\* \* \*"

AMENDMENT NO. 4

On page 1, at the beginning of line 9, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 6, at the beginning of line 14, change "Section 2." to "Section 3."

AMENDMENT NO. 6

On page 6, delete 19, and insert the following:

"Section 4. The provisions of Section 1 of this Act shall become effective on July 1, 2000 and shall become null and void on June 30, 2002; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2000, or on the day following such approval by the legislature, whichever is later. The provisions of all other Sections of this Act shall become effective upon signature of the

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Clarkson	Katz	Smith, J.H.—8th
Crane	Kennard	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McDonald	Waddell
Downer	McMains	Walsworth
Dupre	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Murray	Wilkerson
Faucheux	Nevers	Willard
Flavin	Odinet	Windhorst
Frith	Perkins	Winston
Fruge	Pierre	Wooton
Futrell	Pinac	Wright
Total—99		

**NAYS**

Total—0

**ABSENT**

Donelon	Jackson, M	Morrish
Durand	McCallum	Travis
Total—6		

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 86—**  
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 47:301(10)(s), (13)(f), (14)(j), and (18)(g), relative to taxation of funeral services; to prohibit state or political subdivision taxation of such services; and to provide for related matters.

Read by title.

**Motion**

On motion of Rep. Riddle, the bill was returned to the calendar.

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 299 By Representative Hammett**

June 7, 2000

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 299 by Representative Hammett, recommend the following concerning the engrossed bill:

1. That all Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 30, 2000, be rejected.
2. That all Senate Floor Amendments proposed by Senator Barham and adopted by the Senate on June 2, 2000, be rejected.
3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 47:293(2)" and the comma "," insert "and 297(D)(3)"

AMENDMENT NO. 2

On page 1, line 3, between "deductions" and the semicolon ";" insert "for a certain period of time; to make the credit for certain educational expenses incurred for each dependent child inapplicable, inoperable, and of no effect for a certain period;"

AMENDMENT NO. 3

On page 1, line 6, between "47:293(2)" and "hereby", delete "is" and insert "and 297(D)(3) are"

AMENDMENT NO. 4

On page 2, line 1, change "December 31, 2000" to "December 31, 1999"

AMENDMENT NO. 5

On page 2, line 2, change "January 1, 2003" to "January 1, 2002"

AMENDMENT NO. 6

On page 2, between lines 7 and 8, insert the following:

§297. Reduction to tax due

\* \* \*

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

\* \* \*

(3) Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Section, for the period ~~July 1, 1990 through June 30, 1996~~ tax years beginning on or after January 1, 2000 and prior to January 1, 2002, the tax credit provided pursuant to the provisions of this Subsection shall be inapplicable, inoperable, and of no effect.

\* \* \*

AMENDMENT NO. 7

On page 2, at the beginning of line 8, change "Section 3." to "Section 2."

AMENDMENT NO. 8

On page 2, at the end of line 9, change "2000." to "1999."

Respectfully submitted,

Representative Bryant O. Hammett, Jr  
Representative Charles W. DeWitt, Jr.  
Representative Willie Hunter Jr  
Senator Robert Barham

Rep. Hammett moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Pitre
Alexander, R	Hebert	Powell
Ansardi	Hill	Pratt
Baylor	Holden	Quezaire
Broome	Hudson	Richmond
Bruce	Hunter	Riddle
Carter, K	Iles	Salter
Carter, R	Jackson, L	Schwegmann
Cazayoux	Jackson, M	Smith, J.D.—50th
Curtis	Johns	Smith, J.H.—8th
Damico	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy

Doerge	Lucas	Townsend
Dupre	McCallum	Travis
Durand	McMains	Warner
Faucheux	Montgomery	Welch
Frith	Morrell	Wilkerson
Fruge	Murray	Willard
Glover	Nevers	Winston
Green	Odinet	Wooton
Guillory	Pierre	
Total—71		

NAYS

Alexander, E	Farrar	Scalise
Baudoin	Flavin	Schneider
Bowler	Futrell	Shaw
Bruneau	Hopkins	Smith, G.—56th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Lancaster	Triche
Daniel	Martiny	Waddell
Donelon	McDonald	Walsworth
Downer	Perkins	Windhorst
Erdey	Romero	Wright
Total—33		

ABSENT

Morrish  
Total—1

The Conference Committee Report, having received a two-thirds vote of the elected members, was adopted.

**Suspension of the Rules**

On motion of Rep. Daniel, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

**Suspension of the Rules**

On joint motion of Reps. Lucas and Morrell, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**Suspension of the Rules**

On motion of Rep. Montgomery, the rules were suspended in order to take up and consider Senate Bills on Third Reading and Final Passage at this time.

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

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

**SENATE BILL NO. 86—**  
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 47:301(10)(s), (13)(f), (14)(j), and (18)(g), relative to taxation of funeral services; to prohibit state or political subdivision taxation of such services; and to provide for related matters.

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 86 by Senator Campbell

AMENDMENT NO. 1

In Amendment No. 1 proposed by the House Committee on Ways and Means and adopted by the House on June 6, 2000, on page 1, line 4, after "State" delete "Board" and insert in lieu thereof "Department of Revenue and Taxation"

AMENDMENT NO. 2

In Amendment No. 1 proposed by the House Committee on Ways and Means and adopted by the House on June 6, 2000, on page 1, line 5, delete "of Embalmers and Funeral Directors"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Alexander, E	Guillory	Powell
Alexander, R	Heaton	Pratt
Ansardi	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schwegmann
Carter, K	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
Damico	Kenney	Sneed
Daniel	LaFleur	Stelly
Dartez	Lancaster	Strain
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Donelon	Martiny	Travis
Downer	McCallum	Triche
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Erdey	Montgomery	Warner
Farrar	Morrell	Welch
Faucheux	Murray	Wilkerson
Flavin	Nevers	Willard
Frith	Odinet	Windhorst
Fruge	Perkins	Wooton
Futrell	Pierre	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, R	Hammett	Schneider
Curtis	Morrish	Winston

Total—6

The Chair declared the above bill was finally passed.

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 motion of Rep. Hammett, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 7, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 8.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**CONFERENCE COMMITTEE REPORT**

**Senate Bill No. 8 by Senator Schedler**

June 5, 2000

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 8 by Senator Schedler recommend the following concerning the Engrossed bill:

- 1. That House Floor Amendments No. 1 through 5 proposed by Representative Alario and adopted by the House of Representatives on May 31, 2000 be rejected.

Respectfully submitted,

Senator Tom Schedler  
Representative John A. Alario, Jr.  
Senator Robert J. Barham

Representative Bryant O. Hammett, Jr.  
Senator Arthur J. "Art" Lentini  
Representative Edwin R. Murray

Rep. Alario moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—103

**NAYS**

Total—0

**ABSENT**

Morrish  
Total—2  
Smith, G.—56th

The Conference Committee Report was adopted.

**CONFERENCE COMMITTEE REPORT**

**Senate Concurrent Resolution No. 32 by Senator Johnson**

June 6, 2000

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Concurrent Resolution No. 32 by Senator Johnson recommend the following concerning the original concurrent resolution:

1. That House Floor Amendment No. 1 proposed by Representative Travis and adopted by the House of Representatives on June 4, 2000, be rejected.
2. That the following amendments to the original bill be adopted:

AMENDMENT NO. 1

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

" , Jefferson Parish Council, St. James Parish Council, St. John the Baptist Parish Council, St. Charles Parish Council, St. Bernard Parish Council, St. Tammany Parish Police Jury, Plaquemine Parish Council, Tangipahoa Parish Council, the chair and vice-chair of the Senate Committee on Local and Municipal Affairs, the chair and vice-chair of the House Committee on Municipal, Parochial and Cultural Affairs,"

AMENDMENT NO. 2

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

"BE IT FURTHER RESOLVED that the Louisiana Public Service Commission shall make a written report to the Senate Committee on Local and Municipal and Affairs and the House Committee on Municipal, Parochial, and Cultural Affairs prior to the 2001 Regular Session, together with any specific proposals for legislation."

AMENDMENT NO. 3

On page 2, at the end of line 4, change the period "." to a comma "," and add the following:

"the chair of the Senate Committee on Local and Municipal Affairs and the chair of the House Committee on Municipal, Parochial and Cultural Affairs."

Respectfully submitted,

Senator Jon D. Johnson  
 Representative John A. Alario, Jr.  
 Senator Diana Bajoie  
 Representative Edwin R. Murray  
 Senator C. D. Jones  
 Representative Cedric Richmond

Rep. Murray moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Futrell	Pierre
Alario	Glover	Pinac
Alexander, E	Green	Pitre
Alexander, R	Guillory	Powell
Ansardi	Hammett	Pratt
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Hill	Romero
Broome	Holden	Salter
Bruce	Hopkins	Scalise

Bruneau	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Clarkson	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	Landrieu	Travis
Diez	LeBlanc	Triche
Doerge	Lucas	Waddell
Donelon	Martiny	Walsworth
Downer	McCallum	Warner
Dupre	McDonald	Welch
Durand	McMains	Wilkerson
Erdey	Montgomery	Willard
Farrar	Morrell	Windhorst
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Morrish	Schneider
Riddle	Smith, G.—56th
Total—4	

The Conference Committee Report was adopted.

**Suspension of the Rules**

On motion of Rep. Landrieu, the rules were suspended in order to take up and consider House Bills Amended by the Senate to be Concurred in by the House at this time.

**House Bills Amended by the Senate to be Concurred in by the House**

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

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

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

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

Rep. Landrieu moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' for the amendments, including Mr. Speaker, Alario, Alexander, E, etc.

Table listing names of representatives who voted 'NAYS' for the amendments, including Donelon, Downer, Dupre, etc.

Total—99 NAYS

Total—0 ABSENT

Table listing names of representatives who voted 'ABSENT' for the amendments, including Crane, Crowe, Durand, etc.

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 246— BY REPRESENTATIVE LEBLANC AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2000-2001; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed House Bill No. 246 by Representative LeBlanc

AMENDMENT NO. 1

On page 32, line 8, change "Hospital District No.7" to "Hospital District No. 1"

Rep. Landrieu moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' for the amendments, including Mr. Speaker, Alario, Alexander, E, etc.

Carter, R	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Clarkson	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Devillier	Lucas	Travis
Diez	Martiny	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Downer	McMains	Warner
Dupre	Montgomery	Welch
Durand	Morrell	Wilkerson
Erdey	Murray	Willard
Farrar	Nevers	Windhorst
Faucheux	Odinet	Winston
Flavin	Perkins	Wooton
Frith	Pierre	Wright
Fruge	Pinac	
Futrell	Pitre	
Total—100		

NAYS

Total—0

ABSENT

Crowe	Jackson, L	Richmond
Hammett	Morrish	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

### Speaker DeWitt in the Chair

### Suspension of the Rules

On motion of Rep. Lucas, the rules were suspended in order to take up and consider House and House Concurrent Resolutions Lying Over at this time.

### 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 RESOLUTION NO. 63—

BY REPRESENTATIVE LUCAS

#### A RESOLUTION

To direct the secretary of the Department of Health and Hospitals to avoid concentrating community and group homes.

Called from the calendar.

Read by title.

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

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Lucas and Willard to Original House Resolution No. 63 by Representative Lucas

#### AMENDMENT NO. 1

On page 1, between "To" and "the" change "direct" to "urge and request"

#### AMENDMENT NO. 2

On page 1, at the end of line 2 change "avoid" to "discourage"

#### AMENDMENT NO. 3

On page 1, at the beginning of line 3, delete "concentrating" and insert "promoting the establishment of inordinate numbers"

#### AMENDMENT NO. 4

On page 1, at the end of line 3, delete the period "." and insert "located within the geographical boundaries of House District No. 99."

#### AMENDMENT NO. 5

On page 1, line 11, between "state," and "and" insert "including but not limited to the geographical boundaries of House District No. 99,"

#### AMENDMENT NO. 6

On page 2, line 7, between "be" and "in" delete "concentrated" and insert "established"

#### AMENDMENT NO. 7

On page 2, line 8, between "of" and "greater" delete "a" and insert "the"

#### AMENDMENT NO. 8

On page 2, line 8, between "community" and the semi-colon ";" insert "of House District No. 99"

#### AMENDMENT NO. 9

On page 2, line 10, between "the" and "serves" delete "community" and insert "geographical boundaries of House District No. 99"

#### AMENDMENT NO. 10

On page 2, at the end of line 11, delete the period "." and insert "located within that district."

#### AMENDMENT NO. 11

On page 2, line 13, between "hereby" and "the" delete "direct" and insert "urge and request"

#### AMENDMENT NO. 12

On page 2, line 14, between "to" and "community" delete "avoid concentrating" and insert "discourage the establishment of inordinate numbers of"

#### AMENDMENT NO. 13

On page 2, line 15, between "homes" and "in" insert a comma "," and the following phrase "as defined by the secretary,"

#### AMENDMENT NO. 14

On page 2, at the end of line 15 delete "any community." and insert "House District No. 99."

BE IT FURTHER RESOLVED that the House of Representatives of the Legislature of Louisiana does also hereby urge and request the secretary to discourage promoting the establishment of community and group homes which have been licensed or sanctioned by law to operate with a specified number of residents, but after such licensing does exceed the number of residents authorized by its license.

BE IT FURTHER RESOLVED that the House of Representatives of the Legislature of Louisiana does also hereby urge and request the secretary to establish procedures whereby the department may receive and process complaints or indications that a licensed community or group home is operating with a number of residents which exceeds the authority set forth in the community or group home's license; and does further urge and request the secretary to establish procedures whereby the department may investigate and cause to be immediately prosecuted any community or group home whose operations are unlawful or exceeds the authority of its license."

Rep. Lucas moved the adoption of the amendments.

Rep. Heaton objected.

By a vote of 47 yeas and 46 nays, the amendments were adopted.

Rep. Heaton moved that the resolution be recommitted to the Committee on Health and Welfare.

Rep. Lucas objected.

By a vote of 59 yeas and 35 nays, the House agreed to recommit the resolution to the Committee on Health and Welfare.

### Suspension of the Rules

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

### 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 RESOLUTION NO. 66—

BY REPRESENTATIVE WILLARD

#### A RESOLUTION

To express the sincere condolences of the House of Representatives of the Legislature of Louisiana upon the death of Theodore J. Gusman, Jr. of Gretna.

Read by title.

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

#### HOUSE RESOLUTION NO. 67—

BY REPRESENTATIVE WILLARD

#### A RESOLUTION

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Roslyn Porche Rogers and the enduring appreciation of the members for her outstanding contributions to the city of New Orleans and to the state of Louisiana.

Read by title.

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

#### HOUSE RESOLUTION NO. 68—

BY REPRESENTATIVE FRITH

#### A RESOLUTION

To commend the schools of the Vermilion Parish School System for their notable LEAP test results and student performance on the Graduate Exit Exam, to recognize students for their hard work, and to commend parents and teachers for their cooperative effort to improve learning conditions and the quality of education of children in Louisiana.

Read by title.

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

### Suspension of the Rules

On motion of Rep. Wilkerson, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

### Petitions, Memorials and Communications

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

### Message from the Senate

#### APPOINTMENT OF CONFERENCE COMMITTEE

June 7, 2000

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 140: Senators Barham, Hainkel, and Heitmeier.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### HOUSE BILLS

June 7, 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. 22  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

Recess

On motion of Rep. Bruneau, the Speaker declared the House at recess until 1:30 P.M.

**After Recess**

Speaker DeWitt called the House to order at 1:30 P.M.

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammitt	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kenard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	
Total—104		

**ABSENT**

Morrish  
Total—1

The Speaker announced there were 104 members present and a quorum.

**Message from the Senate**

**HOUSE BILLS**

June 7, 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. 240  
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**House Bills Amended by the Senate  
to be Concurred in by the House**

Rep. Futrell asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

**HOUSE BILL NO. 240—**  
BY REPRESENTATIVES FUTRELL AND M. JACKSON  
AN ACT

To enact Part VI of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3031, relative to tax incentives for businesses in East Baton Rouge Parish, to authorize the State Board of Commerce and Industry, with approval of the city-parish governing authority, to grant tax exemptions and other tax incentives to businesses within a specified area of the parish; to provide for the transfer of certain responsibilities relative to granting tax incentives under specified conditions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Reengrossed House Bill No. 240 by Representative Futrell

AMENDMENT NO. 1

On page 2, line 7, after "A.(1)(a)" insert "(i)

AMENDMENT NO. 2

On page 2, between lines 20 and 21, insert the following:

"(ii) For businesses who filed an application with the department on and after June 1, 2000, not less than one hundred percent of the premium for a health care policy for full-time employees, and fifty percent of the premium for a health care policy for dependents of such employees shall be paid by the employer. Eighty percent of the jobs to be created by the applicant shall be full-time-equivalent employment. A full-time employee's wages shall be no less than twice the minimum hourly wage as required by law. For purposes of this Section, "full-time employment" means employment in a job to work not less than thirty-five hours per week.

AMENDMENT NO. 3

On page 8, between lines 4 and 5, insert the following:

"(f) For the purposes of this Section, business entities or interests, or an affiliate or subsidiary of such entities or interests, who possess a twenty-five percent interest in a gaming activity or operation, as defined by R.S. 18:505.2(L)(3), are prohibited from applying for such rebates

of or exemptions from the taxes imposed by this state and by political subdivisions as provided for in this Section."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator C. Fields to Reengrossed House Bill No. 240 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 5, after "Industry" delete the comma "," and delete the remainder of the line and delete line 6 and insert "to grant certain tax rebates and credits to businesses"

AMENDMENT NO. 2

On page 1, line 7, after "parish;" delete the remainder of the line and delete line 8 and at the beginning of line 9 delete "specified conditions;" and insert "to provide for application for rebates and credits and for eligibility criteria;"

AMENDMENT NO. 3

On page 2, at the beginning of line 7, change "A.(1)(a)" to "A."

AMENDMENT NO. 4

On page 2, line 8, after "Subsection" change "B" to "E"

AMENDMENT NO. 5

On page 2, line 10, after "'commerce board,'" delete the remainder of the line and delete the remainder of the page and delete pages 3 through 7 and on page 8 delete lines 1 through 4 and insert the following:

"after consultation with the secretaries of the Department of Economic Development and Department of Revenue, and with the approval of the governor, may enter into contracts not to exceed five years to provide:

(1) For the rebate of sales and use taxes imposed by the state, and imposed by the city-parish governing authority of Baton Rouge and East Baton Rouge Parish if approved by the governing authority, on the purchases of the material used in the construction of a building, or any addition or improvement thereon, for housing any legitimate business enterprise, and machinery and equipment used in that enterprise. Final application for the payment of any rebate of sales and use taxes granted pursuant to this Subsection must be filed no later than six months after receipt of the project completion report as provided by rule by the Department of Economic Development. The amount to be rebated shall in no case be greater than the total of the actual amount of the sales and use taxes paid.

(2)(a) Except as provided in Subparagraph (b) of this Paragraph, for a two thousand five hundred dollar tax credit per employee during the taxable year for which credit is claimed. This tax credit may be applied to any state income tax liability or any state corporate franchise tax liability, but not liabilities for penalty or interest, due or outstanding at the time the credit is generated. However, credits may only be applied to a due or outstanding tax liability attributable to tax years prior to the year in which the credit is generated if the tax liability is the result of an assessment, administrative or judicial proceeding by the Department of Revenue after an audit; provided that no further interest or penalty shall be accrued on such tax liability after the credit is generated. If the entire credit cannot be used in the year claimed, the remainder may be applied against the income tax or corporate franchise tax for the succeeding ten taxable years or until the entire credit is used, whichever occurs first. These credits shall also apply to those tax liabilities, but not liabilities for penalty or interest, identified in tax years where existing contracts generate the credit.

(b) In lieu of the tax credit provided in Subparagraph (a) of this Paragraph, for aviation or aerospace industries as defined in 3720 or 3760 SIC Code Title, for a five thousand dollar tax credit for each new job created. This tax credit may be applied to any state income tax liability or any state franchise tax liability within a ten year period from the date that the contract becomes effective or until the entire credit is used, whichever occurs first.

(3) The tax credit provided in Paragraph (2) of this Subsection, when claimed by a business enterprise shall only be applicable to a position that did not previously exist in the business enterprise and that is filled by a Louisiana resident performing duties in connection with the operation of the business enterprise either as a regular, full-time employee or as a part-time employee employed for at least twenty hours per week for at least six months during the taxable year.

B. The commerce board may enter into the contracts provided in Subsection A of this Section provided that:

(1) The business and its contractors give preference and priority to Louisiana manufacturers and, in the absence of Louisiana manufacturers, to Louisiana suppliers, contractors, and labor, except where not reasonably possible to do so without added expense, substantial inconvenience, or sacrifice in operational efficiency.

(2)(a) The request for such a rebate of sales and use tax is accompanied by an endorsement resolution approved by the city-parish governing authority. The endorsement resolution is to be submitted by the governing authority within ninety days of receipt of notification that the department has received an advance notification to file an application for benefits under this Section. The department shall notify the governing authority of receipt of the application by certified mail.

(b) If the city-parish governing authority has not submitted an endorsement resolution, written reasons for denial, or a written request for delay of consideration of the application, the commerce board may take unilateral action, for the rebate of sales and use taxes imposed by the state only, in approving or denying the request.

(c) If there are no local sales and use taxes that can be rebated, as in the event that all such taxes are dedicated, no endorsement resolution shall be required of the city-parish governing authority before the commerce board considers its application for benefits under this Section.

(3) The business enterprise is or shall be physically located within the zone.

(4)(a) The business enterprise certifies that at least thirty-five percent of its employees:

(i) Are residents of the zone or are residents of an enterprise zone in the same parish as the location of the business.

(ii) Are residents of an enterprise zone in a contiguous parish if the business has five hundred or more employees.

(iii) Were receiving some form of public assistance prior to employment.

(iv) Were considered unemployable by traditional standards, or lacking in basic skills.

(v) Any combination of the above. Such certification shall be updated annually if the business is to continue receiving the benefits of this Section.

(5)(a) The business makes its request for rebate of sales and use tax or the tax credit prior to one of the following:

(i) Beginning construction of its building, or any addition or improvement thereon.

(ii) Installation of the machinery or equipment to be used in the zone.

(b) At any time subsequent to the deadlines established in Items (i) and (ii) of Subparagraph (a), if the commerce board determines that the business was unable, due to good cause, to file the request within the time frame provided, the commerce board may consider a late request, but the business shall have the burden to establish good cause.

(6) The business creates a minimum of the lesser of five net new permanent jobs to be in place within the first two years of the contract period, or the number of net new jobs equal to a minimum of ten percent of the existing employees, minimum of one, within the first year of the contract period.

C. No business enterprise that has received any other locating or expansion incentives or assistance from the state for operations within the district, whether in the form of grants, capital funds, appropriation, other tax credits, exemptions, or exclusions or otherwise, may receive any rebate or credit pursuant to this Section."

AMENDMENT NO. 6

On page 8, at the beginning of line 5, change "(4)" to "D."

AMENDMENT NO. 7

On page 8, at the end of line 8, change the period "." to a comma "," and insert "and references to the secretary of the department shall refer to the commissioner of administration."

AMENDMENT NO. 8

On page 8, at the beginning of line 9, change "B." to "E"

AMENDMENT NO. 9

On page 8, delete lines 18 through 26 and on page 9, delete lines 1 through 5

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator CFields to Reengrossed House Bill No. 240 by Representative Futrell

AMENDMENT NO. 1

On page 8, line 17, after "Drive" insert the following:

"and shall extend from Florida Boulevard to Main Street, to include the north side of Main Street from North 10th Street to North 19th Street"

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator CJones to Reengrossed House Bill No. 240 by Representative Futrell

AMENDMENT NO. 1

On page 9, after line 5, insert the following:

"D. Prior to the granting of a contract of rebate or exemption pursuant to this Chapter, the Joint Legislative Committee on the Budget shall approve such contract."

Rep. Futrell moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Fauchaux moved that the amendments proposed by the Senate be rejected.

Rep. Futrell objected.

The vote recurred on the substitute motion.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Fruge	Pinac
Alario	Glover	Powell
Alexander, R	Green	Pratt
Baudoin	Guillory	Quezaire
Bowler	Hammett	Richmond
Carter, K	Heaton	Riddle
Carter, R	Hebert	Romero
Curtis	Hill	Schwegmann
Damico	Hunter	Smith, G.—56th
Daniel	Jackson, L	Smith, J.D.—50th
Dartez	LaFleur	Sneed
Devillier	LeBlanc	Strain
Diez	Lucas	Townsend
Doerge	Martiny	Warner
Dupre	McCallum	Welch
Durand	Montgomery	Willard
Farrar	Murray	Wooton
Fauchaux	Odinet	Wright
Frith	Pierre	
Total—56		

**NAYS**

Alexander, E	Iles	Salter
Broome	Jackson, M	Scalise
Bruce	Johns	Schneider
Bruneau	Katz	Shaw
Clarkson	Kennard	Smith, J.R.—30th
Crane	Kennedy	Thompson
Crowe	Lancaster	Toomy
Donelon	Landrieu	Travis
Downer	McDonald	Triche
Flavin	McMains	Waddell
Futrell	Morrell	Walsworth
Holden	Nevers	Windhorst
Hopkins	Perkins	Winston
Hudson	Pitre	
Total—41		

**ABSENT**

Ansardi	Erdey	Stelly
Baylor	Morrish	Wilkerson
Cazayoux	Smith, J.H.—8th	
Total—8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Recess**

On motion of Rep. Bruneau, the Speaker declared the House at recess until 2:50 P.M.

**After Recess**

Speaker DeWitt called the House to order at 2:50 P.M.

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Frige	Pierre	Wright
Futrell	Pinac	
Total—104		

**ABSENT**

Morrish  
Total—1

The Speaker announced there were 104 members present and a quorum.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 240: Reps. Broome, Futrell, and Hammett.

