The Committee was called to order at 9:35 A.M. by Chairman Thompson.

On motion of Rep. Alario, the calling of the roll was dispensed with.

Motion

On motion of Rep. Alario, the Committee took under consideration House Bill No. 1 at this time.

HOUSE BILL NO. 1—

BY REPRESENTATIVES ALARIO AND TRICHE

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.

Read by title.

Motion

Rep. Jackson moved to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule.


A record vote was asked for and ordered by the House.

YEAS

Curtis

Damico

Daniel

Dartez

DeWitt

Doerge

Dorsey

Total - 57

Jackson

Jefferson

Kenney

LaFonta

Marchand

McDonald

McVea

NAYS

Total - 38

Greene

Hebert

Johns

Katz

Kennard

Kleckley

LaBruzzo

Lambert

Lancaster

Martiny

Pitre

Powell, M.

Robideaux

ABSENT

Total - 10

Baudoin

Guillory, M.

Guillory, E.

Houtter

LaFleur

Morrish

The motion to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule, not having received a favorable vote of two-thirds of the members present and voting, failed to pass.

Under the rules, the Committee of the Whole House, in considering House Bill No. 1, proceeded seriatim.

Suspension of the Rules

On motion of Rep. DeWitt, 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.

Rep. Tucker sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Tucker in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 7, at the end of line 13, insert the following:

"Notwithstanding any other provision of this Act to the contrary, the commissioner of administration is authorized and directed to utilize the additional State General Fund (Direct) for Fiscal Year 2005-2006 recognized by the Revenue Estimating Conference at its May 16, 2005 meeting for the certificated pay raises set forth in Section 18 hereof."

Rep. Tucker moved the adoption of the amendments.


A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:
The amendments were rejected.

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

Suspension of the Rules
On motion of Rep. Shepherd, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS
Amendments proposed by Representative Alario in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 3
On page 69, line 41, after "in" and before "programs" change "pre-released" to "pre-release"

AMENDMENT NO. 4
On page 70, line 53, after "in" and before "programs" change "pre-released" to "pre-release"

AMENDMENT NO. 5
On page 72, line 14, after "in" and before "programs" change "pre-released" to "pre-release"

AMENDMENT NO. 6
On page 85, line 44, change "84,781,863" to "81,484,609"

AMENDMENT NO. 7
On page 86, line 34, change "216,667,858" to "213,370,604"

AMENDMENT NO. 8
On page 160, line 17, after "that the" and before "million" change "$6" to "$10"

AMENDMENT NO. 9
On page 189, delete lines 36 through 45 in their entirety

AMENDMENT NO. 10
On page 190, delete lines 1 through 9 in their entirety

AMENDMENT NO. 11
On page 212, at the end of line 26, change "scholarship/" to "Scholarship/

AMENDMENT NO. 12
On page 216, delete line 58 in its entirety and insert the following:
"data 2%"

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

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

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS
Amendments proposed by Representative Alario in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1
On page 34, between lines 28 and 29, insert the following:
"Payable out of the State General Fund (Direct) to the Museum and Other Operations Program for the relocation of a marble statue from the Shreveport Fairgrounds to the Louisiana State Oil and Gas Museum $ 15,000"

AMENDMENT NO. 2
On page 51, delete lines 2 through 4 in their entirety and insert the following:
"to the Business Development Program for the South Louisiana Economic Development Council for the Center for Economic Growth and Technology $ 200,000"
AMENDMENT NO. 3
On page 88, line 11, change “100,000” to “85,000”

AMENDMENT NO. 4
On page 101, line 38, change “1,042,117,776” to “1,012,572,660”

AMENDMENT NO. 5
On page 101, line 46, change “173,127,995” to “202,673,111”

AMENDMENT NO. 6
On page 102, between lines 39 and 40, insert the following:

"FOR:
Payments to Private Providers Program for an
increase in Medicaid reimbursement rates for
Dental EPSDT services $ 836,120

TOTAL EXPENDITURES $ 836,120

FROM:
State General Fund (Direct) $ 250,000
Federal Funds $ 586,120

TOTAL MEANS OF FINANCING $ 836,120"

AMENDMENT NO. 7
On page 103, between lines 25 and 26, insert the following:

"FOR:
Payments to Uncompensated Care Costs Program for
operational expenses of the Louisiana Health
Care Services Divisions associated with joint
operation of public health clinics $ 4,170,166

TOTAL EXPENDITURES $ 4,170,166

FROM:
Federal Funds $ 4,170,166

TOTAL MEANS OF FINANCING $ 4,170,166"

Provided, however, that this appropriation shall not become effective until a cooperative endeavor agreement is entered into between the Louisiana State University Health Care Services Division and the city of New Orleans for the joint operation of any public health clinic in the city of New Orleans. The Louisiana State University Health Care Services Division may enter into agreements with the city of New Orleans to receive non-state funds as match for the federal portion of Medicaid Uncompensated Care payments appropriated herein and may enter into employment and other agreements as deemed appropriate to jointly operate public health clinics with the city of New Orleans. Any agreement with the city of New Orleans to jointly operate a public health clinic must be approved by the Joint Legislative Committee on the Budget prior to implementation.”