**Message from the Senate**

**APPOINTMENT OF CONFERENCE COMMITTEE**

June 7, 2000

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 240: Senators Barham, Cleo Fields, and Bill Jones.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

June 7, 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 Concurrent Resolution No. 85  
Returned with amendments.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**House Concurrent Resolutions Returned from the Senate with Amendments**

Rep. Glover asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

**HOUSE CONCURRENT RESOLUTION NO. 85—**  
BY REPRESENTATIVE GLOVER  
A CONCURRENT RESOLUTION

To create and provide with respect to a task force to study and make recommendations regarding the safe relinquishment of newborns.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Mount and Schedler to Original House Concurrent Resolution No. 85 by Representative Glover

AMENDMENT NO. 1

On page 2, line 8, after "Representatives," insert the following:

"the executive director of the Louisiana Maternal and Child Health Coalition, a representative from the Louisiana Hospital Association, a representative from the Louisiana Chapter of the National Association of Social Workers,"

Rep. Glover moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	
Total—104		

**NAYS**

Total—0

**ABSENT**

Morrish  
Total—1

The amendments proposed by the Senate were concurred in by the House.

**Message from the Senate**

**HOUSE BILLS**

June 7, 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. 44  
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**House Bills Amended by the Senate  
to be Concurred in by the House**

Rep. Daniel asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

**HOUSE BILL NO. 44—**  
BY REPRESENTATIVES DANIEL, BOWLER, BRUCE, R. CARTER, CLARKSON, CRANE, DEVILLIER, DIEZ, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, HEBERT, HILL, HOPKINS, MCCALLUM, MONTGOMERY, ODINET, PERKINS, PINAC, QUEZAIRE, JOHN SMITH, STELLY, STRAIN, TOWNSEND, WADDELL, WALSWORTH, WINDHORST, AND WINSTON  
AN ACT

To enact R.S. 47:301(16)(f), relative to the sales and use taxes of all tax authorities in the state; to define tangible personal property to exclude certain transactions relating to manufactured homes; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 44 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, delete "all tax" and on line 3, delete "authorities in the state" and insert "the state"

AMENDMENT NO. 2

On page 2, line 21, change "all tax authorities of the state" to "the state only."

AMENDMENT NO. 3

On page 2, delete lines 23 through 26, and insert:

"Section 2. This Act shall become effective if, as, and when a judgement in *Shirley M. Avants, et al v. John Neely Kennedy, Secretary, No. 434575, Division D, Nineteenth Judicial District Court, Parish of East Baton Rouge, State of Louisiana, becomes final and non-appealable or a written compromise settlement disposing of all claims is finalized and signed.*"

Rep. Daniel moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero

Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	
Total—104		

NAYS

Total—0

ABSENT

Morrish  
Total—1

The amendments proposed by the Senate were concurred in by the House.

**Recess**

On motion of Rep. Bruneau, the Speaker declared the House at recess until 3:30 P.M.

**After Recess**

Speaker DeWitt called the House to order at 3:30 P.M.

**ROLL CALL**

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

PRESENT

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Ansardi	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, K	Iles	Shaw

Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Wilkerson
Farrar	Murray	Willard
Faucheux	Nevers	Windhorst
Flavin	Odinet	Winston
Frith	Perkins	Wooton
Fruge	Pierre	Wright
Futrell	Pinac	
Total—104		

ABSENT

Morrish  
Total—1

The Speaker announced there were 104 members present and a quorum.

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 140 By Representative Alario**

June 7, 2000

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 140 by Representative Alario, recommend the following concerning the reengrossed bill:

1. Reject Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 3, 2000.
2. Reject Senate Floor Amendments proposed by Senator Bill Jones and adopted by the Senate on June 6, 2000.
3. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 4, after "47:301(16)(f)," and before "relative" insert "and 321(F)"

AMENDMENT NO. 2

On page 1, line 8, after "to" delete "livestock" and insert "certain livestock;"

AMENDMENT NO. 3

On page 1, line 9, delete "which are to be consumed as food;" and insert "to provide for the effectiveness of certain exemptions to the state sales and use tax;"

AMENDMENT NO. 4

On page 1, at the end of line 14, insert the following:

"This Act shall not apply to transactions occurring between July 1, 2000 and June 30, 2001. It shall apply to transactions occurring between July 1, 2001 and June 30, 2003."

AMENDMENT NO. 5

On page 2, line 9, after "livestock" delete the remainder of the line and delete line 10, and insert the following:

"used for agricultural purposes. All such pharmaceuticals shall be registered with the Louisiana Department of Agriculture and Forestry."

AMENDMENT NO. 6

On page 2, delete lines 12 through 15, and insert the following:

"Section 3. R.S. 47:321(F) is hereby enacted to read as follows:

§321. Imposition of tax

\* \* \*

F. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, for the period of July 1, 2000 through June 30, 2002, the exemptions to the tax levied pursuant to the provisions of this Section, except for those exemptions provided by R.S. 39:467 and 468, R.S. 47:305(A)(1), (B), (D)(1)(f), (j), (k), (l), (m), (s), and (t), and (G), 305.1, 305.2, 305.3, 305.8, 305.10, 305.14, 305.15, 305.20, 305.25(A)(1) and (2), 305.37, 305.38, 305.46, and 305.50, and R.S. 51:1787, shall be inapplicable, inoperable, and of no effect.

Section 4. It is the intention of the legislature that the tax exemptions made inapplicable, inoperable, and of no effect for the period July 1, 2000 through June 30, 2002, by virtue of R.S. 47:321(F) shall resume, commence, and become effective on July 1, 2002.

Section 5. The provisions of Section 2 of this Act shall not be subject to the suspension of exemptions provided for in Act No. 18 of the 2000 First Extraordinary Session of the Legislature.

Section 6. The provisions of Section 3 of this Act shall become effective if and only if House Bill No. 98 of the 2000 Regular Session is finally passed by both houses of the legislature.

Section 7. The provisions of this Act shall become effective on July 1, 2000."

Respectfully submitted,

Representative John A. Alario, Jr.  
 Representative Bryant O. Hammett, Jr.  
 Representative Jerry Luke LeBlanc  
 Senator Francis Heitmeier

Rep. Alario moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, E	Hebert	Salter
Alexander, R	Hopkins	Schwegmann
Baylor	Hunter	Shaw
Bruce	Iles	Smith, J.D.—50th
Bruneau	Johns	Smith, J.H.—8th
Carter, R	Kennard	Smith, J.R.—30th
Cazayoux	Kenney	Sneed
Clarkson	LaFleur	Stely
Crane	Lancaster	Strain
Curtis	Landrieu	Thompson
Damico	LeBlanc	Toomy
Dartez	Martiny	Townsend
Devillier	McCallum	Travis
Diez	McMains	Waddell
Doerge	Montgomery	Walsworth
Donelon	Murray	Warner
Dupre	Nevers	Welch
Durand	Odinet	Willard
Faucheux	Pierre	Winston
Frith	Pinac	Wooton
Fruge	Pitre	
Glover	Powell	
Total—70		

**NAYS**

Ansardi	Futrell	Richmond
Baudoin	Green	Riddle
Bowler	Guillory	Romero
Broome	Holden	Scalise
Carter, K	Jackson, L	Schneider
Crowe	Jackson, M	Smith, G.—56th
Daniel	Katz	Triche
Downer	Lucas	Wilkinson
Erdey	McDonald	Windhorst
Farrar	Morrell	Wright
Flavin	Perkins	
Total—32		

**ABSENT**

Hill	Hudson	Morrish
Total—3		

The Conference Committee Report, having received a two-thirds vote of the elected members, was adopted.

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 221 By Representative Johns, et al.**

June 7, 2000

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 221 by Representative Johns, et al., recommend the following concerning the reingrossed bill:

1. That Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on May 30, 2000, be rejected.
2. That the Senate Floor amendments proposed by Senator Ullo and adopted by the Senate on May 31, 2000 be rejected.
3. That the Senate Floor amendments proposed by Senator Marionneaux and adopted by the Senate on May 31, 2000 be rejected.
4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after to, delete the remainder of the line and delete line 3 in its entirety, and at the beginning of line 4, delete "circumstances" and insert:

"enact Chapter 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:2801 through 2803, relative to tax on the privilege of conducting riverboat gaming; to impose a tax on the privilege of riverboats conducting gaming operations under certain circumstances; to provide for the levy, collection, and administration of such tax; to provide for credits and exemptions; to provide for such gaming operations;"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line, delete lines 7 through 17 in their entirety, delete page 2 in its entirety, and on page 3, delete lines 1 through 21 in their entirety, and insert:

"Chapter 4 of Subtitle IV of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2801 through 2803, is hereby enacted to read as follows:

"CHAPTER 4. RIVERBOAT GAMING PRIVILEGE TAX

§2801. Definitions

When used in this Chapter, the following terms shall have these meanings:

(1) "Dockside gaming operations" means gaming operations conducted while a riverboat is docked or berthed without being required to cruise or embark on excursion.

(2) "Gaming operations" shall mean such operations as defined in R.S. 27:44(11).

(3) "License" means a license as defined in R.S. 27:44(14).

(4) "Net gaming proceeds" means such proceeds as defined in R.S. 27:44(15).

(5) "Riverboat" means a vessel as defined in R.S. 27:44(23).

§2802. Riverboat Dockside Gaming Privilege Tax; Imposition

A. There is hereby levied and imposed a tax on the privilege of conducting gaming operations on a riverboat. Except as otherwise provided in this Chapter, the tax shall be levied and collected at a rate of three percent of net gaming proceeds.

(2) For the period July 1, 2000 through June 30, 2001 the tax shall be levied and imposed as follows:

(a) For any month in which a licensee receives net gaming proceeds of eight million dollars or more, the tax shall be levied and collected at three percent of net gaming proceeds for that month.

(b) For any month in which a licensee receives net gaming proceeds of less than eight million dollars, the tax shall be levied and collected at two percent of net gaming proceeds for that month.

B.(1) Notwithstanding any provision of law, rule, or regulation to the contrary and in furtherance of the taxing power vested in the legislature, it is recognized that the state would recognize and receive additional revenues under this tax if riverboats are authorized to conduct dockside gaming operations. In furtherance of desire to increase the avails to the state pursuant to the levy and collection of this tax, and notwithstanding any other provision of law to the contrary, at the statewide election to be held on October 7, 2000, a proposition shall appear on the ballot in every parish in which riverboat gaming activities were being conducted on January 1, 2000, except for those parishes in which dockside gaming was authorized by law prior to January 1, 2000 pursuant to R.S. 27:65(B)(1)(b)(i), to determine whether gaming activities may be conducted in that parish on licensed riverboats without the riverboats being required to engage in cruises or excursions. The election shall be conducted throughout that parish.

(2)(a) Except in the parish of Orleans, the ballot for the election shall provide as follows:

"DOCKSIDE GAMING ELECTION

Within (Name of Parish):

"Shall licensed riverboats be allowed to conduct gaming operations without being required to engage in cruises or excursions? YES ( ) NO ( )"

B. In the parish of Orleans, the ballot for the election shall provide as follows:

"DOCKSIDE GAMING ELECTION

Within the parish of Orleans:

"Shall a licensed riverboat be allowed to conduct gaming operations without being required to engage in cruises or excursions? YES ( ) NO ( )"

(3) Notwithstanding any provision of law to the contrary and specifically notwithstanding any contrary provision of R.S. 27:65 and except as provided in Subsection (C) of this Section. If a majority of the electors voting in an election held pursuant to the provisions of this Section vote in favor of dockside gaming, then a riverboat which is domiciled in that parish may conduct gaming while the riverboat is docked in that parish.

(4) Except as otherwise specifically provided in this Section, the election shall be held in compliance with and subject to the applicable provisions of the Election Code.

(5) The cost of the election required by this Section shall be borne by the state.

(6) If the electors of a parish do not approve the proposition on the conducting of dockside gaming, any riverboat which was conducting gaming activities in that parish prior to that proposition election shall be allowed to continue conducting gaming activities under the terms and conditions of the law, the administrative rules, and the license which applied to that riverboat prior to that proposition election.

C.(1) Docksides gaming operations conducted as provided in this Chapter shall not cause, permit or authorize any exclusivity violation or breach or any other violation or 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.

(2) Notwithstanding any provision in this Chapter to the contrary, docksides gaming operations of a riverboat located in the parish of the official gaming establishment as defined in R.S. 27:203 and 205(26) shall be conducted, if and only if:

(a) Such docksides gaming activities shall be limited to not more than one licensed riverboat at any time which shall be located on Lake Pontchartrain in the parish of the official gaming establishment.

(b) Such riverboat conducts gaming activities in an area not exceeding thirty thousand square feet in the aggregate;

(c) The owner or operator does not participate directly or indirectly in the ownership, construction, operation or subsidization of any hotel of a size exceeding three hundred ninety-nine guest rooms within a distance of one mile from the berthing area of the licensed riverboat; and

(d) The licensed riverboat does not maintain or offer for patron or public use on the vessel or at its terminal, berthing area, or any hotel referred to above, more than eight thousand square feet of restaurant facilities in the aggregate (exclusive of food preparation and handling area).

D.(1) The tax levied and imposed pursuant to this Chapter shall not be applicable to nor collected on gaming operations in a parish after October 7, 2000 if such parish did not approve the proposition to allow licensed riverboats to conduct gaming operations without being required to engage in cruises or excursions.

(2) Any licensee in a parish that did not approve the proposition to allow licensed riverboats to conduct gaming operations without being required to engage in cruises or excursions shall be entitled to a credit in the amount of taxes paid pursuant to the tax levied and imposed by this Chapter. The credit shall be taken against the franchise fee changed pursuant to R.S. 27:91(C). Any unused credit can be carried forward for no more than twelve months.

E. The tax shall be collected by the Department of Revenue pursuant to a contract with the Department of Public Safety and Corrections, office of state police. To the extent not in conflict with the provision of this Chapter, the tax shall be administered pursuant to the provisions of the Louisiana Riverboat Economic Development and Gaming Control Act.

§2803. Economic Development Incentives

A. In order to promote and stimulate tourism and economic development in areas of the state which have licensed riverboats, fifty percent of the tax levied and imposed by this Chapter shall not be applicable to and shall not be collected from any riverboat under license authorized by the Louisiana Riverboat Economic Development and Gaming Control Act which:

(1) Is conducting gaming operations on the Red River, also known as the J. Bennett Johnston Waterway, as of the effective date of this Act and achieves a certified total nongaming capital investment per license of no less than one hundred seventy million dollars; or

(2) Is not conducting gaming operations on the Red River, also known as the J. Bennett Johnston Waterway, as of the effective date of this Act and achieves a certified total nongaming capital investment per license of no less than one hundred fifty million dollars.

B. Notwithstanding any provision of this Chapter to the contrary, if there are two licensed riverboats operating together under common ownership, direct or indirect, at a specific location within a parish as of the effective date of this Act, and if such riverboats achieve a combined certified total nongaming capital investment of no less than one hundred fifty million dollars, then the tax levied and imposed by this Chapter shall only be due and payable on fifty percent of the combined net gaming proceeds of the two riverboats.

C. For purposes of this Section, total nongaming capital investment shall mean and include the costs of land, hotels, pavilions, parking facilities, entertainment facilities, retail space, office space, furniture, and nongaming equipment. Costs shall include acquisition, design, development, engineering, construction, cost of capital, and improvements. Total nongaming capital investment shall not mean nor include the costs of the riverboat, gaming equipment, ramps, or moorings. In order to obtain the exemption provided in this Section, the licensed gaming operator must obtain a certificate from the Louisiana Department of Economic Development certifying that the total nongaming capital investment for each licensed riverboat meets the requirements of this Section. The Department of Economic Development must include capital investments reported to the Louisiana Gaming Control Board by the licensee. Except as provided in Subsection B of this Section, no capital investment shall be applied or credited to more than one licensed riverboat.

Section 2. The provisions of this Act are nonseverable."

AMENDMENT NO. 3

On page 3, line 22, change "Section 2." to "Section 3."

Respectfully submitted,

Representative Bryant O. Hammett, Jr.  
Representative Ronnie Johns  
Representative Billy Montgomery  
Senator Francis C. Heitmeier

Rep. Ansardi moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander, R	Heaton	Quezaire
Ansardi	Hebert	Richmond
Baylor	Hill	Romero
Bowler	Holden	Salter
Bruce	Hopkins	Schneider
Bruneau	Hudson	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Sneed
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	LeBlanc	Travis
Doerge	Martiny	Triche
Dupre	McCallum	Waddell
Durand	McDonald	Walsworth
Erdey	McMains	Warner
Faucheux	Montgomery	Welch

Flavin	Murray	Wilkerson
Frith	Odinot	Willard
Fruge	Pierre	Winston
Glover	Pinac	Wooton
Green	Pitre	
Total—80		

NAYS

Alexander, E	Farrar	Perkins
Baudoin	Futrell	Riddle
Broome	Iles	Scalise
Clarkson	Kennard	Schwegmann
Crowe	Landrieu	Smith, J.R.—30th
Diez	Lucas	Windhorst
Donelon	Morrell	Wright
Downer	Nevers	
Total—23		

ABSENT

Morrish	Stelly
Total—2	

The Conference Committee Report, having received a two-thirds vote of the elected members, was adopted.

**Suspension of the Rules**

On joint motion of Reps. Erdey and Lancaster, and under a suspension of the rules, the above roll call was corrected to reflect them as voting yea.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**DISAGREEMENT TO SENATE BILL**

June 7, 2000

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 85 by Sen. Michot, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 7, 2000

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 85: Senators Michot, Barham, and Bill Jones.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 85: Reps. Alario, Glover, and Hammett.

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 7, 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 the report of the Conference Committee on the disagreement to House Bill No. 140.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**House Bills Amended by the Senate  
to be Concurred in by the House**

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

**HOUSE BILL NO. 1—  
BY REPRESENTATIVE LEBLANC  
AN ACT**

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

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**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, between lines 13 and 14, insert the following:

"Section 8 A. The Commissioner is hereby directed to reduce appropriations from the State General Fund (Direct) in Section 15 of this Act by 3.9081% for all agencies except the following: 01-101 Indian Affairs, 01-126 Board of Tax Appeals, 04-160 Agriculture and Forestry, 06-262 Office of the State Library of Louisiana only \$5,367,620 of the State General Fund (Direct) for this agency shall be exempt, 07-275 Public Works and Intermodal Transportation, 08-400 Corrections - Administration, 08-401 C. Paul Phelps Correctional Center, 08-402 Louisiana State Penitentiary, 08-405 Avoyelles Correctional Center, 08-406 Louisiana Correctional Institute for Women, 08-407 Winn Correctional Center, 08-408 Allen Correctional Center, 08-409 Dixon Correctional Institute, 08-412 Work Training Facility - North, 08-413 Elayn Hunt Correctional Center, 08-414 David Wade Correctional Center, 08-415 Adult Probation and Parole, 08-416 Washington Correctional Institute, 08-403 Office of Youth Development, 08-450 Adult Community-Based Rehabilitation Programs, 09-305 Medical Vendor Administration, 09-306 Medical Vendor Payments, 09-307 Office of the Secretary, 09-341 Peltier-Lawless Developmental Center, 09-342 Metropolitan Developmental Center, 09-343 Columbia Developmental Center, 09-344 Hammond Developmental Center, 09-346 Northwest Developmental Center, 09-347 Pinecrest Developmental Center, 09-348 Ruston Developmental Center, 09-349 Southwest Developmental Center, 18-585 Louisiana State Employees' Retirement System - Contributions, 18-586 Teachers' Retirement System - Contributions, 19-663 Council for the Development of French in Louisiana, 19-666 Board of Elementary and Secondary Education, 19-672 Louisiana Systemic Initiatives Program, 19-681 Subgrantee Assistance, 19-695 Minimum Foundation Program, 19-699 Special School Districts, 19-610 Louisiana State University Health Science Center - Health Care Services Division, 20-977 DOA - Debt Service and Maintenance, 20-980 DOA - Unemployment Insurance Payments, 20-923 Corrections Debt Service, 20-906 District Attorneys and Assistant District Attorneys, 20-XXX Funds, and 20-XXX Miscellaneous. If the Commissioner determines that a reduction of 3.9081% will seriously impair an agency's ability to operate effectively, he may reduce the percentage reduction to that agency and increase the percentage reduction to non-exempt agencies by up to .3% provided that the overall aggregate reduction after such adjustment is equal to the reduction that would be achieved by applying a 3.9081% reduction to all non-exempt agencies. The Commissioner of Administration shall report any change to the 3.9081% reduction to the Joint Legislative Committee on the Budget."

AMENDMENT NO. 2

On page 19, delete lines 19 through 27, in their entirety

AMENDMENT NO. 3

On page 20, at the end of line 5, delete "\$21,399,868" and insert "\$17,899,868"

AMENDMENT NO. 4

On page 21, at the end of line 11, delete "\$28,917,183" and insert "\$25,417,183"

AMENDMENT NO. 5

On page 21, at the end of line 17, delete "\$6,657,140" and insert "\$3,157,140"

AMENDMENT NO. 6

On page 21, at the end of line 22, delete "\$28,917,183" and insert "\$25,417,183"

AMENDMENT NO. 7

On page 21, delete lines 25 through 48, in their entirety

AMENDMENT NO. 8

On page 22, delete lines 1 through 17, in their entirety

AMENDMENT NO. 9

On page 23, at the end of line 32, delete "\$69,555,795" and insert "\$69,960,439"

AMENDMENT NO. 10

On page 24, at the end of line 45, delete "\$77,147,518" and insert "\$59,944,628"

AMENDMENT NO. 11

On page 25, at the end of line 7, delete "\$184,016,471" and insert "\$167,218,225"

AMENDMENT NO. 12

On page 25, at the end of line 16, delete "\$76,393,602" and insert "\$59,595,356"

AMENDMENT NO. 13

On page 25, at the end of line 17, delete "\$184,016,471" and insert "\$167,218,225"

AMENDMENT NO. 14

On page 25, delete lines 28 through 30, in their entirety

AMENDMENT NO. 15

On page 25, delete lines 31 through 36, in their entirety

AMENDMENT NO. 16

On page 26, at the end of line 20, delete "\$19,606,654" and insert "\$19,003,654"

AMENDMENT NO. 17

On page 26, at the end of line 34, delete "\$18,512,550" and insert "\$5,512,550"

AMENDMENT NO. 18

On page 27, at the end of line 22, delete "\$51,330,852" and insert "\$37,727,852"

AMENDMENT NO. 19

On page 27, at the end of line 27, delete "\$32,665,767" and insert "\$19,062,767"

AMENDMENT NO. 20

On page 27, at the end of line 28, delete "\$51,330,852" and insert "\$37,727,852"

# Page 24 HOUSE

25th Day's Proceedings - June 7, 2000

## AMENDMENT NO. 21

On page 27, between lines 28 and 29, insert the following:

"Payable out of Federal Funds for expenses associated with the Youth Challenge Academy Program at the Gillis Long Center, including 46 positions in the Education Program \$ 2,048,769

Payable out of the State General Fund by Interagency Transfers in the Education Program for expenses associated with the Job Challenge Program, including 13 positions \$ 400,000"

## AMENDMENT NO. 22

On page 28, delete lines 42 through 53, in their entirety

## AMENDMENT NO. 23

On page 31, delete lines 17 through 19, and insert the following:

"Provided, however, that of the funds appropriated herein, \$200,000 shall be allocated to Orleans Metro Housing, \$100,000 shall be allocated to the St. Bernard New Orleans Computer Technology Village, \$200,000 shall be allocated to the UJMAA Development Corporation, \$100,000 shall be allocated to Southern University - New Orleans for Tourism Initiatives, \$100,000 shall be allocated to the Jazz Walk of Fame and \$100,000 to West Bank Civic Center."

## AMENDMENT NO. 24

On page 33, delete lines 9 through 10, in their entirety

## AMENDMENT NO. 25

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

"EXPENDITURES:  
State Program - Authorized positions (10) \$ 2,867,297  
TOTAL EXPENDITURES \$ 2,867,297

MEANS OF FINANCE:  
State General Fund by:  
Fees & Self-generated Revenues \$ 1,507,650  
Statutory Dedications:  
Crime Victim Reparation Fund \$ 1,189,750  
Drug Abuse Education and Treatment Fund \$ 169,897

TOTAL MEANS OF FINANCING \$ 2,867,297"

## AMENDMENT NO. 26

On page 33, delete lines 11 through 52, in their entirety

## AMENDMENT NO. 27

On page 34, delete lines 45 through 52, in their entirety

## AMENDMENT NO. 28

On page 35, delete lines 1 through 5, in their entirety

## AMENDMENT NO. 29

On page 37, delete lines 27 through 34, in their entirety

## AMENDMENT NO. 30

On page 39, between lines 8 and 9, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues to restore six (6) positions in Museums and Other Operations, five (5) positions in the Commercial Division and four (4) positions at the State Archives \$ 520,800"

## AMENDMENT NO. 31

On page 39, delete lines 9 through 14, in their entirety

## AMENDMENT NO. 32

On page 39, between lines 14 and 15, insert the following:

"FOR:

Museums and Other Operations –  
Authorized Positions (25) \$ 1,440,694  
TOTAL EXPENDITURES \$ 1,440,694

FROM:

State General Fund (Direct) \$ 1,242,865  
State General Fund by:  
Fees and Self-generated Revenues \$ 166,496  
Statutory Dedications:  
Shreveport Riverfront Fund \$ 31,333  
TOTAL MEANS OF FINANCING \$ 1,440,694"

## AMENDMENT NO. 33

On page 39, delete lines 15 through 45, in their entirety

## AMENDMENT NO. 34

On page 43, between lines 16 and 17, insert the following:

"Payable out of the State General Fund (Direct) for the Legal and Administrative Support Services for Administrative Program, the Civil Law Program, and the Criminal Law and Medicaid Fraud Program including thirty-four (34) positions \$ 2,092,170"

## AMENDMENT NO. 35

On page 43, delete lines 17 through 32, in their entirety

## AMENDMENT NO. 36

On page 46, delete lines 44 through 46, in their entirety

## AMENDMENT NO. 37

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

"Payable out of the State General Fund by Fees and Self-generated Revenues for transfer of Unclaimed Property Program in accordance with Act 135 of the First Extraordinary Session of 2000, including ten (10) positions for the Administration Program \$ 1,100,000"

## AMENDMENT NO. 38

On page 52, at the end of line 9, delete "\$9,152,569" and insert "\$4,252,569"

AMENDMENT NO. 39

On page 52, at the end of line 18, delete "\$87,073,309" and insert "\$82,173,309"

AMENDMENT NO. 40

On page 52, at the end of line 22, delete "\$10,923,708" and insert "\$6,023,708"

AMENDMENT NO. 41

On page 52, at the end of line 34, delete "\$87,073,309" and insert "\$82,173,309"

AMENDMENT NO. 42

On page 52, at the end of line 39, delete "\$6,001,000" and insert "\$1,101,000"

AMENDMENT NO. 43

On page 52, after line 52, insert the following:

"EXPENDITURES:	
Animal Health Services Program - (160)	\$ 8,143,598
Agro-Consumer Services Program - (71)	\$ 3,659,422
Soil and Water Conservation Program - (9)	\$ 2,028,531
Food Distribution and Storage Project	\$ 967,668
Forestry Program - (7)	\$ 250,805
<b>TOTAL EXPENDITURES</b>	<b>\$ 15,050,024</b>

MEANS OF FINANCE:

State General Fund (Direct)	\$ 8,900,000
State General Fund by:	
Interagency Transfers	\$ 341,003
Fees & Self-generated Revenues	\$ 3,220,936
Statutory Dedications:	
Petroleum and Petroleum Products Fund	\$ 800,000
Federal Funds	\$ 1,788,085
<b>TOTAL MEANS OF FINANCING</b>	<b>\$ 15,050,024"</b>

AMENDMENT NO. 44

On page 53, delete lines 1 through 51, in their entirety

AMENDMENT NO. 45

On page 54, delete lines 1 through 52, in their entirety

AMENDMENT NO. 46

On page 59, delete lines 31 through 51, in their entirety

AMENDMENT NO. 47

On page 60, delete lines 1 through 20, in their entirety

AMENDMENT NO. 48

On page 61, delete lines 42 through 54, in their entirety

AMENDMENT NO. 49

On page 62, delete lines 1 through 5, in their entirety

AMENDMENT NO. 50

On page 62, between lines 5 and 6, 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. 51

On page 62, delete lines 6 through 45, in their entirety

AMENDMENT NO. 52

On page 63, delete lines 1 through 4, in their entirety

AMENDMENT NO. 53

On page 66, delete lines 11 through 14, in their entirety

AMENDMENT NO. 54

On page 67, after line 52, insert the following:

"Provided, however, that of the funds appropriated in this Schedule for the Office of the Secretary out of Statutory Dedications from the New Orleans Area Tourism and Economic Development Fund, \$250,000 shall be allocated to the UJMAA Community Development Corporation, \$350,000 shall be allocated to Southern University - New Orleans for Graduate Museum Studies and Cultural Preservation and \$100,000 shall be allocated to Southern University for Tourism Initiatives."

AMENDMENT NO. 55

On page 68, delete lines 1 through 2, in their entirety

AMENDMENT NO. 56

On page 68, delete lines 3 through 15, in their entirety

AMENDMENT NO. 57

On page 69, delete lines 1 through 3, in their entirety

AMENDMENT NO. 58

On page 69, delete lines 39 through 41, in their entirety

AMENDMENT NO. 59

On page 69, delete lines 42 through 48, in their entirety

AMENDMENT NO. 60

On page 70, delete lines 1 through 3, in their entirety

AMENDMENT NO. 61

On page 70, delete lines 33 through 43, in their entirety

AMENDMENT NO. 62

# Page 26 HOUSE

25th Day's Proceedings - June 7, 2000

On page 71, delete lines 1 through 7, in their entirety

## AMENDMENT NO. 63

On page 72, delete lines 16 through 17, in their entirety

## AMENDMENT NO. 64

On page 72, delete lines 18 through 30, in their entirety

## AMENDMENT NO. 65

On page 74, delete lines 14 through 22, in their entirety

## AMENDMENT NO. 66

On page 75, at the end of line 26, delete "\$4,180,290" and insert "\$3,180,290"

## AMENDMENT NO. 67

On page 76, at the end of line 31, delete "\$15,914,944" and insert "\$14,914,944"

## AMENDMENT NO. 68

On page 76, at the end of line 39, delete "\$4,886,164" and insert "\$3,886,164"

## AMENDMENT NO. 69

On page 76, at the end of line 41, delete "\$15,914,944" and insert "\$14,914,944"

## AMENDMENT NO. 70

On page 76, delete lines 42 through 55, in their entirety

## AMENDMENT NO. 71

On page 77, delete lines 1 through 12, in their entirety

## AMENDMENT NO. 72

On page 78, line 10, delete "(248)" and insert "(258)"

## AMENDMENT NO. 73

On page 78, line 36, delete "(3,356)" and insert "(3,636)"

## AMENDMENT NO. 74

On page 78, at the end of line 36, delete "\$208,360,831" and insert "\$209,360,831"

## AMENDMENT NO. 75

On page 79, at the end of line 14, delete "\$303,607,587" and insert "\$304,607,587"

## AMENDMENT NO. 76

On page 79, at the end of line 21, delete "\$230,366,946" and insert "\$231,366,946"

## AMENDMENT NO. 77

On page 79, at the end of line 24, delete "\$303,607,587" and insert "\$304,607,587"

## AMENDMENT NO. 78

On page 87, delete lines 37 through 40, in their entirety

## AMENDMENT NO. 79

On page 96, delete lines 6 through 9, in their entirety

## AMENDMENT NO. 80

On page 99, between lines 9 and 10, insert the following:

"Provided, however, that of the State General Fund appropriated in the Schedule for Swanson Correctional Center for Youth - Madison Parish Unit for per diem payments for debt service for the contract for the former Tallulah Correctional Center for Youth shall be reduced by \$400,000. The Secretary of the Department of Corrections shall have the authority to transfer funds from this budget unit to other budget units within the Department of Corrections to provide for the security, safety and general well being of juveniles transferred from this facility to other juvenile facilities, with the approval of the Joint Legislative Committee on the Budget."

## AMENDMENT NO. 81

On page 99, delete lines 10 through 15, in their entirety

## AMENDMENT NO. 82

On page 99, between lines 15 and 16, insert the following:

"The Commissioner of Administration is hereby authorized to distribute \$2,000,000 from the Contract Services Program to the other programs within the Office of Youth Development due to the transfer of juveniles from the Jena Juvenile Justice Center."

## AMENDMENT NO. 83

On page 100, between lines 3 and 4, insert the following:

"Payable out of the State General Fund (Direct)  
to house additional state inmates in local jails \$ 1,500,000"

## AMENDMENT NO. 84

On page 100, delete lines 4 through 12, in their entirety

## AMENDMENT NO. 85

On page 102, line 20, delete "(113)" and insert "(129)"

## AMENDMENT NO. 86

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

"Payable out of the State General Fund by  
Statutory Dedications from the Insurance  
Fraud Investigation Fund to the Criminal  
Investigations Program for expenditures related  
to the training of State Police cadets \$ 242,108"

## AMENDMENT NO. 87

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

"Provided, however, that prior year's Self-generated Revenues collected under R.S. 32:1550(L), limited to those funds seized under the Louisiana Commission on Law Enforcement grant for drug

enforcement, shall be available for expenditure in Fiscal Year 2000-2001."

AMENDMENT NO. 88

On page 105, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues for restoration of twenty-five (25) positions \$ 750,000"

AMENDMENT NO. 89

On page 105, line 37, delete "(195)" and insert "(179)"

AMENDMENT NO. 90

On page 105, at the end of line 37, delete "\$9,391,115" and insert "\$8,941,001"

AMENDMENT NO. 91

On page 106, at the end of line 20, delete "\$9,391,115" and insert "\$8,941,001"

AMENDMENT NO. 92

On page 106, at the end of line 26, delete "\$5,985,747" and insert "\$5,625,618"

AMENDMENT NO. 93

On page 106, at the end of line 29, delete "\$100,000" and insert "\$10,015"

AMENDMENT NO. 94

On page 106, at the end of line 30, delete "\$9,391,115" and insert "\$8,941,001"

AMENDMENT NO. 95

On page 106, after line 46, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues for expenditures related to a clerical position in the manufactured housing inspection section \$ 27,175"

AMENDMENT NO. 96

On page 108, between lines 5 and 6, insert the following:

"Payable out of the State General Fund by Statutory Dedications from the Liquefied Petroleum Gas Rainy Day Fund for computer equipment and training expenses \$ 13,584"

AMENDMENT NO. 97

On page 109, after line 53, insert the following:

"The secretary of the Department of Health and Hospitals, with the concurrence of the Commissioner of Administration, shall have the authority to reorganize the Office of Mental Health into four (4) appropriations consisting of three (3) regions and one (1) central office appropriation."

AMENDMENT NO. 98

On page 113, between lines 28 and 29, insert the following:

"EXPENDITURES:	
Mental Health Hospital Admission Review Process (HARP)	\$ 468,193
TOTAL EXPENDITURES	<u>\$ 468,193</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 234,096
Federal Funds	<u>\$ 234,097</u>
TOTAL MEANS OF FINANCING	<u>\$ 468,193</u>

AMENDMENT NO. 99

On page 113, delete lines 29 through 41, in their entirety

AMENDMENT NO. 100

On page 114, line 56, delete "\$1,349,626,617" and insert "\$1,349,626,612"

AMENDMENT NO. 101

On page 116, at the end of line 14, delete "\$5,697,591" and insert "\$3,997,290"

AMENDMENT NO. 102

On page 116, at the end of line 15, delete "\$5,697,591" and insert "\$3,997,290"

AMENDMENT NO. 103

On page 116, at the end of line 17, delete "\$1,681,929" and insert "\$1,180,000"

AMENDMENT NO. 104

On page 116, at the end of line 18, delete "\$4,015,662" and insert "\$2,817,290"

AMENDMENT NO. 105

On page 116, at the end of line 19, delete "\$5,697,591" and insert "\$3,997,290"

AMENDMENT NO. 106

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

"EXPENDITURES:	
Payments to Private Providers for services associated with provision of Extended Home Health services to medically fragile children	\$ 1,473,577
TOTAL EXPENDITURES	<u>\$ 1,473,577</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 435,000
Federal Funds	<u>\$ 1,038,577</u>
TOTAL MEANS OF FINANCING	<u>\$ 1,473,577</u>

EXPENDITURES:	
Payments to Private Providers for services associated with the Pharmacy Program for Persons over the age of 22 and not institutionalized	\$110,197,822

Page 28 HOUSE

25th Day's Proceedings - June 7, 2000

TOTAL EXPENDITURES	<u>\$110,197.822</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 32,530,397
Federal Funds	<u>\$ 77,667,425</u>
TOTAL MEANS OF FINANCING	<u>\$110,197.822</u>
EXPENDITURES:	
Payments to Private Providers for services associated with the Medically Needy Program	<u>\$ 28,409,298</u>
TOTAL EXPENDITURES	<u>\$ 28,409,298</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 8,386,425
Federal Funds	<u>\$ 20,022,873</u>
TOTAL MEANS OF FINANCING	<u>\$ 28,409,298</u>
EXPENDITURES:	
Payments to Private Providers for various medical services	<u>\$105,059,452</u>
TOTAL EXPENDITURES	<u>\$105,059,452</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 31,013,550
Federal Funds	<u>\$ 74,045,902</u>
TOTAL MEANS OF FINANCING	<u>\$105,059,452</u>
EXPENDITURES:	
Payments to Public Providers for services associated with the Medically Needy Program	<u>\$ 6,483,211</u>
TOTAL EXPENDITURES	<u>\$ 6,483,211</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 1,913,844
Federal Funds	<u>\$ 4,569,367</u>
TOTAL MEANS OF FINANCING	<u>\$ 6,483,211</u>
EXPENDITURES:	
Payments to Public Providers for the Office of Mental Health	<u>\$ 2,081,720</u>
TOTAL EXPENDITURES	<u>\$ 2,081,720</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 614,523
Federal Funds	<u>\$ 1,467,197</u>
TOTAL MEANS OF FINANCING	<u>\$ 2,081,720</u>
EXPENDITURES:	
Uncompensated Care Costs Payments for restoration of gubernatorially-mandated personnel reductions to the Louisiana State University Health Sciences Center Health Care Services Division	<u>\$ 33,875,339</u>
TOTAL EXPENDITURES	<u>\$ 33,875,339</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 10,000,000
Federal Funds	<u>\$ 23,875,339</u>

TOTAL MEANS OF FINANCING	<u>\$ 33,875,339</u>
EXPENDITURES:	
Uncompensated Care Costs Payments to the Louisiana State University Health Sciences Center	<u>\$ 3,640,700</u>
TOTAL EXPENDITURES	<u>\$ 3,640,700</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 1,072,914
Federal Funds	<u>\$ 2,567,786</u>
TOTAL MEANS OF FINANCING	<u>\$ 3,640,700</u>
EXPENDITURES:	
Uncompensated Care Costs Payments to the Varying Hospitals within the Louisiana State University Health Sciences Center Health Care Services Division	<u>\$ 29,382,112</u>
TOTAL EXPENDITURES	<u>\$ 29,382,112</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 8,663,099
Federal Funds	<u>\$ 20,719,013</u>
TOTAL MEANS OF FINANCING	<u>\$ 29,382,112</u>
EXPENDITURES:	
Uncompensated Care payments for LSU-HCSD Medical Center of Louisiana at New Orleans for an acute psychiatric unit	<u>\$ 6,775,068</u>
TOTAL EXPENDITURES	<u>\$ 6,775,068</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 2,000,000
Federal Funds	<u>\$ 4,775,068</u>
TOTAL MEANS OF FINANCING	<u>\$ 6,775,068"</u>

AMENDMENT NO. 107

On page 118, delete lines 19 through 39, in their entirety

AMENDMENT NO. 108

Delete pages 119 and 120 in their entirety

AMENDMENT NO. 109

On page 121, delete lines 1 through 10 in their entirety

AMENDMENT NO. 110

On page 122, between lines 7 and 8, insert the following:

"Payable out of the State General Fund by Fees and Self-generated Revenues for the Governor's Council on Sports and Physical Fitness	\$ 15,000"
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AMENDMENT NO. 111

On page 122, between lines 43 and 44, insert the following:

"EXPENDITURES: Medically Needy Program patients in the Patient Services Program	<u>\$ 107,722</u>
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TOTAL EXPENDITURES	\$ 107,722
MEANS OF FINANCE:	
State General Fund by:	
Interagency Transfers	\$ 107,722
TOTAL MEANS OF FINANCING	\$ 107,722"

AMENDMENT NO. 112

On page 122, delete lines 44 through 48, in their entirety

AMENDMENT NO. 113

On page 123, delete lines 1 through 4, in their entirety

AMENDMENT NO. 114

On page 123, between lines 39 and 40, insert the following:

"EXPENDITURES:	
Medically Needy Program patients in the Patient Services Program	\$ 107,723
TOTAL EXPENDITURES	\$ 107,723
MEANS OF FINANCE:	
State General Fund by:	
Interagency Transfers	\$ 107,723
TOTAL MEANS OF FINANCING	\$ 107,723"

AMENDMENT NO. 115

On page 123, delete lines 40 through 44, in their entirety

AMENDMENT NO. 116

On page 124, delete lines 1 through 4, in their entirety

AMENDMENT NO. 117

On page 126, between lines 10 and 11, insert the following:

"Provided, however, that of the \$700,000 appropriated in this budget for the Sickle Cell Anemia program, such funds shall be allocated as follows: LSU Medical Center - New Orleans, \$99,500; LSU Medical Center - Shreveport Sickle Cell Center of Northern Louisiana, \$174,500; Tulane University Sickle Cell Center of Southern Louisiana, \$99,500; Acadian Sickle Cell Anemia Foundation, \$49,500; Baton Rouge Sickle Cell Anemia Foundation, \$49,500; Northeast Louisiana Sickle Cell Anemia Foundation, \$49,500; Northwest Louisiana Sickle Cell Anemia Foundation, \$49,500; Sickle Cell Anemia Research Foundation, \$49,500; Louisiana Association for Sickle Cell Anemia Foundation, \$29,500; and Acadian Sickle Cell Anemia Rehabilitation and Education Program (Lake Charles), \$49,500."

AMENDMENT NO. 118

On page 126, delete lines 13 through 19, in their entirety

AMENDMENT NO. 119

On page 126, between lines 19 and 20, insert the following:

"EXPENDITURES:	
Office of Public Health - Authorized Positions (65)	\$ 5,677,419
TOTAL EXPENDITURES	\$ 5,677,419

MEANS OF FINANCE:	
State General Fund by:	
Fees & Self-generated Revenues	\$ 5,677,419
TOTAL MEANS OF FINANCING	\$ 5,677,419

EXPENDITURES:	
Personal Health Services Program	
Medically - Needy Program	\$ 9,378
TOTAL EXPENDITURES	\$ 9,378

MEANS OF FINANCE:	
State General Fund by:	
Interagency Transfers	\$ 9,378
TOTAL MEANS OF FINANCING	\$ 9,378"

AMENDMENT NO. 120

On page 126, delete lines 20 through 31, in their entirety

AMENDMENT NO. 121

On page 127, at the end of line 1, delete "\$78,927,185" and insert "\$78,078,566"

AMENDMENT NO. 122

On page 127, at the end of line 19, delete "\$83,107,136" and insert "\$82,258,517"

AMENDMENT NO. 123

On page 127, at the end of line 21, delete "\$56,444,092" and insert "\$55,595,473"

AMENDMENT NO. 124

On page 127, at the end of line 26, delete "\$83,107,136" and insert "\$82,258,517"

AMENDMENT NO. 125

On page 127, delete lines 27 through 30, and insert the following:

"EXPENDITURES:	
For the Projects for Assistance in Transition from Homelessness (PATH) Federal Grant	\$ 41,000
For the MIDAA Federal Grant for mental health and substance abuse joint program	\$ 150,000
For the Center for Mental Health Services (CMHS) Federal Block Grant	\$ 913,168
For mental health services provided through the school-based health centers	\$ 153,359
For Individualized Services	\$ 337,684
For Wraparound Services	\$ 1,196,216
For additional mental health medications	\$ 547,820
For the expansion of the Hospital Admission Review Procedure (HARP) Program	\$ 468,193
TOTAL EXPENDITURES	\$ 3,807,440

Page 30 HOUSE

25th Day's Proceedings - June 7, 2000

MEANS OF FINANCE:

State General Fund by:	
Interagency Transfers	\$ 2,703,272
Federal Funds	\$ 1,104,168

TOTAL MEANS OF FINANCING \$ 3,807,440"

AMENDMENT NO. 126

On page 127, delete lines 30 through 38, in their entirety

AMENDMENT NO. 127

On page 131, between lines 11 and 12, insert the following:

"EXPENDITURES:

For the expansion of the jail-based treatment program for Orleans Parish jail inmates, requiring thirteen (13) positions	\$ 1,300,000
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TOTAL EXPENDITURES \$ 1,300,000

MEANS OF FINANCE:

State General Fund (Direct)	\$ 1,300,000
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TOTAL MEANS OF FINANCING \$ 1,300,000

EXPENDITURES:

Uncompensated Care payments and 112 positions to operate a new acute psychiatric unit at the LSU-HCSD Medical Center of Louisiana at New Orleans for restoring mental competency to Orleans Parish inmates	\$ 6,775,068
--	--------------

TOTAL EXPENDITURES \$ 6,775,068

MEANS OF FINANCE:

State General Fund by:	
Interagency Transfers	\$ 6,775,068

TOTAL MEANS OF FINANCING \$ 6,775,068"

AMENDMENT NO. 128

On page 136, delete line 18, and insert the following:

"Care Program, including twenty-seven (27)"

AMENDMENT NO. 129

On page 136, at the end of line 18, delete "\$1,287,062" and insert "\$794,737"

AMENDMENT NO. 130

On page 138, at the end of line 28, delete "\$902,629" and insert "\$662,639"

AMENDMENT NO. 131

On page 140, at the end of line 45, delete "\$2,349,283" and insert "\$1,636,377"

AMENDMENT NO. 132

On page 141, delete line 44, and insert the following:

"Care Program, including seven (7)"

AMENDMENT NO. 133

On page 141, at the end of line 45, delete "\$504,964" and insert "\$249,884"

AMENDMENT NO. 134

On page 145, at the end of line 24, delete "\$147,500" and insert "\$144,500"

AMENDMENT NO. 135

On page 145, at the end of line 30, delete "\$50,144,009" and insert "\$50,141,009"

AMENDMENT NO. 136

On page 145, at the end of line 35, delete "\$465,500" and insert "\$462,500"

AMENDMENT NO. 137

On page 145, at the end of line 39, delete "\$50,144,009" and insert "\$50,141,009"

AMENDMENT NO. 138

On page 145, at the end of line 44, delete "\$7,000" and insert "\$4,000"

AMENDMENT NO. 139

On page 145, delete lines 50 through 55, in their entirety

AMENDMENT NO. 140

On page 148, delete lines 11 through 13, and insert the following:

Objective: To provide payments to eligible individuals and/or providers to assist in making child care available and affordable by providing quality child care assistance services including before-and-after school care during the school year, and full-time during the summer."

AMENDMENT NO. 141

On page 148, after line 17, insert the following:

"Number of children participating in the Wrap-Around Child Care Program	8,000"
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AMENDMENT NO. 142

On page 148, at the end of line 37, delete "(\$156.0)" and insert "(\$206.0)"

AMENDMENT NO. 143

On page 148, after line 56, insert the following:

"Payable out of Federal Funds to increase the monthly Family Independence Temporary Assistance Program cash grant by an average of \$50 per month for a family of three	\$ 18,600,000
Payable out of Federal Funds for additional child care assistance services	\$ 24,426,488
Payable out of Federal Funds for Wrap-Around Child Care assistance services at Head Start centers	\$ 24,000,000

Payable out of Federal Funds to expand teenage pregnancy prevention services statewide \$ 3,535,000

Payable out of Federal Funds to upgrade the Louisiana Support Enforcement computer system \$ 4,475,500"

AMENDMENT NO. 144

On page 151, delete lines 13 through 23, in their entirety

AMENDMENT NO. 145

On page 154, delete lines 23 through 51, in their entirety

AMENDMENT NO. 146

On page 155, at the end of line 5, delete "\$9,671,849" and insert "\$9,631,849"

AMENDMENT NO. 147

On page 155, line 5, delete "(13)" and insert "(12)"

AMENDMENT NO. 148

On page 155, at the end of line 20, delete "\$9,205,125" and insert "\$9,165,125"

AMENDMENT NO. 149

On page 155, line 20, delete "(57)" and insert "(56)"

AMENDMENT NO. 150

On page 156, at the end of line 54, delete "\$44,147,020" and insert "\$44,067,020"

AMENDMENT NO. 151

On page 157, at the end of line 4, delete "\$7,215,033" and insert "\$7,135,033"

AMENDMENT NO. 152

On page 157, at the end of line 11, delete "\$44,147,020" and insert "\$44,067,020"

AMENDMENT NO. 153

On page 157, at the end of line 14, delete "\$7,909,481" and insert "\$8,149,481"

AMENDMENT NO. 154

On page 157, line 14, delete "(112)" and insert "(118)"

AMENDMENT NO. 155

On page 157, at the end of line 41, delete "\$3,337,008" and insert "\$3,377,008"

AMENDMENT NO. 156

On page 157, line 41, delete "(46)" and insert "(47)"

AMENDMENT NO. 157

On page 158, at the end of line 39, delete "\$11,246,489" and insert "\$11,526,489"

AMENDMENT NO. 158

On page 158, at the end of line 45, delete "\$6,869,502" and insert "\$7,149,502"

AMENDMENT NO. 159

On page 158, at the end of line 48, delete "\$11,246,489" and insert "\$11,526,489"

AMENDMENT NO. 160

On page 159, line 3, delete "(72)" and insert "(71)"

AMENDMENT NO. 161

On page 159, at the end of line 3, delete "\$11,859,487" and insert "\$11,739,487"

AMENDMENT NO. 162

On page 159, at the end of line 25, delete "\$11,859,487" and insert "\$11,739,487"

AMENDMENT NO. 163

On page 159, at the end of line 29, delete "\$10,329,490" and insert "\$10,209,490"

AMENDMENT NO. 164

On page 159, at the end of line 34, delete "\$11,859,487" and insert "\$11,739,487"

AMENDMENT NO. 165

On page 159, at the end of line 37, delete "\$34,106,000" and insert "\$33,946,000"

AMENDMENT NO. 166

On page 159, line 37, delete "(115)" and insert "(111)"

AMENDMENT NO. 167

On page 160, at the end of line 13, delete "\$34,106,000" and insert "\$33,946,000"

AMENDMENT NO. 168

On page 160, at the end of line 20, delete "\$18,476,855" and insert "\$18,396,855"

AMENDMENT NO. 169

On page 160, at the end of line 22, delete "\$14,945,526" and insert "\$14,865,526"

AMENDMENT NO. 170

On page 160, at the end of line 23, delete "\$34,106,000" and insert "\$33,946,000"

AMENDMENT NO. 171

On page 160, delete line 28, and insert the following:

"Tax Collection - Authorized Positions (820) \$ 49,806,272"

# Page 32 HOUSE

25th Day's Proceedings - June 7, 2000

## AMENDMENT NO. 172

On page 161, at the end of line 56, delete "\$55,321,404" and insert "\$54,899,764"

## AMENDMENT NO. 173

On page 162, at the end of line 5, delete "\$35,932,006" and insert "\$35,510,366"

## AMENDMENT NO. 174

On page 162, at the end of line 9, delete "\$55,321,404" and insert "\$54,899,764"

## AMENDMENT NO. 175

On page 162, between lines 9 and 10, insert the following:

"Payable out of the State General Fund (Direct) by Fees & Self-generated Revenues from prior year collections for the Tax Collection Program	\$ 3,000,000"
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## AMENDMENT NO. 176

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

"Payable out of the State General Fund by Fees and Self-generated Revenues from prior year collections for administrative support in the Charitable Gaming Program	\$ 560,019
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Payable out of the State General Fund by Fees and Self-generated Revenues for restoration to current year funding levels, including twenty-three (23) positions	\$ 413,432
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Payable out of the State General Fund by Fees and Self-generated Revenues for software/ software maintenance and support services	\$ 1,175,000
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Payable out of the State General Fund by Fees and Self-generated Revenues to provide electronic online filing of sales tax returns	\$ 700,000
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Payable out of the State General Fund by Interagency Transfers from the Department of Transportation and Development (DOTD) to the Department of Revenue for Highway Use Tax Evasion Project	\$ 50,000"
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## AMENDMENT NO. 177

On page 169, line 32, delete "(175)" and insert "(370)"

## AMENDMENT NO. 178

On page 171, line 36, delete "\$52,000,000" and insert "\$50,000,000"

## AMENDMENT NO. 179

On page 171, line 38, delete "\$3,000,000" and insert "\$5,000,000"

## AMENDMENT NO. 180

On page 171, between lines 40 and 41, insert the following:

"Of the funds provided above, \$300,000 shall be sent to the Workforce Commission Office, Schedule 01-113"

## AMENDMENT NO. 181

On page 173, delete lines 36 through 49, in their entirety

## AMENDMENT NO. 182

On page 175, between lines 18 and 19, insert the following:

"Louisiana Alligator Resource Fund	\$ 100,000
Shrimp Marketing and Promotion Account	\$ 75,000"

## AMENDMENT NO. 183

On page 175, delete lines 27 through 41, in their entirety

## AMENDMENT NO. 184

On page 177, delete lines 20 through 40, in their entirety

## AMENDMENT NO. 185

On page 178, delete lines 27 through 30, in their entirety

## AMENDMENT NO. 186

On page 178, delete lines 31 through 45, in their entirety

## AMENDMENT NO. 187

On page 179, delete lines 4 through 7, in their entirety

## AMENDMENT NO. 188

On page 180, at the end of line 45, delete "\$7,231,104" and insert "\$6,684,990"

## AMENDMENT NO. 189

On page 180, at the end of line 47, delete "\$ 7,655,430" and insert "\$7,109,316"

## AMENDMENT NO. 190

On page 180, delete lines 48 through 49, in their entirety

## AMENDMENT NO. 191

On page 187, delete line 54, and insert the following:

"Gene Therapy Research Consortium, Inc."