AMENDMENT NO. 8
On page 12, between lines 45 and 46, insert the following:

“Notwithstanding any other provision of law to the contrary, the amount of $16,050,450 appropriated herein for the Urban and Rural Development Programs shall be expended and apportioned as follows. The total shall be divided by one hundred forty-four with an equal amount designated for expenditure within each of the one hundred forty-four legislative districts.”

Rep. Walsworth moved the adoption of the amendments.
A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:
The amendments were rejected.

Rep. Tucker moved the adoption of the amendments.


A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander Greene Schneider
Arnold Farrar Smiley
Baldone Faucheux Smith, G.
Baudoin Geymann Smith, J.H.–8th
Beard Greene Strain
Brower Hebert Toomy
Bruce Johns Trahan
Broussard Katz Tucker
Burns Kleckley Waddell
Crawley Lancastor Walker
Dumitico McVea Walsworth
Dove Pittre White
Erdoes Powell, M. Winston
Total - 42

NAYS

Mr. Speaker Fannin Montgomery
Alario Farrar Odinet
Arnold Galot Pinac
Badon Gray Quezair
Barrow Guillory, E. Ritchie
Carter, K. Hopkins Shepherd
Carter, R. Hunter Smith, J.R.–50th
Cravins Hunter Smith, J.R.–30th
Dartez Jefferson St. Germain
DeWitt Kenney Thompson
Doerge LaFonta Triche
Dorsey Marchand Triche
Downs Montgomery Wooton
Durand Morrell
Frisch Odinet
Total - 46

ABSENT

Ansardi Hill McDonald
Bayard Hutter Morrish
Cazayoux Kennard Pierre
Daniel LaBruzzo Schneider
Guillory, M. LaFleur Wright
Heaton Martiny
Total - 17

The amendments were rejected.

Rep. Tucker sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Tucker in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 43, line 1, change "31,333,694" to "19,333,694"

AMENDMENT NO. 2

On page 45, line 37, change "12,431,124" to "430,124"

AMENDMENT NO. 3

On page 45, line 53, change "95,584,763" to "83,584,763"

AMENDMENT NO. 4

On page 45, after line 56, insert the following:

"Payable out of the State General by Statutory Dedications out of the Pari-mutual Live Racing Facility Gaming Control Fund to the Louisiana Agricultural Authority, but only in such amount as is necessary to pay the annual principal and interest due on the bonds described as "$45,000,000 Louisiana Agricultural Finance Authority Variable Rate Demand Revenue Bonds (Lacassine Syrup Mill Project), Series 2004", not to exceed $12,000,000 $ 12,000,000

Provided, however, that the state treasurer shall determine the amount of the annual principal and interest due on the bonds in Fiscal Year 2005-2006 and the balance of this appropriations shall be deposited and apportioned as follows: fifty percent (50%) to the Rural Road Fund; twenty-five (25%) percent to the Community Based Primary Care Initiative Fund; and twenty-five percent (25%) to the Louisiana Housing Trust Fund."

Rep. Tucker moved the adoption of the amendments.


A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander Greene Schneider
Ansardi Hunter Smiley
Baldone Johns Smith, G.
Beard Katz Smith, J.H.–8th
Brower Kleckley Trahan
Bruneau Lambert Tucker
Burns Lancaster Waddell
Carter, K. Martiny Walsworth
Carter, R. Hill Smith, J.D.–50th
Cravins Jackson Smith, J.R.–30th
Curtis Jefferson St. Germain
Dartez Steele Thompson
DeWitt Kenney Thompson
Doerge LaFonta Triche
Dorsey Marchand Triche
Downs Montgomery Wooton
Durand Morrell
Frisch Odinet
Total - 42

NAYS

Mr. Speaker Fannin Montgomery
Alario Farrar Odinet
Arnold Galot Pinac
Badon Gray Quezair
Barrow Guillory, E. Ritchie
Carter, K. Hopkins Shepherd
Carter, R. Hunter Smith, J.R.–50th
Cravins Hunter Smith, J.R.–30th
Dartez Jefferson St. Germain
DeWitt Kenney Thompson
Doerge LaFonta Triche
Dorsey Marchand Triche
Downs Montgomery Wooton
Durand Morrell
Frisch Odinet
Total - 46

ABSENT

Ansardi Hill McDonald
Bayard Hutter Morrish
Cazayoux Kennard Pierre
Daniel LaBruzzo Schneider
Guillory, M. LaFleur Wright
Heaton Martiny
Total - 17

The amendments were rejected.
Motion

Rep. DeWitt moved to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule.