## AMENDMENT NO. 192

On page 188, delete lines 23 through 25, in their entirety

## AMENDMENT NO. 193

On page 188, after line 44, insert the following:

"Payable out of the State General Fund (Direct) for funding enhancements to higher education institutions	\$ 15,078,762
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Provided, however, that the \$15,078,762 appropriated herein to the Board of Regents shall be allocated to each higher education on a pro rata basis based on each institution's base level budget share of the sum of all institutions' base level budgets. In the event that an institution's average faculty salary is below the average faculty salary of similar institutions as reported by the Southern Regional Education Board, the

institution shall use these funds to increase faculty salaries to approach that level."

AMENDMENT NO. 194

On page 189, delete lines 1 through 10, in their entirety

AMENDMENT NO. 195

On page 192, delete lines 1 through 4, in their entirety

AMENDMENT NO. 196

On page 194, delete lines 50 through 53, in their entirety

AMENDMENT NO. 197

On page 197, delete lines 7 through 9, in their entirety

AMENDMENT NO. 198

On page 198, between lines 43 and 44, insert the following:

"EXPENDITURES:  
Receipt of Claims Payments for the Medically  
Needy Program from the Medical Vendor  
Payments Program (LSU Health Science Center) \$ 600,451

TOTAL EXPENDITURES \$ 600,451

MEANS OF FINANCE:

State General Fund by:  
Interagency Transfers \$ 600,451

TOTAL MEANS OF FINANCING \$ 600,451

EXPENDITURES:

Receipt of Uncompensated Care Costs Payments  
from the Medical Vendor Payments Program  
(LSU Health Science Center) \$ 3,640,700

TOTAL EXPENDITURES \$ 3,640,700

MEANS OF FINANCE:

State General Fund by:  
Interagency Transfers \$ 3,640,700

TOTAL MEANS OF FINANCING \$ 3,640,700"

AMENDMENT NO. 199

On page 198, delete lines 44 through 49, in their entirety

AMENDMENT NO. 200

On page 199, delete lines 1 through 20, in their entirety

AMENDMENT NO. 201

On page 201, delete line 3, and insert the following:

"Southern University -  
Baton Rouge \$36,171,547 \$64,203,600"

AMENDMENT NO. 202

On page 202, between lines 5 and 6, insert the following:

"State Total

	General Fund	Financing
Southern University - Law Center	\$ 4,997,877	\$ 6,167,419"

AMENDMENT NO. 203

On page 202, at the beginning of line 8, delete "For the"

AMENDMENT NO. 204

On page 202, line 10, delete "(R.S. 17:3216.6)" and insert "(R.S. 17:3216 (6))"

AMENDMENT NO. 205

On page 203, delete lines 49 through 56, in their entirety

AMENDMENT NO. 206

On page 204, delete lines 1 through 3, in their entirety

AMENDMENT NO. 207

On page 208, delete lines 36 through 38, in their entirety

AMENDMENT NO. 208

On page 212, between lines 8 and 9, insert the following:

"Provided, however, that of the funds appropriated to the University of Louisiana at Lafayette, \$300,000 shall be allocated for the Micro-Business Development Center."

AMENDMENT NO. 209

On page 212, delete lines 9 through 19, in their entirety

AMENDMENT NO. 210

On page 212, delete lines 41 through 47, in their entirety

AMENDMENT NO. 211

On page 220, delete lines 9 through 16, in their entirety

AMENDMENT NO. 212

On page 220, delete lines 17 through 28, in their entirety

AMENDMENT NO. 213

On page 224, delete lines 9 through 15, in their entirety

AMENDMENT NO. 214

On page 229, between lines 49 and 50, insert the following:

"Provided, however, that of the State General Fund (Direct) appropriated herein for the Broadcasting Program, \$367,522 shall be utilized for operating and personal services and one (1) position in lieu of an allocation to WLAE, WYES, and eight (8) public radio stations across the state."

AMENDMENT NO. 215

On page 229, delete lines 50 through 52, in their entirety

AMENDMENT NO. 216

On page 231, delete line 3, and insert the following:

"Administration - Authorized Positions (9) \$ 3,924,169"

AMENDMENT NO. 217

On page 231, between lines 3 and 4, insert the following:

**"Program Description:** Serves as the policy making board for public elementary and secondary schools and special schools under the Board's jurisdiction. Also exercises budgetary responsibility for funds appropriated for the charter schools and also the 8(g) Quality Education Support Fund

**Objective:**To set at least 90% of the policies necessary to implement the key education initiatives and continue to communicate those policies.

**Performance Indicators:**  
Percentage of policies set toward key education initiatives 90%  
Total number of education initiatives 9

**Objective:** To adopt LEAP for the 21st Century so that of 58,000 Grade 4 students and 55,000 Grade 8 students tested, at least 70% will score at approaching basic or above in English, and at least 65% will score at approaching basic or above in math.

**Performance Indicators:**  
Percentage of students scoring at approaching basic or above:  
Grade 4 English 70%  
Grade 4 math 65%  
Grade 8 English 70%  
Grade 8 math 65%

**Objective:**To have 75% of K-8 schools meeting their biannual growth target.

**Performance Indicator:**  
Percentage of schools meeting biannual growth target 75%

**Objective:**To work with the governor, legislature, state superintendent, and local districts to adopt a Minimum Foundation Formula that will maintain full funding; to provide resources annually to meet state standards; to undergo annual reevaluations to determine adequacy; and to reexamine and determine factors affecting equity of educational opportunities.

**Performance Indicator:**  
Equitable distribution of MFP dollars as measured by the correlation based on the per pupil MFP state share levels 1, 2, and 3 and the local wealth factor (.869)

**Objective:**Through the Charter School Loan activity, to administer the loan funds.

**Performance Indicators:**  
Funds administered \$1,800,000  
Per pupil dollar loan amount \$554

**Objective:**To have at least 22 operating charter schools meeting locally determined student learning criteria.

**Performance Indicators:**  
Number of operating charter schools 22  
Total student enrollment 4,755  
Number of operating Type 2 charter schools 13  
Total Type 2 charter school enrollments 3,345

**Objective:**To have 75% of charter schools implement a pre-test/post-test instrument in English language arts and math to measure the performance of each pupil by Spring 2001.

**Performance Indicators:**  
Percentage of schools using a pre-test/post-test instrument 75%  
Percentage change in performance:  
English 25%  
Math 25%

AMENDMENT NO. 218

On page 231, delete lines 33 through 39, and insert the following:

"TOTAL EXPENDITURES \$ 36,134,651

MEANS OF FINANCE:  
State General Fund (Direct) \$ 695,808  
State General Fund by:  
Interagency Transfers \$ 1,388,361  
Fees & Self-generated Revenues \$ 15,000  
Statutory Dedications:  
Charter School Startup Loan Fund \$ 1,825,000  
Louisiana Quality Education Support Fund \$ 32,210,482

TOTAL MEANS OF FINANCING \$ 36,134,651"

AMENDMENT NO. 219

On page 236, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by Statutory Dedications from the Education Excellence Fund and two positions to provide assistance to districts in developing plans and in reviewing plans and budgets submitted by districts \$ 260,000"

AMENDMENT NO. 220

On page 236, delete lines 16 through 52, in their entirety

AMENDMENT NO. 221

On page 237, delete lines 1 through 11, in their entirety

AMENDMENT NO. 222

On page 237, at the end of line 14, delete "\$334,764,093" and insert "\$319,791,971"

AMENDMENT NO. 223

On page 240, at the end of line 19, delete "\$296,184,247" and insert "\$274,447,462"

AMENDMENT NO. 224

On page 240, at the end of line 59, delete "\$807,991,355" and insert "\$771,542,448"

AMENDMENT NO. 225

On page 241, at the end of line 6, delete "\$13,800,000" and insert "\$13,540,000"

AMENDMENT NO. 226

On page 241, at the end of line 7, delete "\$705,360,108" and insert "\$668,911,201"

AMENDMENT NO. 227

On page 241, at the end of line 8, delete "\$807,991,355" and insert "\$771,542,448"

AMENDMENT NO. 228

On page 241, at the end of line 29, delete "\$7,068,755" and insert "\$5,288,755"

AMENDMENT NO. 229

On page 241, delete lines 43 through 50, in their entirety

AMENDMENT NO. 230

On page 242, delete lines 17 through 18, in their entirety

AMENDMENT NO. 231

On page 242, delete lines 19 through 35, in their entirety

AMENDMENT NO. 232

On page 244, delete lines 1 through 5, in their entirety

AMENDMENT NO. 233

On page 247, between lines 17 and 18, insert the following:

"Notwithstanding any law to the contrary, and specifically R.S. 39.82(E), for Fiscal Year 2000-2001 one-third (1/3) of any over-collected interagency transfers generated and collected by the Louisiana State University Health Sciences Center, Health Care Service Division during Fiscal Year 1999-2000 shall be returned to the State Treasury for credit to the State General Fund for repayment of the seed advance referred to in the Memorandum of Understanding between the Division of Administration and the Board of Supervisors of Louisiana State University Agricultural and Mechanical College - Health Care Services Division signed on March 3, 1999. One-third (1/3) may be carried forward and expended in Fiscal Year 2000-2001 by the Louisiana State University Health Science Center, Health Care Services Division. The balance may be utilized by the Department of Health and Hospitals, Medical Vendor Program."

AMENDMENT NO. 234

On page 253, between lines 24 and 25, insert the following:

"EXPENDITURES:

Medically Needy Program Claims Payments to the Varying Hospitals within the Louisiana State University Health Science Center - Health Care Services Division	\$ 5,554,565
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TOTAL EXPENDITURES	\$ 5,554,565
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MEANS OF FINANCE:

State General Fund by:	
Interagency Transfers	\$ 5,554,565

TOTAL MEANS OF FINANCING	\$ 5,554,565
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EXPENDITURES:

Uncompensated Care Costs Payments to the Louisiana State University Health Science Center - Health Care Services Division	\$ 29,382,112
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TOTAL EXPENDITURES	\$ 29,382,112
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MEANS OF FINANCE:

State General Fund by:	
Interagency Transfers	\$ 29,382,112

TOTAL MEANS OF FINANCING	\$ 29,382,112
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Payable out of the State General Fund by Interagency Transfers for the restoration of 300 positions reduced as a result of statewide

personnel reductions to the Louisiana State University Health Science Center - Health Care Services Division	\$ 33,875,339"
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AMENDMENT NO. 235

On page 253, delete lines 25 through 38, in their entirety

AMENDMENT NO. 236

On page 254, delete lines 1 through 42, in their entirety

AMENDMENT NO. 237

On page 255, delete lines 1 through 17, in their entirety

AMENDMENT NO. 238

On page 257, delete lines 1 through 15, in their entirety

AMENDMENT NO. 239

On page 257, delete lines 41 through 45, in their entirety

AMENDMENT NO. 240

On page 258, delete lines 1 through 34, and insert the following:

"Municipal Police Supplemental Payments	\$ 11,203,600
Firefighters' Supplemental Payments	\$ 8,506,250
Constables and Justices of the Peace Supplemental Payments	\$ 360,000
Deputy Sheriffs' Supplemental Payments	<u>\$ 12,750,000</u>

TOTAL EXPENDITURES	<u>\$ 32,819,850</u>
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MEANS OF FINANCE:

State General Fund (Direct)	<u>\$ 32,819,850</u>
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TOTAL MEANS OF FINANCE	<u>\$ 32,819,850</u>
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There shall be a board of review to oversee the eligibility for payment of deputy sheriffs' supplemental pay which shall be composed of three (3) members, one of whom shall be the commissioner of administration or his designee from the Division of Administration; one of whom shall be a member of the Louisiana Sheriffs' Association selected by the president thereof; and one of whom shall be the state treasurer or his designee from the Treasury. The board of review shall establish criteria for eligibility for deputy sheriffs becoming eligible after the effective date of this Act. Deputy sheriffs receiving supplemental pay prior to the effective date of this Act shall not be affected by the eligibility criteria.

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

AMENDMENT NO. 241

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

"Provided, however, that of the funds appropriated herein to DeSoto Parish out of the DeSoto Parish Visitor Enterprise Fund, 50% shall be allocated and distributed to the DeSoto Parish Tourist Commission, 35% shall be allocated and distributed to the DeSoto Parish Chamber of Commerce, and 15% shall be allocated and distributed to the Logansport Chamber of Commerce."

AMENDMENT NO. 242

On page 265, delete lines 1 through 22, in their entirety

AMENDMENT NO. 243

On page 267, delete lines 12 through 45, in their entirety

AMENDMENT NO. 244

On page 268, delete lines 1 through 4, in their entirety

AMENDMENT NO. 245

On page 268, delete lines 5 through 13, in their entirety

AMENDMENT NO. 246

On page 268, delete lines 27 through 40, in their entirety

AMENDMENT NO. 247

On page 269, delete lines 1 through 13, in their entirety

AMENDMENT NO. 248

On page 269, delete lines 21 through 24, in their entirety

AMENDMENT NO. 249

On page 269, delete lines 32 through 35, in their entirety

AMENDMENT NO. 250

On page 270, delete lines 2 through 5, in their entirety

AMENDMENT NO. 251

On page 282, delete lines 13 through 35, in their entirety, and insert in lieu thereof the following:

"Section 17. Appropriations in this Section shall not be effective until the official forecast of monies available for appropriation for Fiscal Year 2000-2001 adopted by the Revenue Estimating Conference on May 11, 2000 has been increased to incorporate additional revenue resulting from legislation enacted during the 2000 Regular Session of the Legislature. To the extent that the additional revenues incorporated in the Official Forecast of monies available for appropriation are insufficient to fully fund all of the State General Fund (Direct) appropriations in this Section, the appropriations in this Section shall be funded on a pro rata basis.

Payable out of the State General Fund (Direct) for restoration of the 3.9081% reduction in State General Fund (Direct) made by Section 8B of this Act to be distributed in proportion to the reductions made in Section 8B of this Act \$ 73,139,629

**01-100 EXECUTIVE OFFICE**

Payable out of the State General Fund by Statutory Dedication from the Rural Development Fund to the Administrative Program for rural development grants \$ 8,975,213

Payable out of the State General Fund (Direct) for the Office of Urban Affairs within the Administrative Program \$ 10,130,000

**01-113 WORKFORCE COMMISSION OFFICE**

EXPENDITURES:  
Administration Program \$ 800,000

TOTAL EXPENDITURES \$ 800,000

MEANS OF FINANCE:  
State General Fund (Direct) \$ 500,000  
State General Fund by:  
Interagency Transfers \$ 300,000

TOTAL MEANS OF FINANCING \$ 800,000

**04-160 AGRICULTURE AND FORESTRY**

Payable out of the State General Fund (Direct) for the Formosan Termite Initiative in the Agricultural and Environmental Science Program \$ 2,000,000

**05-252 OFFICE OF COMMERCE AND INDUSTRY**

Payable out of the State General Fund (Direct) for International Trade and Marketing Activity in the Business Recruitment and Retention Program - Authorized Positions (9) \$ 500,000

**Program Description:** Same as contained in base level appropriation

**Objective:** Through the International marketing activity, to recruit five foreign projects to Louisiana  
**Performance Indicators:**  
Number of positive location decisions 5  
New investments (in millions) \$550

**Objective:** Through the International marketing activity, to assist 150 Louisiana companies take advantage of international trade opportunities  
**Performance Indicators:**  
Number of Louisiana companies assisted 150  
Number of trade opportunities developed 3,250

**08-400 CORRECTIONS - ADMINISTRATION**

Payable out of the State General Fund (Direct) for Juvenile Justice Settlement Agreement for training expenses. The Commissioner of Administration is authorized to distribute these funds within the Department of Corrections \$ 477,000

Payable out of the State General Fund (Direct) for infrastructure funding in support of research, evaluation and development services conducted by the OSSRD which are of direct interest and importance to legislative activities and goals \$ 247,000

**08-451 SHERIFFS' HOUSING OF STATE INMATES**

EXPENDITURES:  
Increase Sheriffs' per diem to \$23/day in Sheriffs' Housing of State Inmates Program \$ 12,790,330

TOTAL EXPENDITURES \$ 12,790,330

MEANS OF FINANCE:  
State General Fund (Direct) \$ 12,790,330

TOTAL MEANS OF FINANCING \$ 12,790,330

**09-306 MEDICAL VENDOR PAYMENTS**

EXPENDITURES:  
Payments to Private Providers for services

associated with the Pharmacy Program for  
persons over the age of 22 and not  
institutionalized \$110,197.822

TOTAL EXPENDITURES \$110,197.822

MEANS OF FINANCE:

State General Fund (Direct) \$ 32,530,397  
Federal Funds \$ 77,667,425

TOTAL MEANS OF FINANCING \$110,197,822

EXPENDITURES:

Partial Payments to Private Providers  
for Case Management Services \$ 119,015

TOTAL EXPENDITURES \$ 119,015

MEANS OF FINANCE:

State General Fund (Direct) \$ 35,133  
Federal Funds \$ 83,882

TOTAL MEANS OF FINANCING \$ 119,015

EXPENDITURES:

Partial Payments to Private Providers for  
the provision of Durable Medical Equipment \$ 2,052,235

TOTAL EXPENDITURES \$ 2,052,235

MEANS OF FINANCE:

State General Fund (Direct) \$ 605,820  
Federal Funds \$ 1,446,415

TOTAL MEANS OF FINANCING \$ 2,052,235

EXPENDITURES:

Partial Payments to Private Providers for  
Emergency Medical Transportation Services \$ 491,962

TOTAL EXPENDITURES \$ 491,962

MEANS OF FINANCE:

State General Fund (Direct) \$ 145,227  
Federal Funds \$ 346,735

TOTAL MEANS OF FINANCING \$ 491,962

EXPENDITURES:

Partial Payments to Private Providers for  
Dental Services under the Early and Periodic  
Screening, Diagnosis, and Testing Program  
(EPSDT) \$ 661,931

TOTAL EXPENDITURES \$ 661,931

MEANS OF FINANCE:

State General Fund (Direct) \$ 195,402  
Federal Funds \$ 466,529

TOTAL MEANS OF FINANCING \$ 661,931

EXPENDITURES:

Partial Payments to Private Providers for  
EPSDT Health Services \$ 147,605

TOTAL EXPENDITURES \$ 147,605

MEANS OF FINANCE:

State General Fund (Direct) \$ 43,573  
Federal Funds \$ 104,032

TOTAL MEANS OF FINANCING \$ 147,605

EXPENDITURES:

Partial Payments to Private Providers for  
EPSDT KIDMED Services \$ 903,710

TOTAL EXPENDITURES \$ 903,710

MEANS OF FINANCE:

State General Fund (Direct) \$ 266,775  
Federal Funds \$ 636,935

TOTAL MEANS OF FINANCING \$ 903,710

EXPENDITURES:

Partial Payments to Private Providers for  
inpatient medical services performed at  
hospitals \$ 12,873,936

TOTAL EXPENDITURES \$ 12,873,936

MEANS OF FINANCE:

State General Fund (Direct) \$ 3,800,385  
Federal Funds \$ 9,073,551

TOTAL MEANS OF FINANCING \$ 12,873,936

EXPENDITURES:

Partial Payments to Private Providers for  
Inpatient Psychiatric Services \$ 1,023,969

TOTAL EXPENDITURES \$ 1,023,969

MEANS OF FINANCE:

State General Fund (Direct) \$ 302,276  
Federal Funds \$ 721,693

TOTAL MEANS OF FINANCING \$ 1,023,969

EXPENDITURES:

Partial Payments to Private Providers for  
Laboratory & X-Ray Services \$ 1,618,506

TOTAL EXPENDITURES \$ 1,618,506

MEANS OF FINANCE:

State General Fund (Direct) \$ 477,783  
Federal Funds \$ 1,140,723

TOTAL MEANS OF FINANCING \$ 1,618,506

EXPENDITURES:

Partial Payments to Private Providers for  
Long-Term Hospitalization Services \$ 431,782

TOTAL EXPENDITURES \$ 431,782

MEANS OF FINANCE:

State General Fund (Direct) \$ 127,462  
Federal Funds \$ 304,320

TOTAL MEANS OF FINANCING \$ 431,782

EXPENDITURES:

Partial Payments to Private Providers for  
Psychiatric Rehabilitation Services \$ 586,903

TOTAL EXPENDITURES	\$ <u>586,903</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 173,254
Federal Funds	\$ <u>413,649</u>
TOTAL MEANS OF FINANCING	\$ <u>586,903</u>
EXPENDITURES:	
Partial Payments to Private Providers for medical services performed at Long-Term Care Facilities	\$ <u>22,041,060</u>
TOTAL EXPENDITURES	\$ <u>22,041,060</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 5,842,916
State General Fund by:	
Statutory Dedications:	
Louisiana Medical Assistance Trust Fund	\$ 663,605
Federal Funds	\$ <u>15,534,539</u>
TOTAL MEANS OF FINANCING	\$ <u>22,041,060</u>
EXPENDITURES:	
Partial Payments to Private Providers for Outpatient Rehabilitation Services	\$ <u>125,465</u>
TOTAL EXPENDITURES	\$ <u>125,465</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 37,037
Federal Funds	\$ <u>88,428</u>
TOTAL MEANS OF FINANCING	\$ <u>125,465</u>
EXPENDITURES:	
Partial Payments to Private Providers for Physicians' Services	\$ <u>8,050,504</u>
TOTAL EXPENDITURES	\$ <u>8,050,504</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 2,376,509
Federal Funds	\$ <u>5,673,995</u>
TOTAL MEANS OF FINANCING	\$ <u>8,050,504</u>
EXPENDITURES:	
Partial Payments to Private Providers for services performed at Rehabilitation Centers	\$ <u>32,641</u>
TOTAL EXPENDITURES	\$ <u>32,641</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 9,636
Federal Funds	\$ <u>23,005</u>
TOTAL MEANS OF FINANCING	\$ <u>32,641</u>
EXPENDITURES:	
Payments for Private Providers for services associated with the Medically Needy Program	\$ <u>14,204,649</u>
TOTAL EXPENDITURES	\$ <u>14,204,649</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 4,193,212
Federal Funds	\$ <u>10,011,437</u>

TOTAL MEANS OF FINANCING	\$ <u>14,204,649</u>
EXPENDITURES:	
Payments to Private Providers for services associated with the Adult Dental Program	\$ <u>1,872,358</u>
TOTAL EXPENDITURES	\$ <u>1,872,358</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 552,720
Federal Funds	\$ <u>1,319,638</u>
TOTAL MEANS OF FINANCING	\$ <u>1,872,358</u>
EXPENDITURES:	
Payments to Public Providers for services associated with the Medically Needy Program	\$ <u>3,241,605</u>
TOTAL EXPENDITURES	\$ <u>3,241,605</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 956,922
Federal Funds	\$ <u>2,284,683</u>
TOTAL MEANS OF FINANCING	\$ <u>3,241,605</u>
EXPENDITURES:	
Uncompensated Care Costs Payments to the Varying Hospitals within the Louisiana State University Health Science Center - Health Care Services Division	\$ <u>29,382,111</u>
TOTAL EXPENDITURES	\$ <u>29,382,111</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 8,663,099
Federal Funds	\$ <u>20,719,012</u>
TOTAL MEANS OF FINANCING	\$ <u>29,382,111</u>
EXPENDITURES:	
Uncompensated Care Costs Payments to the Louisiana State University Health Science Center	\$ <u>3,640,700</u>
TOTAL EXPENDITURES	\$ <u>3,640,700</u>
MEANS OF FINANCE:	
State General Fund (Direct)	\$ 1,072,914
Federal Funds	\$ <u>2,567,786</u>
TOTAL MEANS OF FINANCING	\$ <u>3,640,700</u>
<b>09-311 NEW ORLEANS HOME AND REHABILITATION CENTER</b>	
EXPENDITURES:	
Medically Needy Program patients in the Patient Services Program	\$ <u>53,861</u>
TOTAL EXPENDITURES	\$ <u>53,861</u>
MEANS OF FINANCE:	
State General Fund by:	
Interagency Transfers	\$ <u>53,861</u>
TOTAL MEANS OF FINANCING	\$ <u>53,861</u>
<b>09-319 VILLA FELICIANA MEDICAL COMPLEX</b>	

EXPENDITURES:  
Medically Needy Program patients in the  
Patient Services Program \$ 53,861  
  
TOTAL EXPENDITURES \$ 53,861

MEANS OF FINANCE:  
State General Fund by:  
Interagency Transfers \$ 53,861  
  
TOTAL MEANS OF FINANCING \$ 53,861

**09-326 OFFICE OF PUBLIC HEALTH**

EXPENDITURES:  
Medically Needy Program in the Personal  
Health Services Program \$ 4,689  
  
TOTAL EXPENDITURES \$ 4,689

MEANS OF FINANCE:  
State General Fund by:  
Interagency Transfers \$ 4,689  
  
TOTAL MEANS OF FINANCING \$ 4,689

**12-440 OFFICE OF REVENUE**

FOR:  
  
Tax Collection Program - Authorized Positions (20) \$ 777,356  
  
TOTAL EXPENDITURES \$ 777,356

FROM:  
  
State General Fund (Direct) \$ 777,356  
  
TOTAL MEANS OF FINANCING \$ 777,356

**17-560 STATE CIVIL SERVICE**

Payable out of the State General Fund by  
Interagency Transfers for implementation of  
Phase 2 of the Document Imaging System \$ 546,114

In the event Section 17 is not enacted, the Commissioner of  
Administration is hereby directed to reduce the State General Fund  
(Direct) appropriations contained in this act which are paid by various  
state departments and agencies to the Department of Civil Service as  
Interagency Transfers in the amount of \$ 546,114.

**19-671 BOARD OF REGENTS**

Payable out of the State General Fund (Direct)  
to the Board of Regents for formula enhancement \$ 7,639,514

Provided, however, that of the funds appropriated herein, \$809,127  
shall be payable to Southern University - Baton Rouge in State  
Matching Funds for \$2,397,000 in Federal Land Grant Funds. These  
funds support the Agricultural Extension and Research Programs within  
the Southern University System.

Payable out of the State General Fund (Direct)  
for aid to independent institutions \$ 4,260,486

Payable out of the State General Fund (Direct)  
for the Louisiana Endowment for the Humanities \$ 300,000

**19-600 LOUISIANA STATE UNIVERSITY BOARD OF SUPERVISORS**

EXPENDITURES:  
Receipt of Claims Payments for the Medically  
Needy Program from the Medical Vendor  
Payments Program (LSU Health Sciences  
Center) \$ 300,225  
  
TOTAL EXPENDITURES \$ 300,225

MEANS OF FINANCE:  
State General Fund by:  
Interagency Transfers \$ 300,225  
  
TOTAL MEANS OF FINANCING \$ 300,225

EXPENDITURES:  
Receipt of Uncompensated Care Costs  
Payments from the Medical Vendor  
Payments Program (LSU Health Science Center) \$ 3,640,700  
  
TOTAL EXPENDITURES \$ 3,640,700

MEANS OF FINANCE:  
State General Fund by:  
Interagency Transfers \$ 3,640,700  
  
TOTAL MEANS OF FINANCING \$ 3,640,700

Payable out of the State General Fund (Direct)  
for expenses of the Louisiana State University  
Health Science Center \$ 9,054,910

**19-610 LOUISIANA STATE UNIVERSITY HEALTH SCIENCES CENTER - HEALTH CARE SERVICES DIVISION**

EXPENDITURES:  
Medically Needy Program Claims Payments \$ 2,777,282  
  
TOTAL EXPENDITURES \$ 2,777,282

MEANS OF FINANCE:  
State General Fund by:  
Interagency Transfers \$ 2,777,282  
  
TOTAL MEANS OF FINANCING \$ 2,777,282

EXPENDITURES:  
Uncompensated Care Costs Payments -  
Authorized Positions (179) \$ 29,382,111  
  
TOTAL EXPENDITURES \$ 29,382,111

MEANS OF FINANCE:  
State General Fund by:  
Interagency Transfers \$ 29,382,111  
  
TOTAL MEANS OF FINANCING \$ 29,382,111

**19-678 STATE ACTIVITIES**

Payable out of the State General Fund (Direct)  
for Superintendent's salary and related benefits  
including a housing allowance and one (1) position \$ 195,000

**20-909 LOUISIANA HEALTH INSURANCE ASSOCIATION**

FOR:

State Aid program	<u>\$ 2,000,000</u>
<i>Program Description: Created in the 1990 Regular Session to establish a mechanism that would ensure availability of health and accident insurance coverage to citizens who cannot secure affordable coverage because of health. State General Fund supplemented by participant premiums and investment earnings.</i>	
<b>Performance Indicator:</b>	
Approximate participants	1000
<b>TOTAL EXPENDITURES</b>	<u>\$ 2,000,000</u>

FROM:

State General Fund (Direct)	<u>\$ 2,000,000</u>
<b>TOTAL MEANS OF FINANCING</b>	<u>\$ 2,000,000</u>

**20-966 SUPPLEMENTAL PAYMENTS TO LAW ENFORCEMENT PERSONNEL**

Municipal Police Supplemental Payments	\$ 11,203,600
Firefighters' Supplemental Payments	\$ 8,506,250
Constables and Justices of the Peace Supplemental Payments	\$ 360,000
Deputy Sheriffs' Supplemental Payments	<u>\$ 12,750,000</u>
<b>TOTAL EXPENDITURES</b>	<u>\$ 32,819,850</u>

MEANS OF FINANCE:

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

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

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

**20-XXX FUNDS**

FOR:

State General Fund (Direct) appropriation into the Rural Development Fund	<u>\$ 8,975,213</u>
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FROM:

State General Fund (Direct)	<u>\$ 8,975,213"</u>
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AMENDMENT NO. 252

Delete page 283 in its entirety

AMENDMENT NO. 253

On page 284, delete lines 1 through 25, in their entirety

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

"If the commissioner of administration certifies to the Joint Legislative Committee on the Budget that applying the reduction set forth in this Section will seriously impair an agency's ability to operate effectively or violate a constitutional or contractual obligation, he may reduce the percentage reduction applied to agencies so certified by up to one (1%) percent on his own authority and may make further reductions in excess of 1% with the approval of the Joint Legislative Committee on the Budget. Provided, however, if such reductions are made, the Commissioner shall recalculate the percentage reduction to be applied to non-exempt agencies so that the total reduction to the State General Fund (Direct) equals \$73,139,629."

AMENDMENT NO. 3

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

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

AMENDMENT NO. 4

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

"19-678 State Activities,"

AMENDMENT NO. 5

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

"The Commissioner of Administration shall reduce the expenditure for the Swanson Correctional Center for Youth - Madison Parish Unit by \$400,000 to reflect a reduction in debt service payments and shall

reduce the appropriation from the State General Fund (Direct) in this Schedule by \$400,000, the Secretary of the Department of Corrections shall have the"

AMENDMENT NO. 6

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

AMENDMENT NO. 7

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

AMENDMENT NO. 8

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

AMENDMENT NO. 9

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

AMENDMENT NO. 10

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

AMENDMENT NO. 11

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

AMENDMENT NO. 12

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

AMENDMENT NO. 13

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

AMENDMENT NO. 14

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

AMENDMENT NO. 15

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

AMENDMENT NO. 16

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

AMENDMENT NO. 17

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

AMENDMENT NO. 18

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

AMENDMENT NO. 19

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

AMENDMENT NO. 20

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

"Payable out of State General Fund (Direct) for the Policy and Planning Program	\$ 250,000
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AMENDMENT NO. 21

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

"Payable out of the State General Fund (Direct) for implementation of the provisions of Act 817 of the 1999 Regular Session of the Legislature be it more or less estimated	\$ 1.00"
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AMENDMENT NO. 22

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

"EXPENDITURES: Payments to Private Providers Program to provide for an inflationary adjustment in rates paid to private nursing homes	\$ 14,566,396
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TOTAL EXPENDITURES	\$ 14,566,396
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MEANS OF FINANCE:

State General Fund by:

Statutory Dedications:

Louisiana Medical Assistance Trust Fund	\$ 4,300,000
Federal Funds	\$ 10,266,396

TOTAL MEANS OF FINANCING	\$ 14,566,396
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Provided that the inflationary increases authorized in this appropriation shall be financed by increasing provider fees as of July 1, 2000, as allowed by state and federal law and determined by the Department of Health and Hospitals."

AMENDMENT NO. 23

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

"Payable out of the State General Fund by Fees and Self-generated Revenues
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Page 42 HOUSE

25th Day's Proceedings - June 7, 2000

to restore gubernatorially-mandated personnel reductions in the Tax Collection Program - 20 positions \$ 823,197"

AMENDMENT NO. 24

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

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

AMENDMENT NO. 25

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

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

AMENDMENT NO. 26

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

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

AMENDMENT NO. 27

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

AMENDMENT NO. 28

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

"TOTAL EXPENDITURES \$ 8,767,293"

AMENDMENT NO. 29

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

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

AMENDMENT NO. 30

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

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

AMENDMENT NO. 31

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

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

AMENDMENT NO. 32

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

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

AMENDMENT NO. 33

On page 243, delete lines 34 through 50

AMENDMENT NO. 34

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

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

AMENDMENT NO. 35

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

AMENDMENT NO. 36

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

AMENDMENT NO. 37

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

AMENDMENT NO. 38

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

AMENDMENT NO. 39

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

AMENDMENT NO. 40

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

AMENDMENT NO. 41

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

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

09-306 MEDICAL VENDOR PAYMENTS

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

TOTAL EXPENDITURES \$ 92,073,679

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

TOTAL MEANS OF FINANCING \$ 92,073,679

**20-966 SUPPLEMENTAL PAYMENTS TO LAW ENFORCEMENT PERSONNEL**

Municipal Police Supplemental Payments	\$ 11,203,600
Firefighters' Supplemental Payments	\$ 8,506,250
Constables and Justices of the Peace Supplemental Payments	\$ 360,000
Deputy Sheriffs' Supplemental Payments	<u>\$ 12,750,000</u>

TOTAL EXPENDITURES \$ 32,819,850

**MEANS OF FINANCE:**

State General Fund (Direct) \$ 32,819,850

TOTAL MEANS OF FINANCE \$ 32,819,850

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

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

AMENDMENT NO. 2

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

AMENDMENT NO. 43

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

Rep. LeBlanc moved that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Powell
Alario	Green	Pratt
Alexander, E	Guillory	Quezaire
Alexander, R	Hammett	Richmond
Ansardi	Heaton	Riddle

Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Bowler	Holden	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Clarkson	Johns	Sneed
Crane	Katz	Stelly
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	LeBlanc	Travis
Diez	Lucas	Triche
Doerge	Martiny	Waddell
Donelon	McCallum	Walsworth
Downer	McDonald	Warner
Dupre	McMains	Welch
Durand	Morrell	Wilkerson
Erdey	Murray	Willard
Farrar	Nevers	Windhorst
Fauchoux	Odinet	Winston
Flavin	Perkins	Wooton
Frith	Pierre	Wright
Fruge	Pinac	
Futrell	Pitre	
Total—100		

NAYS

Total—0

ABSENT

Crowe	Montgomery	Romero
Landrieu	Morrish	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Conference Committee Appointment**

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1: Reps. LeBlanc, Murray, and DeWitt.

**HOUSE BILL NO. 23—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

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

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

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

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

AMENDMENT NO. 2

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

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

AMENDMENT NO. 3

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

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

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

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

Rep. Montgomery moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, E	Hammett	Quezaire
Alexander, R	Heaton	Richmond
Baudoin	Hebert	Riddle
Baylor	Hill	Romero
Bowler	Holden	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann

Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Clarkson	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Travis
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Murray	Wilkerson
Faucheux	Nevers	Willard
Flavin	Odinet	Windhorst
Frith	Perkins	Winston
Fruge	Pierre	Wooton
Futrell	Pinac	Wright
Glover	Pitre	
Total—101		

NAYS

Total—0

ABSENT

Ansardi	Martiny
Devillier	Morrish
Total—4	

The amendments proposed by the Senate were concurred in by the House.

### Suspension of the Rules

On motion of Rep. Bowler, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

### Petitions, Memorials and Communications

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

### Message from the Senate

#### ADOPTION OF CONFERENCE COMMITTEE REPORT

June 7, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 85.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### Message from the Senate

#### HOUSE BILLS

June 7, 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. 180  
Returned with amendments.

House Bill No. 238  
Returned with amendments.

House Bill No. 198  
Returned with amendments.

House Bill No. 304  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### House Bills Amended by the Senate to be Concurred in by the House

Rep. Bowler asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate with amendments to be concurred in by the House with a view of acting on the same:

#### HOUSE BILL NO. 180— BY REPRESENTATIVES BOWLER, DOWNER, KATZ, AND JOHN SMITH AN ACT

To enact R.S. 47:293(6)(e), relative to individual income tax; to provide for an exemption for certain income earned by military personnel for services performed outside of the state; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 180 by Representative Bowler

##### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:" insert "201.1 and"

##### AMENDMENT NO. 2

On page 1, line 4, after "state;" insert:

"to require composite returns and composite payments by certain non-corporate entities;"

##### AMENDMENT NO. 3

On page 1, line 7, after "R.S. 47:" insert "201.1 and" and change "is" to "are"

AMENDMENT NO. 4

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

"§201.1. Composite returns for nonresident partners or members

**R.S. 47:201.1 is all proposed new law.**

A.(1) Beginning January 1, 2001, each entity treated as a partnership for state income tax purposes which engages in activities in this state shall file composite returns and make composite payment of tax on behalf of any or all of its nonresident partners or members who do not agree to file an individual return as provided for in Subsection (C) of this Section.

(2) For purposes of this Section:

(a) The term "partnership" shall include general partnerships, partnerships in commendam, registered limited liability partnerships, and limited liability companies taxed as partnerships for state income tax purposes.

(b) The term "composite return" shall mean a return filed by an entity treated as a partnership on behalf of all of its nonresident partners or members which reports and remits the Louisiana income tax of the nonresident partner or member.

(c) The term "composite payment" shall mean a payment filed with a composite return which remits the Louisiana income tax of a partnership's nonresident partner or member.

B. With respect to each of its nonresident partners or members, a partnership shall for each taxable period do either of the following:

(1) Timely file with the Department of Revenue an agreement as provided in Subsection (C) of this Section.

(2) Make payment to this state as provided in Subsection (D) of this Section.

C.(1) The agreement referred to in Paragraph (B)(1) of this Section is a written, binding agreement by a nonresident partner or member of a partnership which shall be filed by the partnership with the department in which the nonresident partner or member agrees to all of the following:

(a) File an individual return in accordance with the provisions of Louisiana income tax law.

(b) Make timely payment of the taxes imposed on the partner or member by this state with respect to the partner's or member's share of the income of the partnership.

(2)(a) A partnership that timely files the agreement to file as provided in Paragraph (C)(1) with respect to a nonresident partner or member for a taxable period shall be considered to have timely filed such agreement for each subsequent taxable period of the partnership. The agreement will be considered timely filed for a taxable period and for all subsequent taxable periods if it is filed on or before the date the annual return of the partnership for such taxable period is required to be filed.

(b) A partnership that does not timely file such agreement for a taxable period shall be liable for the composite tax due for the period, plus interest and any appropriate delinquency penalty, which are

required by this Section to be paid in the taxable period as provided for in Subsection (D).

(c) The partnership shall not be precluded from timely filing such agreement for subsequent taxable periods.

D.(1) The payment referred to the Paragraph (B)(2) of this Section shall be in an amount equal to the maximum tax rate provided for individuals, multiplied by the nonresident partner's or member's share of the partnership income attributable to this state, as reflected on the partnership's return for the taxable period.

(2) A partnership shall be entitled to recover its payment pursuant to this Section, including any interest or penalty due, from the nonresident partner or member on whose behalf the payment was made. Any such payment for a taxable period must be made on or before the time the annual return of the partnership for such taxable period is required to be filed.

(3) Any amount paid by the partnership to the state pursuant to this Section shall be considered to be a payment by the nonresident partner or member on account of the income tax imposed on the nonresident partner or member for the taxable period. To the extent that the payment made on behalf of the nonresident partner or member exceeds the income tax liability of the nonresident partner or member, that nonresident partner or member shall be entitled to a refund, or may elect to utilize such excess as a credit against amounts that may be paid by the partnership on his behalf with respect to subsequent taxable periods."

AMENDMENT NO. 5

On page 1, line 14, after "(e)" change "In" to "For tax years beginning after December 31, 2002 and ending before January 1, 2005, in"

AMENDMENT NO. 6

On page 2, line 4, after "effective" delete the remainder of the line and delete lines 5 and 6, and insert "January 1, 2001."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 180 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 47:44.1 and to"

AMENDMENT NO. 2

On page 1, line 4, after "state;" insert to provide for an exemption for certain disability income;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 47:" insert "44.1 is hereby amended and reenacted and R.S. 47:"

AMENDMENT NO. 4

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

"§44.1. Annual retirement or disability income; exemption from taxation

A. Six thousand dollars of annual retirement income which is received by an individual sixty-five years of age or older shall be exempt from state income taxation. "Annual retirement income" is defined as

pension and annuity income which is included in "tax table income" as defined in R.S. 47:293. This Section shall not affect the status of any income which is exempt from state income taxation by law.

B. Six thousand dollars of annual disability income received by an individual shall be exempt from state income taxation. For purposes of this Subsection, "disability income" means payment for permanent total disability as provided for in R.S. 23:1221(2). However, any individual claiming an exemption for the blind, for having sustained the loss of one or more limbs, for mental retardation, or for deafness as provided for in R.S. 47:79(A)(2) shall not be eligible for this exemption.

\* \* \*

Rep. Bowler moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander, E	Heaton	Quezaire
Alexander, R	Hebert	Riddle
Ansardi	Hill	Romero
Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruce	Iles	Shaw
Bruneau	Jackson, L	Smith, G.—56th
Carter, R	Johns	Smith, J.H.—8th
Clarkson	Katz	Smith, J.R.—30th
Crane	Kennard	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Thompson
Dartez	Landrieu	Townsend
Diez	Lucas	Travis
Doerge	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Montgomery	Welch
Erdey	Morrell	Willard
Faucheux	Murray	Windhorst
Flavin	Nevers	Winston
Frith	Odinet	Wooton
Fruge	Pierre	Wright
Glover	Pinac	
Green	Pitre	
Total—91		

**NAYS**

Carter, K	Farrar	Toomy
Cazayoux	Perkins	Wilkerson
Daniel	Richmond	
Total—8		

**ABSENT**

Devillier	Jackson, M	Morrish
Futrell	LeBlanc	Smith, J.D.—50th
Total—6		

The amendments proposed by the Senate were concurred in by the House.

**HOUSE BILL NO. 238—**

BY REPRESENTATIVES M. JACKSON AND FUTRELL  
AN ACT

To enact Part VI of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3031, relative to tax incentives for businesses in East Baton Rouge Parish; to authorize the State Board of Commerce and Industry to grant tax exemptions and other tax incentives to certain types of businesses within a specified area of the parish; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 238 by Representative M. Jackson

AMENDMENT NO. 1

On page 1, line 18, after "(a)" insert "(i)"

AMENDMENT NO. 2

On page 2, between lines 9 and 10, insert:

"(ii) No contract shall be granted pursuant to this Part, and no tax benefit shall be granted or allowed, unless the applicant agrees to all of the following:

(aa) Not less than one hundred percent of the premium for a health care policy for full-time employees, and fifty percent of the premium for a health care policy for dependents of such employees, shall be paid by the employer. Not less than fifty percent of the premium for part-time employees who choose to participate shall be paid by the employer, but the employer shall not be required to pay any premium for his dependents.

(bb) Eighty percent of the jobs to be created by the applicant shall be full-time-equivalent employment. All jobs created shall be at a gross annual cash wage equal to no less than twice the minimum hourly wage required by law, multiplied by two thousand eighty hours. The job shall not have existed in this state prior to the application for a contract under this Part For purposes of this Subsubparagraph, "full-time employment" means employment in a job to work not less than thirty-five hours per week.

(iii) No contract shall be granted to any applicant which will establish a business that is a gaming establishment, which is a business in a gaming-related business, or which is or will be owned or controlled to the extent of twenty-five percent of any ownership interest by such an entity or an affiliate or subsidiary of such entity.

(iv) No contract shall be granted for any of the rebates or exemptions provided for in this Section which are not directly related to the establishment within the inducement zone, and no tax benefit shall be granted for any tax or portion of a tax applicable to operations or activities of a business outside the zone.

(v) The zone provided for in this part shall have no authority to enact a tax or to issue bonds."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 238 by Representative M. Jackson

# Page 48 HOUSE

25th Day's Proceedings - June 7, 2000

## AMENDMENT NO. 1

On page 2, line 13, following "may" and before "for" change "only be granted" to "be granted only"

## AMENDMENT NO. 2

On page 4, line 23, following "Development" and before "to" insert a comma ","

## AMENDMENT NO. 3

On page 7, line 16, following "or" and before "shall" change "coentity" to "co-entity"

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 238 by Representative M. Jackson

## AMENDMENT NO. 1

On page 6, at the bottom of the page, insert:

"B. Notwithstanding any other provision of this Part, no rebate or exemption against any state tax shall be allowed in contracts provided for in this Part."

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CJones to Reengrossed House Bill No. 238 by Representative M. Jackson

## AMENDMENT NO. 1

On page 8, after line 20, insert the following:

"D. Prior to the granting of a contract of rebate or exemption pursuant to this Chapter, the Joint Legislative Committee on the Budget shall approve such contact."

Rep. Michael Jackson moved that the amendments proposed by the Senate be concurred in.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, E	Guillory	Pitre
Alexander, R	Hammett	Powell
Ansardi	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Bowler	Holden	Riddle
Broome	Hopkins	Romero
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter, R	Iles	Schwegmann
Cazayoux	Jackson, L	Shaw
Clarkson	Jackson, M	Smith, G.—56th
Crane	Johns	Smith, J.D.—50th
Crowe	Katz	Smith, J.H.—8th
Curtis	Kennard	Smith, J.R.—30th
Damico	Kenney	Stelly

Daniel	LaFleur	Strain
Dartez	Lancaster	Thompson
Doerge	Landrieu	Toomy
Donelon	LeBlanc	Townsend
Downer	Lucas	Travis
Dupre	Martiny	Triche
Durand	McCallum	Waddell
Erdey	McDonald	Walsworth
Farrar	McMains	Warner
Faucheux	Montgomery	Welch
Flavin	Morrell	Wilkerson
Frith	Murray	Willard
Fruge	Odinet	Wooton
Futrell	Perkins	Wright
Total—96		

NAYS

Total—0

ABSENT

Carter, K	Morrish	Sneed
Devillier	Nevers	Windhorst
Diez	Salter	Winston
Total—9		

The amendments proposed by the Senate were concurred in by the House.

## HOUSE BILL NO. 198— BY REPRESENTATIVE HAMMETT 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.

The above bill was taken up with the amendments proposed by the Senate.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed House Bill No. 198 by Representative Hammett.

## AMENDMENT NO. 1

On page 1, line 2, between "R.S. 47:" and "287.732(A)" insert "287.11(B) and (C), 287.71(B)(7), 287.73(B)(5), 287.77, 287.91, 287.92, 287.93, 287.94, 287.95, 287.480(3)(a), 287.701(C), (D), (E), (F)(introductory paragraph) and (1), (G) (introductory paragraph) and (1) and (H)" and following "287.732(A)" insert ", and 287.733(A) and change "and" to a semi-colon ";"

## AMENDMENT NO. 2

On page 1, line 2, between "R.S. 47: and "287.732(C)" insert "287.71(B)(8), 287.73(B)(6) and (7), 287.86(J),"

## AMENDMENT NO. 3

On page 1, line 3, between "287.732.1" and ", relative" insert "and Subpart B-1 of Part II-A of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:287.100 through 287.106; and to repeal R.S. 47:287.750"

## AMENDMENT NO. 4

On page 1, line 3, between "tax" and "liability" insert "; to provide for combined reporting for corporate income; to provide for allocation and apportionment of corporation income; to provide for"

AMENDMENT NO. 5

On page 3, between lines 24 and 25, insert the following:

"Section 2. "R.S. 47:287.11(B) and (C), 287.71(B)(7), 287.73(B)(5), 287.77, 287.91, 287.92, 287.93, 287.94, 287.95, 287.480(3)(a), 287.701(C), (D), (E), (F)(introductory paragraph) and (1), (G) (introductory paragraph) and (1) and (H), and 287.733(A) are hereby amended and reenacted and R.S. 47:287.71(B)(8), 287.73(B)(6) and (7), 287.86(J), and Subpart B-1 of Part II-A of Chapter I of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:287.100 through 287.106, are hereby enacted, all to read as follows:

§287.11. Tax imposed

\* \* \*

B. Corporations shall be taxed on their ~~Louisiana taxable~~ income from sources within Louisiana to the full extent permitted under the Constitution of the United States, such income calculated in the manner and according to the procedures provided for in this Part, except as otherwise exempted.

C. Taxable years affected.

(1) The provisions of this Part as amended by that Act which originated as House Bill No. 258 of the 2000 Regular Session of the Legislature, and as the Part shall be amended thereafter, shall apply to taxable years beginning after December 31, ~~1986 2000~~, including taxable years deemed to have commenced on January 1, ~~1987 2001~~, by the provisions of R.S. 47:287.443.

(2) Taxable years beginning prior to January 1, ~~1987 2001~~, shall not be affected by the provisions of this Part as amended by such Act, but shall remain subject to the applicable provisions of R.S. 47:21 et seq provisions of law applicable prior to that date.

\* \* \*

§287.71. Modifications to federal gross income

\* \* \*

B. There shall be subtracted from gross income determined under federal law, unless already excluded therefrom, the following items:

\* \* \*

(7) Income derived from sources without the United States as determined by Part I of Subchapter N of the Internal Revenue Code by a corporation organized under the laws of a foreign country and allowed to file as a member of a consolidated federal income tax return under the provisions of Sections 1501 through 1505 of the Internal Revenue Code.

(8) Exclusions from Subpart F of this Part, where applicable.

§287.73. Modifications to deductions from gross income allowed by federal law

\* \* \*

B. Deletions. The following deductions allowed by federal law are declared inoperative and shall not form a part of allowable deductions in the computation of net income:

\* \* \*

(5) Deductions derived from sources without the United States as determined by Part I of Subchapter N of the Internal Revenue Code by a corporation organized under the laws of a foreign country and allowed to file as a member of a consolidated federal income tax return under the provisions of Sections 1501 through 1505 of the Internal Revenue Code.

(6) Deductions derived from sources without the United States as determined by Part I of Subchapter N of the Internal Revenue Code paid on income on which no Louisiana income tax has been paid and, on which, for any reason, no Louisiana income tax will be paid.

(7) Deletions required by the provisions of Subpart F of this Part, where applicable.

\* \* \*

§287.77. Computation of Louisiana net income or loss

Except as provided in Subpart B-1 of this Part, Louisiana net income or loss of a corporation is determined by applying the allocation and apportionment provisions of this Part to the corporation's gross income, allowable deductions, and net income for a taxable year as determined and computed pursuant to this Part.

\* \* \*

§287.86. Net operating loss deduction

\* \* \*

J. Net operating loss carryovers and carrybacks for corporations required to file on the basis of combined reporting. The secretary is authorized to adopt and promulgate any rules and regulations necessary to limit the carryover and carryback of net operating losses when corporations do not file combined returns pursuant to Subpart B-1 of this Part in both a loss year and a year to which a net operating loss is carried, and to limit net operating loss carryovers and carrybacks when members are added to or removed from combined returns filed pursuant to such Subpart. Any rules or regulations promulgated under this Section shall, to the extent practicable, conform to the provisions of Internal Revenue Code Section 1502 and applicable regulations relative to the separate return limitation year.

§287.91. Determination of Louisiana net income or loss

A. ~~The~~ Except as provided for in Subpart B-1 of this Part, the Louisiana net income of a corporation is the sum produced by combining the net ~~allocable nonbusiness~~ income or loss as provided in R.S. 47:287.93 and the net ~~apportionable~~ business income or loss as provided in R.S. 47:287.94 when the result is more than zero.

B. ~~The~~ Except as provided for in Subpart B-1 of this Part, the Louisiana net loss of a corporation is the sum produced by combining the net ~~allocable nonbusiness~~ income or loss as provided in R.S. 47:287.93 and the net ~~apportionable~~ business income or loss as provided in R.S. 47:287.94 when the result is less than zero.

§287.92. Segregation of items of gross income

A. All items of gross income, not otherwise exempt, shall be segregated into two general classes designated as ~~allocable nonbusiness~~ income and apportionable business income.

B. Allocable income. The class of gross income to be designated as "allocable income" shall include only the following:

(1) Rents and royalties from immovable or corporeal movable property.

(2) Royalties or similar revenue from the use of patents, trademarks, copyrights, secret processes, and other similar intangible rights.

(3) Income from estates, trusts, and partnerships.

(4) Income from construction, repair, or other similar services.

B. Definitions. The following terms shall have the meaning provided for in this Subsection unless the context requires otherwise:

(1) "Business income" means income arising from transactions and activities in the regular course of the taxpayer's trade or business and includes income from tangible and intangible property if the acquisition, management, and disposition of the property constitute integral parts of the taxpayer's regular trade or business operations.

(2) "Commercial domicile" means the principal place from which the trade or business of the taxpayer is directed or managed.

(3) "Compensation" means wages, salaries, commissions, and any other form of remuneration paid to employees for personal services.

(4) "Multistate Tax Commission" means the governing and administering agency of the Multistate Tax Compact.

(5) "Nonbusiness income" means all income other than business income.

(6) "Regular course of business" means, for all tax periods beginning after December 31, 2001, all transactions and activities of the taxpayer which are dependent upon or contribute to the operations of the taxpayer's economic enterprise as a whole.

(7) "Sales" means all gross receipts of the taxpayer not allocated under R.S. 47:287.93.

(8) "State" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and any foreign country or political subdivision thereof.

C. Apportionable income. The class of income to be designated as "apportionable income" shall include all items of gross income which are not properly includable in allocable income as defined in this Section:

C.(1) Any taxpayer having income from business activity that is taxable both within and without this state, shall allocate and apportion his net income as provided in R.S. 47:287.93, 287.94, and 287.95.

(2) For purposes of allocation and apportionment of income under this Section and R.S. 47:287.93, 287.94, and 287.95, a taxpayer is taxable in another state if (a) in that state he is subject to a net income tax, a franchise tax measured by net income, a franchise tax for the privilege of doing business, or a corporate stock tax, or (b) that state has jurisdiction to subject the taxpayer to a net income tax regardless of whether, in fact, the state does or does not.

D. The secretary shall have the authority to adopt and promulgate such rules and regulations which are necessary to conform with regulations set forth by the Multistate Tax Commission that coordinate with this Section. In addition, the secretary shall have the authority to

adopt and promulgate rules and regulations as deemed necessary to further the provisions of this Section.

§287.93. Computation of net allocable income from Louisiana sources  
Allocation of nonbusiness income

A. Allocation of items of gross allocable income. Items of gross allocable income or loss shall be allocated directly to the states within which such items of income are earned or derived, as follows:

(1) Rents and royalties from immovable or corporeal movable property shall be allocated to the state where such property is located at the time the income is derived.

(2) Royalties or similar revenue from the use of patents, trademarks, copyrights, secret processes, and other similar intangible rights shall be allocated to the state or states in which such rights are used. A mineral lease, royalty interest, oil payment, or other mineral interest shall be allocated to the state in which the property subject to such mineral interest is situated.

(3) Income from construction, repair, or other similar services shall be allocated to the state in which the work is done.

(4) For purposes of this Part only, estates, trusts, and partnerships having a corporation as a member or beneficiary shall compute, allocate, and apportion their income or loss within and without this state in accordance with the processes and formulas prescribed by this Part, and the share of any corporation member or beneficiary in the net income or loss from sources in this state so computed shall be allocated to this state in the return of such corporation.

A. Rents and royalties from real or tangible personal property, capital gains, interest, dividends, or patent or copyright royalties shall be allocated as follows, but only to the extent that they constitute non-business income:

(1) Rents and royalties from real property located in this state are allocable to this state.

(2)(a) Rents and royalties from tangible personal property are allocable to this state if, and to the extent that, the property is utilized in this state, or in their entirety if the taxpayer's commercial domicile is in this state and the taxpayer is not organized under the laws of, or taxable in the state in which, the property is utilized.

(b) The extent of utilization of tangible personal property in a state is determined by multiplying the rents and royalties by a fraction, the numerator of which is the number of days of physical location of the property in the state during the rental or royalty period in the taxable year and the denominator of which is the number of days of physical location of the property everywhere during all rental or royalty periods in the taxable year. If the physical location of the property during the rental or royalty period is unknown or unascertainable by the taxpayer, tangible personal property is utilized in the state in which the property was located at the time the rental or royalty payer obtained possession.

(3) Capital gains and losses from sales of real property located in this state are allocable to this state.

(4) Capital gains and losses from sales of tangible personal property are allocable to this state if (a) the property had a situs in this state at the time of the sale, or (b) the taxpayer's commercial domicile is in this state and the taxpayer is not taxable in the state in which the property had a situs at the time of the sale.

(5) Capital gains and losses from sales of intangible personal property are allocable to this state if the taxpayer's commercial domicile is in this state.

(6) Interest and dividends are allocable to this state if the taxpayer's commercial domicile is in this state.

(7) Patent and copyright royalties are allocable to this state if and to the extent that the patent or copyright is used in this state by the payer of the royalties, or if, and to the extent that, the patent or copyright is used by the payer in a state in which the taxpayer is not taxable and the taxpayer's commercial domicile is in this state.

(a) A patent is used in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If the basis of receipts from patent royalties does not permit allocation to states or if the accounting procedures do not reflect states of use, the patent is used in the state in which the taxpayer's commercial domicile is located.

(b) A copyright is used in a state to the extent that printing or other publication originates in the state. If the basis of receipts from copyright royalties does not permit allocation to states or if the accounting procedures do not reflect states of use, the copyright is used in the state in which the taxpayer's commercial domicile is located.

B. Net allocable nonbusiness income. Net allocable nonbusiness income or loss is computed by subtracting the following from Louisiana gross allocable nonbusiness income:

(1) All expenses, losses, and other deductions defined in R.S. 47:287.63 as allowable deductions in this Part which are directly attributable to Louisiana gross allocable nonbusiness income.

(2) A ratable portion of such allowable deductions which are not directly attributable to any item or class of gross income.

(3) Any deduction or portion of a deduction taken against nonbusiness income may not also be taken against business income.

C. The secretary shall have the authority to adopt and promulgate such rules and regulations which are necessary to conform with all regulations set forth by the Multistate Tax Commission that coordinate with this Section. In addition, the secretary shall have the authority to adopt and promulgate rules and regulations as deemed necessary to further the provisions of this Section.

§287.94. Computation of net apportionable business income from Louisiana sources

A. Total net apportionable business income. Total net apportionable business income or loss is computed by subtracting the following from gross apportionable business income:

(1) All expenses, losses, and other deductions defined in R.S. 47:287.63 as allowable deductions which are directly attributable to gross apportionable business income.

(2) A ratable portion of such allowable deductions which are not directly attributable to any item or class of gross income.

(3) Any deduction taken against business income may not also be taken against nonbusiness income.

B. Apportionment to Louisiana. Net apportionable business income or loss is computed by multiplying the total net apportionable business income or loss by the Louisiana apportionment percent determined in accordance with the provisions of R.S. 47:287.95.

C. Separate accounting of apportionable income. In lieu of the apportionment as provided in this Section, a taxpayer may apply to the secretary for permission to compute the net apportionable income derived from sources in this state by means of the separate accounting

method. The secretary shall grant such permission if the taxpayer shows that the apportionment method produces a manifestly unfair result, and that the unit of the taxpayer's business operating in this state could be successfully operated independently of the units in other states, and makes all of its sales in this state or derives all of its gross revenues from sources in this state, and any merchandise or products sold by the unit in this state are either:

(1) Produced by the taxpayer in Louisiana;

(2) Purchased by the taxpayer from nonaffiliated sources within or without this state;

(3) Purchased from an affiliated source at not more than the price at which similar merchandise or products in similar quantities could be purchased from nonaffiliated sources; or

(4) Transferred from another department of the taxpayer's business at not more than the actual cost to the taxpayer; or where it is otherwise shown to the satisfaction of the secretary that the apportionment method produces a manifestly unfair result and that the separate accounting method produces a fair and equitable determination of the amount of net income taxable in this state.

D. If such permission is granted by the secretary, the taxpayer shall compute the net apportionable income derived from sources in this state by means of a separate accounting method which shall comply with the regulations to be prescribed by the secretary. When a taxpayer has secured permission to employ the separate accounting method, a change to the method of apportionment shall not be made for any subsequent year without securing the permission of the secretary.

E. When the secretary finds that the use of the apportionment method by a taxpayer produces a manifestly unfair result and that the separate accounting method would more equitably determine the amount of net income derived from sources in Louisiana, the secretary may require that the separate accounting method be used in such case.

F. Whenever there is a dispute between the taxpayer and the secretary as to whether the separate accounting method or the apportionment method should be used, the burden shall be upon the party urging the use of the separate accounting method to show that the apportionment method produces a manifestly unfair result.

G. In any case where the secretary requires that a taxpayer change to the separate method of accounting, the secretary may, absent the negligence of the taxpayer and upon a showing of reasonable cause by the taxpayer, remit or waive payment of the whole or any part of any accrued interest which would be due from such taxpayer with respect to any additional taxes due as a result of the required change to the separate method of accounting. The secretary shall not waive any interest accruing thirty days after the first issuance to the taxpayer of a proposed assessment in connection with the change to the separate method of accounting.

H. When net apportionable income is computed by means of the separate accounting method, or at any time when the Louisiana apportionment percent is zero, interest income, other than interest income apportioned under the provisions of R.S. 47:287.95(E), gains or losses from sales or exchanges of property not made in the regular course of business, and dividend income shall be apportioned to Louisiana on the ratio of gross Louisiana revenue, other than such gains, interest income, and dividend income, to total gross revenue, other than such gains, interest income, and dividend income. When all of the gross income of the corporation is from such gains, interest income, or dividend income, such income shall be attributed to the business situs of the property producing such income, or in the absence of the property acquiring a business situs, to the commercial domicile of the corporation.

~~I.(1) Dividends upon stock having a situs in Louisiana, received by a corporation from another corporation which is controlled by the former through direct ownership of fifty percent or more of the voting stock of the latter, shall be segregated from other apportionable income; together with the direct and indirect expenses of producing such income, and such net income shall be attributed to the states or foreign countries in which is earned the income from which the dividends are paid, such attribution to be made in proportion to the respective amounts of such income earned in each state or foreign country.~~

~~(2) Interest on securities and credits having a situs in Louisiana, received by a corporation from another corporation which is controlled by the former through direct ownership of fifty percent or more of the voting stock of the latter, shall be segregated from other apportionable income, together with the direct and indirect expenses of producing such income, and such net income shall be attributed to the states or foreign countries in which the real and tangible personal property of the controlled corporation is located, on the basis of the ratio of the value of such property located in Louisiana to the total value of such property within and without the state.~~

~~(3) If a stock, security, or credit has not been so used in connection with the taxpayer's business as to acquire a business situs, the situs of such stock, security, or credit shall be deemed to be at the commercial domicile of the taxpayer.~~

C.(1) If the allocation and apportionment provisions of this Part do not fairly represent the extent of the taxpayer's business activity in this state, the taxpayer may petition for, or the secretary may require, with respect to all or any part of the taxpayer's business activity, if reasonable, any of the following:

(a) Separate accounting.

(b) The exclusion of any one or more of the factors.

(c) The inclusion of one or more additional factors which will fairly represent the taxpayer's business activity in this state.

(d) The employment of any other method to effectuate an equitable allocation and apportionment of the taxpayer's income.

(2) The party, either the secretary or taxpayer, seeking to utilize an alternative apportionment method has the burden of showing by clear and convincing evidence that the statutory formula does not fairly represent the extent of the taxpayer's business activity in this state. The burden will be met only if the statutory formula is demonstrated to operate unreasonably and arbitrarily in attributing to Louisiana a percentage of income that is out of proportion to the business transacted in this state. Finally, the party seeking to use an alternative apportionment formula must prove that such method fairly and accurately apportions income to Louisiana based upon business activity in this state.

D. In any case where the secretary requires that a taxpayer change to the separate method of accounting, the secretary may, absent the negligence of the taxpayer and upon a showing of reasonable cause by the taxpayer, remit or waive payment of the whole or any part of any accrued interest which would be due from such taxpayer with respect to any additional taxes due as a result of the required change to the separate method of accounting. The secretary shall not waive any interest accruing thirty days after the first issuance to the taxpayer of a proposed assessment in connection with the change to the separate method of accounting.

E. The secretary shall have the authority to adopt and promulgate such rules and regulations which are necessary to conform with regulations set forth by the Multistate Tax Commission which coordinate with this Section and R.S. 47:287.95. In addition, the

secretary shall have the authority to adopt and promulgate rules and regulations as deemed necessary to further the provisions of those Sections.

§287.95. Determination of Louisiana apportionment percent

A. Air transportation. ~~The Louisiana apportionment percent net business income~~ of any taxpayer whose net apportionable business income is derived primarily from the business of transportation by aircraft shall be the arithmetical average of two ratios apportioned to this state by multiplying the income by a fraction, the numerator of which is the sum of the following two factors, and the denominator of which is two, as follows:

(1) The ratio of the average value of immovable and corporeal movable property, other than aircraft, owned or rented by the taxpayer and located used in Louisiana during the tax period to the average value of all immovable and corporeal movable property, other than aircraft, owned or rented by the taxpayer and used in the production of apportionable business income during the tax period.

(2) The ratio of the amount of gross apportionable business income derived from Louisiana sources to the total gross apportionable business income of the taxpayer.

For the purposes of ~~the this~~ Subsection, gross apportionable business income from Louisiana sources shall include all gross receipts derived from passenger journeys and cargo shipments originating in Louisiana and any other items of gross apportionable business income or receipts derived entirely from sources in this state.

B. Pipeline transportation. ~~The Louisiana apportionment percent net business income~~ of any taxpayer whose net apportionable business income is derived primarily from the business of transportation by pipeline shall be computed by means of the ratios factors provided in ~~R.S. 47:287.95(F)~~ Paragraph (F)(3) of this Section.

C. Other transportation. (1)(a) ~~The Louisiana apportionment percent net business income~~ of any taxpayer whose net apportionable business income is derived primarily from the business of transportation, other than by aircraft or pipeline, shall be the arithmetical average of two ratios apportioned to this state by multiplying the income by a fraction, the numerator of which is the sum of the following two factors, and the denominator of which is two, as follows:

(i) The ratio of the average value of immovable and corporeal movable property owned or rented by the taxpayer and located used in Louisiana during the tax period to the average value of all immovable and corporeal movable property owned or rented by the taxpayer and used in the production of apportionable business income during the tax period.

(ii) The ratio of the amount of gross apportionable business income derived from Louisiana sources to the total gross apportionable business income of the taxpayer.

(b) For the purposes of this Subsection, the gross apportionable business income from Louisiana sources shall include all such income that is derived entirely from sources within the state and a portion of revenue from transportation partly without and partly within this state, to be prorated subject to rules and regulations of the secretary, who shall give due consideration to the proportion of service performed in Louisiana.

(c) For the purposes of this Subsection, the value of immovable and corporeal movable property owned by the taxpayer and used in Louisiana shall include the value of all such property regularly situated in this state, plus a pro rata share of the value of all rolling stock and other mobile equipment owned by the taxpayer and used in the

production of apportionable business income, whether within or without this state, said proration to be made subject to rules and regulations of the secretary, who shall give due consideration to the mileage operated and traffic density within and without this state.

(2)(a) Notwithstanding any other provisions of this Part to the contrary, this Subsection shall not require the apportionment of income to this state of any trucking company whose Louisiana net business income is derived solely from the business of transportation by truck if during the course of the income tax year:

(i) It does not own or rent any real or personal property in this state, except mobile property.

(ii) It makes no pickups or deliveries within this state.

(iii) It makes no more than twelve trips into this state.

(b) As used in this Paragraph, the term "trucking company" means a motor carrier as defined by the provisions of R.S. 32:1(37) or R.S. 45:162(10), or an express carrier which primarily transports the tangible personal property of others by motor vehicle for compensation.

D. Service enterprises. The ~~Louisiana apportionment percent net business income~~ of any taxpayer whose net apportionable business income is derived primarily from a service business in which the use of property is not a substantial income-producing factor shall be ~~the arithmetical average of two ratios apportioned to this state by multiplying the income by a fraction, the numerator of which is the sum of the following two factors, and the denominator of which is two, as follows:~~

(1) The ratio of the amount paid by the taxpayer for ~~salaries, wages, and other~~ compensation for personal services rendered in Louisiana to the total amount paid by the taxpayer for ~~salaries, wages, and other~~ compensation for personal services in connection with the production of the net apportionable business income.

(2) The ratio of the gross apportionable business income of the taxpayer from Louisiana sources to the total gross apportionable business income of the taxpayer.

For the purposes of this Subsection, the gross apportionable business income from Louisiana sources shall include the revenue from services performed in this state, and any other gross business income derived entirely from sources within this state.

E. Loan business. The ~~Louisiana apportionment percent net business income~~ of any taxpayer whose net apportionable business income is derived primarily from the business of making loans shall be ~~the arithmetical average of two ratios apportioned to this state by multiplying the income by a fraction, the numerator of which is the sum of the following two factors, and the denominator of which is two, as follows:~~

(1) The ratio of the amount paid by the taxpayer for ~~salaries, wages, and other~~ compensation for personal services rendered in Louisiana to the total ~~salaries and wages~~ compensation paid by the taxpayer in connection with the production of the net apportionable business income.

(2) The ratio of the amount of loans made by the taxpayer in this state to the total amount of loans made by the taxpayer.

F.(1) ~~Manufacturing, merchandising, and Other~~ business. Except as provided in this Subsection, the ~~Louisiana apportionment percent net business income~~ of any taxpayer whose net apportionable business income is derived primarily from the business of transportation by pipeline or from any business not included in Subsections A through E

of this Section and Paragraph (F)(3) of this Section shall be ~~the arithmetical average of three ratios, as follows:~~ apportioned to this state by multiplying the income by a fraction, the numerator of which is the property factor plus the payroll factor plus the sales factor, all as set forth in this Paragraph, and the denominator of which is three. If the denominator of any factor is equal to zero, that factor shall be eliminated from both the numerator and the denominator. This fraction may be adjusted by the secretary when necessary in the manner and according to procedures provided for in this Part.

(a) ~~The ratio of the value of the immovable and corporeal movable property owned by the taxpayer and located in Louisiana to the value of all immovable and corporeal movable property owned by the taxpayer and used in the production of the net apportionable income.~~

(a)(i) The property factor is a fraction, the numerator of which is the average value of the taxpayer's real and tangible personal property owned or rented and used in this state during the tax period and the denominator of which is the average value of all the taxpayer's real and tangible personal property owned or rented and used during the tax period.

(ii) Property owned by the taxpayer is valued at its original cost. Property rented by the taxpayer is valued at eight times the net annual rental rate. Net annual rental rate is the annual rental rate paid by the taxpayer less any annual rental rate received by the taxpayer from subrentals.

(iii) The average value of property shall be determined by averaging the values at the beginning and ending of the tax period but the secretary may require the averaging of monthly values during the tax period if reasonably required to reflect properly the average value of the taxpayer's property.

(b) ~~The ratio of the amount paid by the taxpayer for salaries, wages, and other compensation for personal services rendered in this state to the total amount paid by the taxpayer for salaries, wages, and other compensation for personal services in connection with the production of net apportionable income.~~

(b)(i) The payroll factor is a fraction, the numerator of which is the total amount paid in this state during the tax period by the taxpayer for compensation, and the denominator of which is the total compensation paid everywhere during the tax period.

(ii) Compensation is paid in this state if: (i) the individual's service is performed entirely within the state; or (ii) the individual's service is performed both within and without the state, but the service performed without the state is incidental to the individual's service within the state; or (iii) some of the service is performed in the state and (aa) the base of operations or, if there is no base of operations, the place from which the service is directed or controlled is in the state, or (bb) the base of operations or the place from which the service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

(c) ~~The ratio of net sales made in the regular course of business and other gross apportionable income attributable to this state to the total net sales made in the regular course of business and other gross apportionable income of the taxpayer.~~

(c)(i) The sales factor is a fraction, the numerator of which is the total sales of the taxpayer in this state during the tax period, and the denominator of which is the total sales of the taxpayer everywhere during the tax period.

(ii) Sales of tangible personal property are in this state if: (i) the property is delivered or shipped to a purchaser, other than the United States government, within this state regardless of the f. o. b. point or

other conditions of the sale; or (ii) the property is shipped from an office, store, warehouse, factory, or other place of storage in this state and (aa) the purchaser is the United States government or (bb) the taxpayer is not taxable in the state of the purchaser.

(iii) Sales, other than sales of tangible personal property, are in this state if: (i) the income-producing activity is performed in this state; or (ii) the income-producing activity is performed both in and outside this state and a greater proportion of the income-producing activity is performed in this state than in any other state, based on costs of performance.

(2)(a) Manufacturing and merchandising. For the purpose of this Subsection, the Louisiana apportionment percent of any taxpayer whose net apportionable business income which is derived primarily from the business of manufacturing or merchandising shall be computed by means of apportioned to this state by multiplying the income by a fraction, the numerator of which are the ratios same factors provided in Subparagraphs (1)(a) through (c) of this Subsection, except that the ratio of net sales sales factor as provided in Subparagraph (c) shall be double-weighted or counted twice, and the Louisiana apportionment percent shall be the arithmetical average of the four ratios and the denominator of which is four. If the denominator of any factor is equal to zero, that factor shall be eliminated from both the numerator and the denominator.

(b)(i) The term "business of manufacturing or merchandising" shall only include a taxpayer whose net apportionable income is derived primarily from the manufacture, production, or sale of tangible personal property.

(ii) The term "business of manufacturing or merchandising" shall not include:

(a) (aa) A taxpayer subject to the tax imposed pursuant to Chapter 8 of Subtitle II of this Title. ~~47 of the Louisiana Revised Statutes of 1950.~~

(b) (bb) Any taxpayer whose income is primarily derived from the production or sale of unrefined oil and gas.

(3) For the purpose of this Subsection, sales attributable to this state shall be all sales where the goods, merchandise, or property is received in this state by the purchaser. In the case of delivery of goods by common carrier or by other means of transportation, including transportation by the purchaser, the place at which the goods are ultimately received after all transportation has been completed shall be considered as the place at which the goods are received by the purchaser. However, direct delivery into this state by the taxpayer to a person or firm designated by a purchaser from within or without the state shall constitute delivery to the purchaser in this state.

(4) For the purpose of this Subsection, salaries, wages, and other compensation for personal services paid by a taxpayer whose principal office is located in Louisiana to officers and employees responsible for the direction and supervision of operations of the taxpayer partly within and partly without Louisiana and salaries, wages, and other compensation for personal services paid to general office employees whose duties pertain to the operations of the taxpayer partly within and partly without Louisiana shall be allocated in part to this state on the basis of the ratio of the amount of direct operating salaries, wages, and other compensation for services rendered in Louisiana to the total of such direct operating salaries, wages, and other compensation paid in connection with the production of net apportionable income.

(5)(3) For the purpose of this Subsection, gross apportionable business income attributable to this state derived from the transportation of crude, petroleum, natural gas, petroleum products, or other commodities for others through pipelines shall include all gross revenue

derived from operations entirely within this state plus a portion of any revenue from operations partly within and partly without this state, based upon the ratio of the number of units of transportation service performed in Louisiana in connection with such revenue to the total of such units. A unit of transportation service shall be the transporting of any designated quantity of crude petroleum, natural gas, petroleum products, or other commodities for any designated distance. All other classes of gross apportionable business income shall be prorated within or without this state on the basis of such ratio or ratios, prescribed by the secretary, as may be reasonably applicable to the type of business involved.

G. Value. (1) For the purposes of this Section, the value at which immovable and corporeal movable property should be included in the apportionment factor is the average of the beginning and close-of-year values on a comparable basis within and without the state. If the average at the beginning and end of the year does not fairly represent the average of the property owned during the year, the average may be obtained by dividing the sum of the monthly balances by twelve.

(2) For the purposes of this Section, the value of property is deemed to be cost to the taxpayer less a reasonable reserve for depreciation, depletion, and obsolescence. Such reserves, reflected on the books of the taxpayer, shall be used in determining value, subject to the right of the secretary to adjust the reserves when in his opinion such action is necessary to reflect the fair value of the property.

(3) The value at which immovable and corporeal movable property used but not owned by the taxpayer shall be included in the apportionment factor is the average of the beginning and close-of-year values on a comparable basis within and without the state. In the case of assets rented or leased in an arms-length transaction, this shall be deemed to be the amount determined by multiplying the payments to the owner of the property for use of the property during the year, times eight.

H. Location. For purposes of this Section, corporeal movable property located in Louisiana in United States customs-bonded warehouses or foreign trade zones established under the Foreign Trade Zones Act shall be considered as located outside of Louisiana.

I. Gross apportionable income. For purposes of this Section, gross apportionable income shall not include income from profits or losses from sales or exchanges of property, including such items as stocks, bonds, notes, land, machinery, and mineral rights not made in the regular course of business nor shall it include income from interest income, other than interest income apportioned under the provisions of R.S. 47:287.95(E), or dividends from corporate stock. Partnerships and joint ventures. For the purposes of this Section, a taxpayer that is a partner of a partnership shall treat a proportionate share of the partnership as if it were part of the taxpayer in determining and computing the apportionment percentage applicable to the taxpayer under this Section. Proportionate share shall mean the percentage used to distribute to the partner its distributive share of partnership ordinary income or loss for federal law purposes.

J.(4) Corporations utilizing common paymaster. For purposes of this Section, a parent corporation or any other member of the same affiliated group of corporations serving as common paymaster for payroll purposes shall eliminate all payrolls from the numerator and denominator of its salary, wages, and other compensation factor computation that represent the amounts paid on behalf of affiliated corporations for which it has charged such affiliate the cost and that does not meet the definition of salary, wages, and other compensation insofar as the common paymaster is concerned. A subsidiary or other member of an affiliated group that is a member of or participant in a common paymaster plan for payroll purposes shall include in its numerator and denominator of the salary, wages, and other compensation factor computation amounts paid to a common paymaster

as reimbursement in whatever form and by whatever label for salary, wages, and other compensation as defined.

(2) For purposes of this Section, "salary, wages, and other compensation" means remuneration paid or caused to be paid to employees for personal services. Payments made to an independent contractor or any other person not properly classifiable as an employee are excluded.

(3) For purposes of this Section, "employee" means any officer of a corporation, or any individual who has the status of an employee in an employer-employee relationship. Generally, a person will be considered to be an employee if he is included by the taxpayer as an employee for purposes of the payroll taxes imposed by the Federal Insurance Contributions Act.

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#### SUBPART B-1. COMBINED REPORTING REQUIREMENT FOR UNITARY BUSINESS

##### §287.100. Combined reporting requirement for unitary business

The Louisiana taxable income of any corporation which is a member of a unitary group transacting business both within and without the state shall be computed in accordance with the provisions of R.S. 47:287.101 through 287.106.

##### §287.101. Definitions

The following definitions apply for purposes of this Part.

A. "Affiliated group" means an affiliated group of corporations as defined in Section 1504 of the Internal Revenue Code.

B.(1) "Single trade or business" means a business enterprise in which there exists directly or indirectly between the members or parts of the enterprise a sharing or exchange of value as demonstrated by any or all of the following:

(a) Centralized management or a common executive force.

(b) Centralized administrative services or functions resulting in economies of scale.

(c) Flow of goods, capital resources, or services demonstrating functional integration.

(2)(a) "Single trade or business" may include but is not limited to a business enterprise the activities of which:

(i) Are in the same general line of business, such as manufacturing, wholesaling, or retailing.

(ii) Constitute steps in a vertically integrated process, such as the steps involved in the production of natural resources, which might include exploration, production, mining, refining, transportation, and marketing.

(b) Corporations that are included in the same federal consolidated return that are doing business in the United States and are subject to federal income taxation are presumed to be engaged in a single trade or business. This presumption may be overcome by the secretary or the taxpayer upon the showing of clear and convincing evidence to the contrary.

C. "Unitary group" means a corporation or group of corporations engaged in business activities that constitute a single trade or business.

##### §287.102. Corporation tax return requirements

A. If the corporation is a member of an affiliated group of corporations making a consolidated federal return, it shall file a return and determine its Louisiana taxable income as provided for in this Subpart.

B. If so directed by the secretary, by rule or by instructions on the state tax return form, every corporation required to make a return under this Section shall also file with the return a true copy of the corporation's federal income tax return for the same taxable year. For purposes of this Section, the corporation's federal income tax return includes a consolidated federal income tax return for an affiliated group of which the corporation is a member. The secretary may, by rule or by instructions, permit a corporation to submit specified excerpts from its federal income tax return in lieu of submitting a copy of the entire federal return. The federal return or any part thereof required to be filed with the state return is incorporated in and shall be a part of the state return.

C. If any corporation that is a member of an affiliated group is permitted or required to determine its Louisiana taxable income on a separate basis under R.S. 47:287.94(C), or if any corporation is permitted or required by statute or rule to use different apportionment factors than a corporation or corporations with which it is affiliated and which is a member of its unitary group, the corporation shall not be included in a combined state return under this Subpart.

D. Offsets, credits, or prior year Louisiana losses of one member cannot be applied against the tax liability of another member.

##### §287.103. Tax return of corporation in affiliated group making consolidated federal return

A. If a corporation required to make a return under this Part is a member of an affiliated group of corporations making a consolidated federal return under Sections 1501 to 1505 of the Internal Revenue Code, the corporation's Louisiana taxable income shall be determined beginning with federal consolidated taxable income of the affiliated group as provided in this Section.

B.(1) If the affiliated group, of which the corporation subject to taxation under this Part is a member, consists of more than one unitary group, before the modifications, additions, subtractions, adjustments, deductions, inclusions, exclusions, or allowances, if any, provided for in this Part are made, and before allocation and apportionment as provided in this Part, modified federal consolidated taxable income shall be computed.

(2) Modified federal consolidated taxable income shall be determined by eliminating from the federal consolidated taxable income of the affiliated group the separate taxable income, as determined under Section 1502 of the Internal Revenue Code and the Treasury Regulations adopted pursuant thereto, and any deductions or additions or items of income, expense, gain, or loss for which consolidated treatment is prescribed thereto, attributable to the member or members of any unitary group of which the corporation is not a member.

C. After modified federal consolidated taxable income is determined under Subsection B of this Section, the modifications, additions, subtractions, adjustments, deductions, inclusions, exclusions, or allowances allowed in this Part applied in arriving at Louisiana net income or loss before allocation and apportionment shall be made to the federal consolidated taxable income or modified federal consolidated taxable income of the remaining members of the affiliated group, where applicable, as if all such members were subject to taxation under this Part.

D. Allocation and apportionment.

(1) Corporations required to make a return under this Section shall apply the allocation and apportionment provisions of this Part as if all members were subject to taxation under this Part.

(2) For purposes of this Subsection, only one apportionment formula of R.S. 47:287.95 shall be applicable to all members of a unitary group within an affiliated group required to make a return under this Section. The applicable formula shall be determined based on the majority of the receipts of the unitary group. The secretary may issue rules or regulations addressing distortive or inequitable application of only one apportionment formula to the unitary group and how the apportionment formula components of individual members of the unitary group are to be combined into a single apportionment formula.

§287.104. Transition rules

Adjustments to avoid double taxation or deduction. (1) If any provision of the Internal Revenue Code or of this Subpart, relating to the use of consolidated federal returns, requires that any amount be added to or deducted from federal consolidated taxable income or from Louisiana taxable income subject to taxation under this Part, that previously had been added to or deducted from income upon or with respect to which tax liability was measured under the Louisiana law in effect prior to the taxpayer's taxable year as to which this Subpart is first effective, an appropriate adjustment shall be made to the income for the year or years prior to the effectiveness of this Subpart, so as to prevent the double taxation or double deduction of any such amount that previously had entered into the computation of income upon or with respect to which tax liability was measured.

(2) For purposes of this Section, procedures similar to those provided for in R.S. 47:287.751 shall be applied to reconcile transitional differences between this Subpart and the law prior to its effectiveness.

§287.105. Conflicts with federal law

Notwithstanding the provisions of R.S. 47:287.701, any rule or regulation promulgated pursuant to Sections 1501 through 1505 of the Internal Revenue Code that makes reference to provisions of the Internal Revenue Code with respect to which modifications to federal taxable income are prescribed under this Part shall not be applied to the extent the regulation conflicts with the provisions of this Part.

§287.106. Secretary's authority to make adjustments

If it appears to the secretary that a corporation making a return under this Part is required to make any adjustment to federal consolidated taxable income pursuant to this Subpart, that is unduly burdensome or that produces an inequitable or unreasonable result, the secretary, upon application by the corporation, may relieve the corporation of the requirement and may permit or require any other adjustment to be made to fairly reflect income and produce an equitable result. The secretary may adopt rules or regulations prescribing the method by which a corporation may apply for relief under this Paragraph.

\* \* \*

§287.733. Corporations filing consolidated federal returns

A. Except as otherwise provided in Subsection B of this Section or Subpart B-1 of this Part, when a corporation is included with affiliates in a consolidated federal income tax return in accordance with federal law, the terms and provisions of this Part shall apply as if the corporation had been required to file an income tax return with the Internal Revenue Service on a separate corporation basis for the current and all prior taxable years, in accordance with federal law. Nothing in this Section shall be construed to allow a deduction for federal income tax on a separate corporation basis.

\* \* \*

§287.480. Special adjustments by the secretary

Notwithstanding any other provisions of this Part to the contrary, the secretary is authorized to require the use of inventories and to allocate income and deductions among taxpayers and require such returns as follows:

\* \* \*

(3) Consolidated returns.

(a) Consolidated ~~or combined~~ returns are not allowed under this Part except as required by the secretary pursuant to this Paragraph Section.

\* \* \*

§287.701. Definitions, use of terms and purpose

\* \* \*

C. "Allocable Nonbusiness income or loss" or "gross allocable nonbusiness income or loss" means the general class of gross income designated as allocable nonbusiness income by R.S. 47:287.92(B)(5) and 287.93.

D. "Apportionable Business income or loss" or "gross apportionable business income or loss" means the general class of gross income designated as apportionable business income by R.S. 47:287.92(B)(1) and 287.94.

E. "Louisiana gross allocable nonbusiness income or loss" means those items of, or that portion of, allocable nonbusiness income or loss allocated to Louisiana pursuant to the provisions of R.S. 47:287.93.

F. "Net allocable nonbusiness income or loss" means net allocable nonbusiness income or loss earned within or derived from sources within Louisiana and is the mathematical remainder when subtracting from Louisiana gross allocable nonbusiness income or loss:

(1) Allowable deductions within the meaning of R.S. 47:287.63 which are directly attributable to Louisiana gross allocable nonbusiness income or loss, and

\* \* \*

G. "Total net apportionable business income or loss" means the remainder when subtracting from gross apportionable business income or loss:

(1) Allowable deductions within the meaning of R.S. 47:287.63 which are directly attributable to gross apportionable business income or loss, and

\* \* \*

H. "Net apportionable business income or loss" means net apportionable business income or loss earned within or derived from sources within Louisiana as computed pursuant to R.S. 47:287.92, 287.93, 287.94, and 298.95.

\* \* \*

Section 3. R.S. 47:287.750 is hereby repealed in its entirety."

AMENDMENT NO. 6

On page 3, line 25, change "Section 2." to "Section 4."

**AMENDMENT NO. 7**

On page 3, after line 26, add the following:

"Section 5. The provisions of Sections 2 and 3 of this Act shall become effective December 31, 2000."

Rep. Hammett moved that the amendments proposed by the Senate be rejected.

As a substitute motion, Rep. Winston moved that the bill be returned to the calendar.

Rep. Hammett objected.

The vote recurred on the substitute motion.

By a vote of 33 yeas and 59 nays, the House refused to return the bill to the calendar.

Rep. Hammett insisted on his motion that the amendments proposed by the Senate be rejected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Pratt
Alario	Guillory	Quezaire
Alexander, E	Hammett	Richmond
Alexander, R	Heaton	Riddle
Baylor	Hebert	Romero
Bowler	Hill	Salter
Broome	Holden	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Clarkson	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kennard	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	Lucas	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Waddell
Downer	McMains	Walsworth
Dupre	Montgomery	Warner
Durand	Morrell	Welch
Erdey	Murray	Wilkerson
Farrar	Nevers	Willard
Faucheux	Odinet	Windhorst
Flavin	Perkins	Winston
Frith	Pierre	Wooton
Fruge	Pinac	Wright
Futrell	Pitre	
Glover	Powell	
Total—100		

**NAYS**

Total—0

**ABSENT**

Ansardi	LeBlanc	Morrish
Baudoin	Martiny	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

**Suspension of the Rules**

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

**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. 92—**  
BY REPRESENTATIVES CLARKSON, BAUDOIN, BROOME, BRUCE, DARTEZ, DEVILLIER, DOERGE, DURAND, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, WELCH, WILKERSON, WILLARD AND WINSTON AND SENATORS BAJOE, IRONS AND MOUNT  
A CONCURRENT RESOLUTION

To urge and request the Louisiana congressional delegation to support pending legislation which prohibits health insurers and self-insured health plans from discriminating against individuals and their family members on the basis of predictive genetic information or genetic services.

Read by title.

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

Ordered to the Senate.

**Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

June 7, 2000

The Honorable Charlie DeWitt  
Speaker  
House of Representatives  
State of Louisiana

Dear Mr. Speaker:

I hereby tender my resignation from the Louisiana House of Representatives, as the elected state representative from District 62, effective at 5:30 p.m., Wednesday, June 7, 2000.

Sincerely yours,

John D. Travis

**Message from the Senate**

**HOUSE BILLS**

June 7, 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. 73  
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**APPOINTMENT OF  
CONFERENCE COMMITTEE**

June 7, 2000

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1: Senators Dardenne, Tarver, and Hainkel.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**REJECTION OF  
CONFERENCE COMMITTEE REPORT**

June 7, 2000

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

I am directed to inform your honorable body that the Senate has rejected the report of the Conference Committee on the disagreement to House Bill No. 221.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

June 7, 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 the report of the Conference Committee on the disagreement to House Bill No. 299.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

June 7, 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 No. 64

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Rodney Alexander, the rules were suspended in order to take up and consider Senate Concurrent Resolutions Lying Over at this time.

**Senate Concurrent Resolutions Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 64—  
BY SENATOR B. JONES AND REPRESENTATIVE MCCALLUM  
A CONCURRENT RESOLUTION**

To urge and request the Interim Emergency Board to consider emergency funding or other assistance to assist in the repair and reconstruction of Jonesboro-Hodge High School.

Read by title.

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

**Conference Committee Reports for Consideration**

The following Conference Committee Reports were taken up and acted upon as follows:

**CONFERENCE COMMITTEE REPORT**

**Senate Bill No. 85 by Sen. Michot**

June 7, 2000

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 85 by Michot recommend the following concerning the Engrossed bill:

1. That all House Committee Amendments proposed by the House Committee on Ways and Means and adopted by the House of Representatives on June 6, 2000 be adopted.
2. That all Legislative Bureau Amendments proposed by the Legislative Bureau and adopted by the House of Representatives on June 6, 2000 be adopted.
3. That all House Floor Amendments proposed by Representative Alario and adopted by the House of Representatives on June 7, 2000 be adopted.
4. That all House Floor Amendments proposed by Representative Glover and adopted by the House of Representatives on June 7, 2000 be adopted.

Respectfully submitted,

Senator Michael J. Michot  
 Representative John A. Alario, Jr  
 Representative Bryant O. Hammett, Jr.  
 Representative Cedric B. Glover

Rep. Alario moved to adopt the Conference Committee Report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Herbert	Riddle
Bowler	Hill	Romero
Broome	Holden	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Clarkson	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Damico	Kennard	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Doerge	Lucas	Townsend
Donelon	McCallum	Triche
Downer	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Montgomery	Warner
Erdey	Morrell	Welch
Farrar	Murray	Wilkerson
Faucheux	Nevers	Willard
Flavin	Odinet	Windhorst
Frith	Perkins	Winston
Fruge	Pierre	Wooton
Futrell	Pinac	Wright
Total—99		

**NAYS**

Total—0

**ABSENT**

Ansardi	LeBlanc	Morrish
Curtis	Martiny	
Total—5		

The Conference Committee Report was adopted.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**HOUSE BILLS**

June 7, 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. 37  
 Returned with amendments.

House Bill No. 98  
 Returned with amendments.

House Bill No. 295  
 Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III  
 Secretary of the Senate

**House Bills Amended by the Senate to be Concurred in by the House**

Rep. Alario asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

**HOUSE BILL NO. 98—**

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

TRICHE, WADDELL, WALSWORTH, WELCH, WILKERSON, WINSTON, AND WOOTON

A JOINT RESOLUTION

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 98 by Representative Thompson

AMENDMENT NO. 1

On page 2 at the end of line 12, change "January 1, 2001," to "July 1, 2002,"

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Green Pinac
Alario Guillory Pitre
Alexander, E Hammett Powell
Alexander, R Heaton Pratt
Ansardi Hebert Quezaire
Baudoin Hill Riddle
Baylor Holden Romero
Bowler Hopkins Salter
Broome Hudson Scalise
Bruce Hunter Schneider
Bruneau 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
Curtis Kennard Smith, J.R.—30th
Damico Kenney Sneed
Daniel LaFleur Stelly
Dartez Lancaster Strain
Devillier Landrieu Thompson
Diez LeBlanc Toomy
Doerge Lucas Townsend
Donelon Martiny Triche
Downer McCallum Waddell
Dupre McDonald Walsworth
Durand McMains Warner
Erdey Montgomery Welch
Faucheux Morrell Wilkerson
Flavin Murray Willard
Frith Nevers Windhorst
Fruge Odinet Winston
Futrell Perkins Wooton
Glover Pierre Wright
Total—99

NAYS

Total—0

ABSENT

Carter, K Farrar Richmond
Crowe Morrish
Total—5

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

Suspension of the Rules

On motion of Rep. Pitre, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

Speaker DeWitt in the Chair

HOUSE BILL NO. 295—

BY REPRESENTATIVES STELLY, FAUCHEUX, JOHNS, BAYLOR, K. CARTER, DARTEZ, DEVILLIER, DIEZ, DUPRE, DURAND, FRITH, HEATON, HUDSON, HUNTER, LAFLEUR, MORRISH, MURRAY, NEVERS, PIERRE, RICHMOND, RIDDLE, JACK SMITH, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:290, 292, 293, and 295 and to repeal R.S. 47:32, 112, 296, 296.1, 297, 297.1, 297.2, 298, 299, 302(O), and 331(M), relative to taxation; to levy a tax on an individual's federal adjusted gross income; to repeal inconsistent current individual income tax provisions; to repeal certain suspensions of exemptions from the state sales and use tax; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 295 by Representative Stelly

AMENDMENT NO. 1

On page 8, line 15, after "year," delete the remainder of then line, delete lines 16 through 26, and insert:

"beginning in Fiscal Year 2001-2002, the treasurer shall pay into the Education Enhancement Fund an amount equal to the monies received by the state treasury pursuant to the provisions of this Part which are in excess of a base amount. The base amount shall be the total amount of the monies collected from the individual income tax for Fiscal Year 2000-2001 plus three hundred thirty million dollars plus an annual positive inflation factor as determined by the Revenue Estimating Conference. The monies in this"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 295 by Representative Stelly

AMENDMENT NO. 1

On page 9, line 4, change "revert to the state general fund" to "remain in the Education Enhancement Fund"

AMENDMENT NO. 2

On page 9, line 6, after the first "general fund" delete the remainder of the line and insert a period

AMENDMENT NO. 3

On page 9, line 7, after "legislature," insert "eighty percent (80%) of"

AMENDMENT NO. 4

On page 9, delete line 13, and insert in lieu thereof "necessary to annually achieve not later than the beginning of each school year a statewide average salary for all such classroom teachers equal to an amount calculated by averaging the average teacher salaries of each member state of the Southern Regional Education Board for the previous school year as certified by the state Department of Education. Each year such amount shall be equally divided and paid in equal amounts to each such classroom teacher in the state."

AMENDMENT NO. 5

On page 9, line 14, change "universities" to "postsecondary institutions"

AMENDMENT NO. 6

On page 9, line 15, after "in amounts" delete the remainder of the line and delete line 16 and insert in lieu thereof "necessary to annually achieve not later than the beginning of each fiscal year a statewide average salary for all such postsecondary institution faculty members equal to an amount calculated by averaging the average postsecondary institution faculty member salaries of each member state of the Southern Regional Education Board for the previous school year as certified by the Board of Regents. Each year such amount shall be equally divided and paid in equal amounts to each such postsecondary institution faculty member in the state."

AMENDMENT NO. 7

On page 9, line 17, after "increase" insert "by four percent annually"

AMENDMENT NO. 8

On page 9, between lines 21 and 22, insert the following:

(d) In the event than in any year insufficient money is available in the Fund to fully fund all the expenditures mandated in Subparagraphs (a) through (c) of this Paragraph, the amount provided to each classroom teacher and each postsecondary institution faculty member and the percentage of increase for each employee provided an increase in Subparagraph (d) shall each be reduced by the same percentage in order to permit each such teacher, faculty member, and employee to receive an increase in that year without exceeding the money available.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Barham to Reengrossed House Bill No. 295 by Representative Stelly

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 2, 2000, on page 1, line delete lines 9 through 11, and insert:

"2000-2001, plus a factor which represents inflation and which represents the growth of the individual income tax base prior to December 31, 2000 not attributable to the changes in the individual income tax law provided in that Act which originated as House Bill No. 295 of the 2000 Regular Session of the Louisiana Legislature, plus four

hundred forty million dollars, all as determined by the Revenue Estimating Conference."

AMENDMENT NO. 2

On page 1, line 2, after "47:" insert "112 (A) and (G)(4),"

AMENDMENT NO. 3

On page 1, line 3, after "112" insert "(B), (C), (D), (E), and (F)"

AMENDMENT NO. 4

On page 1, line 10, after "47:" insert "112(A) and (G)(4),"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert:

"§ 112. Income tax withheld at source

A. Requirement of withholding. Every employer making payment of wages ~~on or after July 1, 1984,~~ shall deduct and withhold from such wages ~~(except as provided in Subsection K of this Section)~~ a tax in amounts to be provided by the secretary, equal to rates specified in Subsection B of this Section which is applied to wages which exceed the sum of the withholding exemptions claimed, as shown in Subsection B(1) of this Section:

\* \* \*

G. Exemption certificates.

\* \* \*

(4) A withholding certificate furnished to the employer in cases in which no previous certificate is in effect shall take effect as of the beginning of the first payroll period ending, or the first payment of wages made without regard to a payroll period, on or after the date on which such certificate is furnished. A withholding certificate furnished to the employer in cases in which a previous certificate is in effect shall take effect for the first payment of wages made on or after the first status determination date which occurs at least 30 days from the date on which such certificate is furnished, except that at the election of the employer such certificate may be made effective with respect to any payment of wages made on or after the date on which such certificate is furnished; but a certificate furnished pursuant to ~~Subsection G(3) Paragraph (B)(3)~~ shall not take effect, and may not be made effective, for any payment of wages made in the calendar year in which the certificate is furnished. For purposes of this paragraph the term "status determination date" means January 1 and July 1 of each year.

\* \* \*"

AMENDMENT NO. 6

On page 2, line 9, delete lines 10 through 16, and insert:

"to the extent that they are inconsistent or in conflict herewith. The provisions of Part I and Part II of this Chapter shall remain in effect to the extent that they are not inconsistent or in conflict with this Part."

AMENDMENT NO. 7

On page 3, line 9, after "44.1." delete the remainder of the line, and delete lines 10 and 11

AMENDMENT NO. 8

# Page 62 HOUSE

25th Day's Proceedings - June 7, 2000

On page 6, line 7, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294"

## AMENDMENT NO. 9

On page 6, line 9, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(A)(1)"

## AMENDMENT NO. 10

On page 6, line 11, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(A)(1) and (A)(2)"

## AMENDMENT NO. 11

On page 6, line 18, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294"

## AMENDMENT NO. 12

On page 6, line 20, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(B)(1)"

## AMENDMENT NO. 13

On page 6, line 22, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(B)(1) and (B)(2)"

## AMENDMENT NO. 14

On page 6, between lines 24 and 25 insert the following:

"C. Notwithstanding any provision of law to the contrary, no federal income tax paid by an individual shall be allowed as a deduction against his Louisiana income taxes."

## AMENDMENT NO. 15

On page 6, line 25, change "C." to "D."

## AMENDMENT NO. 16

On page 7, line 4, change "D." to "E.(1)"

## AMENDMENT NO. 17

On page 7 between lines 10 and 11, insert:

"(2) The secretary shall establish tax tables that calculate the tax owed by taxpayers based upon where their taxable income falls within a range that shall not exceed two-hundred and fifty dollars. The secretary shall provide in the tax tables that the combined personal exemption, standard deduction, and other exemption deductions in R.S. 47:294 shall be deducted from the two percent tax bracket. If such combined exemptions and deductions exceed the two percent bracket, the excess shall be deducted from the three percent bracket. If such combined exemptions and deductions exceed the two and three percent brackets, the excess shall be deducted from the four percent bracket."

## AMENDMENT NO. 18

On page 7, line 11 change "E." to "F."

## AMENDMENT NO. 19

On page 7, line 21 change "F." to "G."

## AMENDMENT NO. 20

On page 8, line 8 change "G." to "H."

## AMENDMENT NO. 21

On page 9, between lines 21 and 22, insert:

"(d) To increase expenditures on instruction and research needs of public education."

## AMENDMENT NO. 22

On page 9, line 22, after "112," insert "(B), (C), (D), (E), and (F),"

## AMENDMENT NO. 23

On page 10, line 4, after "but" insert "Sections 1, 2, and 3 shall become effective"

Rep. Stelly moved that the amendments proposed by the Senate be concurred in.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Baudoin	Hill	Richmond
Baylor	Holden	Riddle
Broome	Hudson	Salter
Bruce	Hunter	Schwegmann
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Clarkson	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Kenney	Stelly
Daniel	Landrieu	Strain
Dartez	McMains	Thompson
Devillier	Montgomery	Toomy
Diez	Morrell	Townsend
Doerge	Murray	Walsworth
Dupre	Nevers	Warner
Durand	Odinot	Welch
Faucheux	Pierre	Willard
Frith	Pinac	Winston
Glover	Pitre	Wooton

Total—66

### NAYS

Alexander, E	Fruge	Perkins
Bowler	Futrell	Romero
Bruneau	Hebert	Scalise
Cazayoux	Hopkins	Schneider
Crane	Katz	Shaw
Crowe	Kennard	Sneed
Donelon	LaFleur	Triche
Downer	Lancaster	Waddell
Erdey	Lucas	Windhorst
Farrar	McCallum	Wright
Flavin	McDonald	

Total—32

### ABSENT

Ansardi	LeBlanc	Morrish
Heaton	Martiny	Wilkerson
Total—6		

The amendments proposed by the Senate, failing to receive a two-thirds vote of the elected members, were not concurred in by the House.

Conference Committee appointments pending.

**Speaker Pro Tempore Bruneau in the Chair**

**HOUSE BILL NO. 37—**  
 BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, AND HUNTER  
 AND SENATORS HAINKEL, LAMBERT, BARHAM, AND ULLO  
 AN ACT

To appropriate the sum of Forty-eight Million Five Hundred Ninety-five Thousand Five Hundred Thirty-nine and No/100 (\$48,595,539.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million Four Hundred Thousand and No/100 (\$7,400,000.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 37 by Representative DeWitt

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 in their entirety and insert the following:

"To appropriate the sum of Forty-eight Million Five Hundred Ninety-eight Thousand Five Hundred Twenty-nine and No/100 (\$48,598,529.00)"

AMENDMENT NO. 2

On page 1, delete lines 15 through 17 in their entirety and insert the following:

"Section 1.A. To appropriate the sum of Forty-eight Million Five Hundred Ninety-eight Thousand Five Hundred Twenty-nine and No/100 (\$48,598,529.00) Dollars, or so much thereof as may be necessary, is hereby"

AMENDMENT NO. 3

On page 2, delete lines 18 and 19 in their entirety and insert the following:

"general fund, Thirty-three Million Nine Hundred Twenty-three Thousand Eight Hundred Thirty-nine and No/100 (\$33,923,839) Dollars is hereby allocated"

AMENDMENT NO. 4

On page 3, delete lines 16 and 17 in their entirety and insert the following:

"the use of the House of Representatives and Eleven Million Seven Hundred Ninety Thousand Six Hundred Ninety-seven and No/100 (\$11,790,697)"

AMENDMENT NO. 5

On page 8, delete lines 9 and 10 in their entirety and insert the following:

"Section 5.A. The sum of Eight Hundred Fifteen Thousand Four Hundred Sixty-eight and No/100 (\$815,468.00) Dollars is hereby allocated out"

Rep. DeWitt moved that the amendments proposed by the Senate be concurred in.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander, E	Guillory	Pratt
Alexander, R	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Riddle
Bowler	Hill	Romero
Broome	Holden	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Clarkson	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kennard	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Waddell
Donelon	McCallum	Walsworth
Downer	McDonald	Warner
Dupre	McMains	Welch
Durand	Montgomery	Wilkerson
Erdey	Morrell	Willard
Farrar	Murray	Windhorst
Faucheux	Nevers	Winston
Flavin	Odinot	Wooton
Frith	Pierre	Wright
Fruge	Pinac	
Total—98		

**NAYS**

Futrell  
Total—1

**ABSENT**

Ansardi	Morrish	Triche
Martiny	Perkins	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

Reconsideration

Rep. Stelly moved to reconsider the vote by which the House refused to concur in the amendments proposed by the Senate to House Bill No. 295.

Rep. Perkins objected.

By a vote of 76 yeas and 22 nays, the vote by which the House refused to concur in the amendments proposed by the Senate to House Bill No. 295 was reconsidered.

Suspension of the Rules

Rep. Stelly moved to suspend the rules to take up and consider House Bill No. 295 at this time.

Rep. Perkins objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' in three columns.

NAYS

Table listing names of representatives who voted 'NAYS' in three columns.

ABSENT

Table listing absent representatives: Daniel, LeBlanc, Morrish, Murray, Smith, J.H.—8th, Total—5.

The rules were suspended.

HOUSE BILL NO. 295—

BY REPRESENTATIVES STELLY, FAUCHEUX, JOHNS, BAYLOR, K. CARTER, DARTEZ, DEVILLIER, DIEZ, DUPRE, DURAND, FRITH, HEATON, HUDSON, HUNTER, LAFLEUR, MORRISH, MURRAY, NEVERS, PIERRE, RICHMOND, RIDDLE, JACK SMITH, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:290, 292, 293, and 295 and to repeal R.S. 47:32, 112, 296, 296.1, 297, 297.1, 297.2, 298, 299, 302(O), and 331(M), relative to taxation; to levy a tax on an individual's federal adjusted gross income; to repeal inconsistent current individual income tax provisions; to repeal certain suspensions of exemptions from the state sales and use tax; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 295 by Representative Stelly

AMENDMENT NO. 1

On page 8, line 15, after "year," delete the remainder of then line, delete lines 16 through 26, and insert:

" beginning in Fiscal Year 2001-2002, the treasurer shall pay into the Education Enhancement Fund an amount equal to the monies received by the state treasury pursuant to the provisions of this Part which are in excess of a base amount. The base amount shall be the total amount of the monies collected from the individual income tax for Fiscal Year 2000-2001 plus three hundred thirty million dollars plus an annual positive inflation factor as determined by the Revenue Estimating Conference. The monies in this"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 295 by Representative Stelly

AMENDMENT NO. 1

On page 9, line 4, change "revert to the state general fund" to "remain in the Education Enhancement Fund"

AMENDMENT NO. 2

On page 9, line 6, after the first "general fund" delete the remainder of the line and insert a period

AMENDMENT NO. 3

On page 9, line 7, after "legislature," insert "eighty percent (80%) of"

AMENDMENT NO. 4

On page 9, delete line 13, and insert in lieu thereof "necessary to annually achieve not later than the beginning of each school year a statewide average salary for all such classroom teachers equal to an

amount calculated by averaging the average teacher salaries of each member state of the Southern Regional Education Board for the previous school year as certified by the state Department of Education. Each year such amount shall be equally divided and paid in equal amounts to each such classroom teacher in the state."

AMENDMENT NO. 5

On page 9, line 14, change "universities" to "postsecondary institutions"

AMENDMENT NO. 6

On page 9, line 15, after "in amounts" delete the remainder of the line and delete line 16 and insert in lieu thereof "necessary to annually achieve not later than the beginning of each fiscal year a statewide average salary for all such postsecondary institution faculty members equal to an amount calculated by averaging the average postsecondary institution faculty member salaries of each member state of the Southern Regional Education Board for the previous school year as certified by the Board of Regents. Each year such amount shall be equally divided and paid in equal amounts to each such postsecondary institution faculty member in the state."

AMENDMENT NO. 7

On page 9, line 17, after "increase" insert "by four percent annually"

AMENDMENT NO. 8

On page 9, between lines 21 and 22, insert the following:

(d) In the event that in any year insufficient money is available in the Fund to fully fund all the expenditures mandated in Subparagraphs (a) through (c) of this Paragraph, the amount provided to each classroom teacher and each postsecondary institution faculty member and the percentage of increase for each employee provided an increase in Subparagraph (d) shall each be reduced by the same percentage in order to permit each such teacher, faculty member, and employee to receive an increase in that year without exceeding the money available."

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Barham to Reengrossed House Bill No. 295 by Representative Stelly

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 2, 2000, on page 1, line delete lines 9 through 11, and insert:

"2000-2001, plus a factor which represents inflation and which represents the growth of the individual income tax base prior to December 31, 2000 not attributable to the changes in the individual income tax law provided in that Act which originated as House Bill No. 295 of the 2000 Regular Session of the Louisiana Legislature, plus four hundred forty million dollars, all as determined by the Revenue Estimating Conference."

AMENDMENT NO. 2

On page 1, line 2, after "47:" insert "112 (A) and (G)(4),"

AMENDMENT NO. 3

On page 1, line 3, after "112" insert "(B), (C), (D), (E), and (F)"

AMENDMENT NO. 4

On page 1, line 10, after "47:" insert "112(A) and (G)(4),"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert:

"§ 112. Income tax withheld at source

A. Requirement of withholding. Every employer making payment of wages on or after July 1, 1984, shall deduct and withhold from such wages (except as provided in Subsection K of this Section) a tax in amounts to be provided by the secretary, equal to rates specified in Subsection B of this Section which is applied to wages which exceed the sum of the withholding exemptions claimed, as shown in Subsection B(1) of this Section:

\* \* \*

G. Exemption certificates.

\* \* \*

(4) A withholding certificate furnished to the employer in cases in which no previous certificate is in effect shall take effect as of the beginning of the first payroll period ending, or the first payment of wages made without regard to a payroll period, on or after the date on which such certificate is furnished. A withholding certificate furnished to the employer in cases in which a previous certificate is in effect shall take effect for the first payment of wages made on or after the first status determination date which occurs at least 30 days from the date on which such certificate is furnished, except that at the election of the employer such certificate may be made effective with respect to payment of wages made on or after the date on which such certificate is furnished; but a certificate furnished pursuant to ~~Subsection G(3) Paragraph (B)(3)~~ shall not take effect, and may not be made effective, for any payment of wages made in the calendar year in which the certificate is furnished. For purposes of this paragraph the term "status determination date" means January 1 and July 1 of each year.

\* \* \*

AMENDMENT NO. 6

On page 2, line 9, delete lines 10 through 16, and insert:

"to the extent that they are inconsistent or in conflict herewith. The provisions of Part I and Part II of this Chapter shall remain in effect to the extent that they are not inconsistent or in conflict with this Part."

AMENDMENT NO. 7

On page 3, line 9, after "44.1." delete the remainder of the line, and delete lines 10 and 11

AMENDMENT NO. 8

On page 6, line 7, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294"

AMENDMENT NO. 9

On page 6, line 9, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(A)(1)"

AMENDMENT NO. 10

# Page 66 HOUSE

25th Day's Proceedings - June 7, 2000

On page 6, line 11, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(A)(1) and (A)(2)"

## AMENDMENT NO. 11

On page 6, line 18, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294"

## AMENDMENT NO. 12

On page 6, line 20, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(B)(1)"

## AMENDMENT NO. 13

On page 6, line 22, after "income" insert "in excess of the personal exemptions and deductions allowed in R.S. 47:294 remaining after the application of R.S. 295(B)(1) and (B)(2)"

## AMENDMENT NO. 14

On page 6, between lines 24 and 25 insert the following:

"C. Notwithstanding any provision of law to the contrary, no federal income tax paid by an individual shall be allowed as a deduction against his Louisiana income taxes."

## AMENDMENT NO. 15

On page 6, line 25, change "C." to "D."

## AMENDMENT NO. 16

On page 7, line 4, change "D." to "E.(1)"

## AMENDMENT NO. 17

On page 7 between lines 10 and 11, insert:

"(2) The secretary shall establish tax tables that calculate the tax owed by taxpayers based upon where their taxable income falls within a range that shall not exceed two-hundred and fifty dollars. The secretary shall provide in the tax tables that the combined personal exemption, standard deduction, and other exemption deductions in R.S. 47:294 shall be deducted from the two percent tax bracket. If such combined exemptions and deductions exceed the two percent bracket, the excess shall be deducted from the three percent bracket. If such combined exemptions and deductions exceed the two and three percent brackets, the excess shall be deducted from the four percent bracket."

## AMENDMENT NO. 18

On page 7, line 11 change "E." to "F."

## AMENDMENT NO. 19

On page 7, line 21 change "F." to "G."

## AMENDMENT NO. 20

On page 8, line 8 change "G." to "H."

## AMENDMENT NO. 21

On page 9, between lines 21 and 22, insert:

"(d) To increase expenditures on instruction and research needs of public education."

## AMENDMENT NO. 22

On page 9, line 22, after "112," insert "(B), (C), (D), (E), and (F),"

## AMENDMENT NO. 23

On page 10, line 4, after "but" insert "Sections 1, 2, and 3 shall become effective"

Rep. Stelly moved that the amendments proposed by the Senate be concurred in.

## **ROLL CALL**

The roll was called with the following result:

### YEAS

Mr. Speaker	Hammett	Pierre
Alario	Heaton	Pinac
Alexander, R	Hebert	Pitre
Ansardi	Hill	Powell
Baylor	Holden	Pratt
Broome	Hopkins	Quezaire
Bruce	Hudson	Riddle
Carter, K	Hunter	Salter
Carter, R	Iles	Schwegmann
Clarkson	Jackson, L	Smith, G.—56th
Curtis	Jackson, M	Smith, J.D.—50th
Damico	Johns	Smith, J.H.—8th
Daniel	Katz	Stelly
Dartez	Kennard	Strain
Devillier	Kenney	Thompson
Diez	LaFleur	Toomy
Doerge	Landrieu	Townsend
Dupre	LeBlanc	Walsworth
Durand	McMains	Warner
Faucheux	Montgomery	Welch
Frith	Morrell	Wilkerson
Glover	Murray	Willard
Green	Nevers	Winston
Guillory	Odinot	Wooton
Total—72		

### NAYS

Alexander, E	Farrar	Romero
Baudoin	Flavin	Scalise
Bowler	Fruge	Schneider
Bruneau	Futrell	Shaw
Cazayoux	Lancaster	Smith, J.R.—30th
Crane	Lucas	Sneed
Crowe	Martiny	Triche
Donelon	McCallum	Waddell
Downer	McDonald	Windhorst
Erdey	Perkins	Wright
Total—30		

### ABSENT

Morrish	Richmond
Total—2	

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

## **Suspension of the Rules**

On motion of Rep. Riddle, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

### Suspension of the Rules

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

### 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 RESOLUTION NO. 69—

BY REPRESENTATIVES WELCH, BROOME, BAUDOIN, BOWLER, BRUCE, K. CARTER, CLARKSON, DARTÉZ, DEVILLIER, DOERGE, DURAND, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, JANE SMITH, SNEED, WILKERSON, WILLARD, AND WINSTON AND SENATORS BAJOEI, IRONS, AND MOUNT

#### A RESOLUTION

To commend Peggy Vernice, manager of the Woman's Hospital Gift Shop, and the gift shop staff and community volunteers, for their dedication and spirit of generosity that contribute so much to this important institution in the capital city.

Read by title.

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

#### HOUSE RESOLUTION NO. 70—

BY REPRESENTATIVE WILLARD

#### A RESOLUTION

To express the sincere condolences of the House of Representatives of the Legislature of Louisiana upon the death of Valdia Blache Lacey of New Orleans.

Read by title.

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

#### HOUSE RESOLUTION NO. 71—

BY REPRESENTATIVES DEVILLIER AND CAZAYOUX

#### A RESOLUTION

To commend The Dow Chemical Company, Louisiana Operations, upon being named a "Super Star Among Stars" by the United States Occupational Safety and Health Administration (OSHA) as a result of its safety performance that was seventy-five percent better than the national average.

Read by title.

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

#### HOUSE RESOLUTION NO. 72—

BY REPRESENTATIVE TOWNSEND

#### A RESOLUTION

To commend Coach Gay McNutt on her accomplishments as coach of the Northwestern State University softball team.

Read by title.

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

### Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

### Petitions, Memorials and Communications

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

### Message from the Senate

#### SIGNED SENATE CONCURRENT RESOLUTIONS

June 7, 2000

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 33, 53, 56, 57, 58, 60, 61, 62, and 63

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

### Privileged Report of the Committee on Enrollment

June 7, 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 Resolutions have been properly enrolled:

#### HOUSE RESOLUTION NO. 55—

BY REPRESENTATIVES WILKERSON AND DEWITT

#### A RESOLUTION

To urge and request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to act and function as a joint committee to study the delivery and cost of health care services in the state of Louisiana.

#### HOUSE RESOLUTION NO. 60—

BY REPRESENTATIVE FRITH

#### A RESOLUTION

To recognize and commend Johnny Gaspard of Kaplan and Lloyd Romero of Erath for making Thoroughbred racing history when their horse Hallowed Dreams set the record for consecutive wins by a Thoroughbred filly.

**HOUSE RESOLUTION NO. 61—**

BY REPRESENTATIVE QUEZAIRE

**A RESOLUTION**

To commend and congratulate the 1999 - 2000 Ascension Catholic High School girls tennis team for its outstanding performance in finishing as the runner-up in the state championship tennis tournament.

**HOUSE RESOLUTION NO. 62—**

BY REPRESENTATIVES DIEZ AND QUEZAIRE

**A RESOLUTION**

To congratulate the employees of the Geismar facility of BASF Corporation for the attainment of six million safe work hours and to commend the company for its continued pursuit of excellence in its business and community activities.

**HOUSE RESOLUTION NO. 64—**

BY REPRESENTATIVE MURRAY

**A RESOLUTION**

To commend Louisiana native, Bishop Curtis J. Guillory, upon being named Bishop of the Diocese of Beaumont.

**HOUSE RESOLUTION NO. 66—**

BY REPRESENTATIVE WILLARD

**A RESOLUTION**

To express the sincere condolences of the House of Representatives of the Legislature of Louisiana upon the death of Theodore J. Gusman, Jr. of Gretna.

**HOUSE RESOLUTION NO. 67—**

BY REPRESENTATIVE WILLARD

**A RESOLUTION**

To express the sincere and heartfelt condolences of the House of Representatives upon the death of Roslyn Porche Rogers and the enduring appreciation of the members for her outstanding contributions to the city of New Orleans and to the state of Louisiana.

**HOUSE RESOLUTION NO. 68—**

BY REPRESENTATIVE FRITH

**A RESOLUTION**

To commend the schools of the Vermilion Parish School System for their notable LEAP test results and student performance on the Graduate Exit Exam, to recognize students for their hard work, and to commend parents and teachers for their cooperative effort to improve learning conditions and the quality of education of children in Louisiana.

**HOUSE RESOLUTION NO. 69—**

BY REPRESENTATIVES WELCH, BROOME, BAUDOIN, BOWLER, BRUCE, K. CARTER, CLARKSON, DARTEZ, DEVILLIER, DOERGE, DURAND, ILES, L. JACKSON, KATZ, PRATT, SCHWEGMANN, JANE SMITH, SNEED, WILKERSON, WILLARD, AND WINSTON AND SENATORS BAJIOIE, IRONS, AND MOUNT

**A RESOLUTION**

To commend Peggy Vernice, manager of the Woman's Hospital Gift Shop, and the gift shop staff and community volunteers, for their dedication and spirit of generosity that contribute so much to this important institution in the capital city.

**HOUSE RESOLUTION NO. 70—**

BY REPRESENTATIVE WILLARD

**A RESOLUTION**

To express the sincere condolences of the House of Representatives of the Legislature of Louisiana upon the death of Valdia Blache Lacey of New Orleans.

**HOUSE RESOLUTION NO. 71—**

BY REPRESENTATIVES DEVILLIER AND CAZAYOUX

**A RESOLUTION**

To commend The Dow Chemical Company, Louisiana Operations, upon being named a "Super Star Among Stars" by the United States Occupational Safety and Health Administration (OSHA) as a result of its safety performance that was seventy-five percent better than the national average.

**HOUSE RESOLUTION NO. 72—**

BY REPRESENTATIVE TOWNSEND

**A RESOLUTION**

To commend Coach Gay McNutt on her accomplishments as coach of the Northwestern State University softball team.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

June 7, 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. 84—**

BY REPRESENTATIVES DURAND, HEBERT, AND TOOMY

**A CONCURRENT RESOLUTION**

To create and provide with respect to a commission to study and develop recommendations for development of sugarcane and sugar-related products and industries.

**HOUSE CONCURRENT RESOLUTION NO. 85—**

BY REPRESENTATIVE GLOVER

**A CONCURRENT RESOLUTION**

To create and provide with respect to a task force to study and make recommendations regarding the safe relinquishment of newborns.

**HOUSE CONCURRENT RESOLUTION NO. 90—**

BY REPRESENTATIVES E. ALEXANDER, BAUDOIN, LEBLANC, PIERRE, PINAC, ALARIO, R. ALEXANDER, ANSARDI, 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, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT AND SENATORS CRAVINS, MICHOT, BAJIOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, DARDENNE, DEAN, ELLINGTON, C. FIELDS, W. FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MOUNT, ROBICHAUX, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

**A CONCURRENT RESOLUTION**

To commend the baseball team of the University of Louisiana at Lafayette for reaching the College World Series.

**HOUSE CONCURRENT RESOLUTION NO. 91—**  
BY REPRESENTATIVE DONELON

A CONCURRENT RESOLUTION

To authorize and request the House Committee on Insurance and the Senate Committee on Insurance to meet and to function as a joint committee to study the reorganization of the insurance laws in Title 22 of the Louisiana Revised Statutes of 1950, and to report the findings of the joint committee to the legislature prior to the convening of the 2001 Regular Session.

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.

**Privileged Report of the Committee on Enrollment**

June 7, 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 Bills have been properly enrolled:

**HOUSE BILL NO. 2—**  
BY REPRESENTATIVES HAMMETT AND LEBLANC AND SENATORS BARHAM AND DARDENNE

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

**HOUSE BILL NO. 22—**  
BY REPRESENTATIVE MONTGOMERY AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:305.50(A)(1) and Section 2 of Act No. 8 of the 1996 Regular Session of the Legislature, as amended by Act No. 41 of the 1998 Regular Session of the Legislature, relative to the sales and use tax; to extend the time limitation for the exemption for certain buses, trucks, and trailers used in interstate commerce; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 23—**  
BY REPRESENTATIVE MONTGOMERY

AN ACT

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

**HOUSE BILL NO. 37—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, AND ULLO

AN ACT

To appropriate the sum of Forty-eight Million Five Hundred Ninety-five Thousand Five Hundred Thirty-nine and No/100 (\$48,595,539.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million Four Hundred Thousand and No/100 (\$7,400,000.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

**HOUSE BILL NO. 44—**

BY REPRESENTATIVES DANIEL, DONELON BOWLER, BRUCE, R. CARTER, CLARKSON, CRANE, DEVILLIER, DIEZ, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, HEBERT, HILL, HOPKINS, HUDSON, MCCALLUM, MONTGOMERY, NEVERS, ODINET, PERKINS, PINAC, QUEZAIRE, JOHN SMITH, STELLY, STRAIN, TOWNSEND, WADDELL, WALSWORTH, WINDHORST, AND WINSTON AND SENATORS CAIN AND MICHOT

AN ACT

To enact R.S. 47:301(16)(f), relative to the sales and use taxes of the state; to define tangible personal property to exclude certain transactions relating to manufactured homes; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 49—**

BY REPRESENTATIVE LANDRIEU

AN ACT

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

**HOUSE BILL NO. 117—**

BY REPRESENTATIVES DEWITT, HAMMETT, AND LEBLANC AND SENATORS HAINKEL, BARHAM, AND DARDENNE

AN ACT

To amend and reenact R.S. 47:841(introductory paragraph) and (E), to enact R.S. 47:841(B)(3) and 842(15), and to repeal R.S. 47:841(F), relative to the tobacco tax; to increase the tax on cigarettes; to increase the tax on smokeless tobacco; to provide for the effectiveness of the tax; and to provide for related matters.

**HOUSE BILL NO. 140—**

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, and to enact R.S. 47:301(16)(f), relative to the state and local sales and use tax; to extend the termination date of the exclusion for certain transactions involving certain private and parochial elementary and secondary schools; to define tangible personal property to exclude pharmaceuticals administered to livestock which are to be consumed as food; and to provide for related matters.

**HOUSE BILL NO. 180—**

BY REPRESENTATIVES BOWLER, DOWNER, KATZ, AND JOHN SMITH

AN ACT

To enact R.S. 47:293(6)(e), relative to individual income tax; to provide for an exemption for certain income earned by military personnel for services performed outside of the state; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 238—**

BY REPRESENTATIVES M. JACKSON AND FUTRELL  
AN ACT

To enact Part VI of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3031, relative to tax incentives for businesses in East Baton Rouge Parish; to authorize the State Board of Commerce and Industry to grant tax exemptions and other tax incentives to certain types of businesses within a specified area of the parish; and to provide for related matters.

**HOUSE BILL NO. 246—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2000-2001; and to provide for related matters.

**HOUSE BILL NO. 295—**

BY REPRESENTATIVES STELLY, FAUCHEUX, JOHNS, BAYLOR, K. CARTER, DARTEZ, DEVILLIER, DIEZ, DUPRE, DURAND, FRITH, HEATON, HUDSON, HUNTER, LAFLEUR, MORRISH, MURRAY, NEVERS, PIERRE, RICHMOND, RIDDLE, JACK SMITH, AND THOMPSON  
AN ACT

To amend and reenact R.S. 47:290, 292, 293, and 295 and to repeal R.S. 47:32, 112, 296, 296.1, 297, 297.1, 297.2, 298, 299, 302(O), and 331(M), relative to taxation; to levy a tax on an individual's federal adjusted gross income; to repeal inconsistent current individual income tax provisions; to repeal certain suspensions of exemptions from the state sales and use tax; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 299—**

BY REPRESENTATIVES HAMMETT AND FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:293(2), relative to individual income taxes; to limit the deductibility of excess federal itemized deductions; and to provide for related matters.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVES GARY SMITH, FAUCHEUX, HEATON, AND QUEZAIRE AND SENATOR CHAISSON  
AN ACT

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

**HOUSE BILL NO. 304—**

BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 47:300.6(B)(2)(c), relative to the income tax on estates and trusts; to provide for an additional exemption from taxable income; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Privileged Report of the Committee on Enrollment**

June 7, 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 Joint Resolutions have been properly enrolled:

**HOUSE BILL NO. 73—**

BY REPRESENTATIVE DANIEL  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(A) of the Constitution of Louisiana, relative to the income tax, to remove the deduction for federal taxes paid and provide for the limitation of the rates and brackets for the individual income tax; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 98—**

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

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

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above Joint Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk 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.

**Adjournment**

On motion of Rep. LeBlanc, the House agreed to adjourn *sine die*.

The Speaker of the House declared the House adjourned *sine die*.

ALFRED W. SPEER  
Clerk of the House