By a vote of 60 yeas and 35 nays, the motion to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule, not having received a favorable vote of two-thirds of the members present and voting, failed to pass.

Rep. Tucker sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Tucker in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 103, between lines 25 and 26, insert the following:

"Provided, however, that the secretary of the Department of Health and Hospitals shall not be authorized to establish a nursing home provider fee that exceeds the fee set in place on May 1, 2005."

Rep. Tucker moved the adoption of the amendments.


A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander
Arnold
Barrow
Baudoin
Beard
Bowler
Bruneau
Burns
Cravins
Crowe
Dove
Erdey
Total - 34

Katz
Kennard
Kleckley
LaBrouzo
Lambert
Lancaster
Pitre
Powell, M.
Scalise
Schneider
Smiley
Smith, J.H.–8th

Strain
Toomy
Trahan
Triche
Tucker
Waddell
Walker
Walworth
White
Winston

NAYS

Mr. Speaker
Alario
Badon
Baldone
Carter, K.
Carter, R.
Cazayoux
Crane
Dartez
DeWitt
Doerge
Dorsey
Durand
Fannin
Farrar
Total - 45

Faucacheux
Fritth
Galott
Glover
Gray
Guillory, E.
Hammett
Hebert
Hill
Honey
Hunter
Jackson
Jefferson
Johns
Kenney

LaFonta
Marchand
Montgomery
Morrell
Pnic
Powell, T.
Ritchie
Romero
Smith, G.
Smith, J.D.–50th
Smith, J.R.–30th
St. Germain
Thompson
Townsend
Wooton

ABSENT

Ansardi
Baylor

Greene
Guillory, M.

Morrish
Odinet

The amendments were rejected.

Suspension of the Rules

On motion of Rep. Barrow, and under a suspension of the rules, the above roll call was corrected to reflect her as voting yea.

Acting Chairman John Smith in the Chair

Rep. Beard sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Beard in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 108, after line 53, insert the following:

"Provided, however, that no portion of the appropriations contained herein shall be expended for the purchase or distribution of condoms."

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

Rep. Beard sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Beard and Scalise in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 124, between lines 37 and 38, insert the following:

"Within the Department of Social Services, Office of Family Support for the implementation of the Abortion Alternatives Initiative $ 500,000"

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

Motion

Rep. DeWitt moved that the Committee of the Whole House rise and report.


Rep. DeWitt withdrew his motion to rise and report.

Chairman Thompson in the Chair

Motion

Rep. Morrell moved to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule.

As a substitute motion, Rep. Jack Smith moved to rise and report.


The vote recurred on the substitute motion.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Baylor  DeWitt  Romero
Bruce  Durand  Smith, J.D.–50th
Carter, R.  Hammett  Thompson
Crane  Honey  Townsend
Curtis  LaFonta  Morrell
Dartez  DeWitt

Total - 16

NAYS

Mr. Speaker  Faucheux  Montgomery
Alexander  Doerge  Marchand
Alario  Dorsey  McVea
Arnold  Dove  Montgomery
Badon  Durand  Morrell
Baldone  Frith  Pinac
Barrow  Gallot  Quezaire
Baudoin  Glover  Richmond
Bayor  Gray  Ritchie
Bruce  Guillory, E.  Romero
Burrell  Hammett  Smith, J.D.–50th
Carter, K.  Hill  Smith, J.R.–30th
Carter, R.  Hopkins  St. Germain
Cazayoux  Jackson  Thompson
Cragin  Jefferson  Toomy
Curtis  Kenney  Triche
Damiaco  Klein  Wooton
Dartez  LaFleur

Total - 53

ABSENT

Ansardi  Hutter  Quezaire
Daniel  McDonald  Robideaux
Geymann  Morish  Shepherd
Heaton  Pierre  Walker
Hunter  Powell, T.

Total - 14

The substitute motion to rise and report failed to pass.

Suspension of the Rules

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

Rep. Morrell insisted on his motion to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule.

The vote recurred on the motion to suspend House Rule 6.25.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Doerge  Marchand
Alario  Dorsey  McVea
Arnold  Dove  Montgomery
Badon  Durand  Morrell
Baldone  Frith  Pinac
Barrow  Gallot  Quezaire
Baudoin  Glover  Richmond
Bayor  Gray  Ritchie
Bruce  Guillory, E.  Romero
Burrell  Hammett  Smith, J.D.–50th
Carter, K.  Hill  Smith, J.R.–30th
Carter, R.  Hopkins  St. Germain
Cazayoux  Jackson  Thompson
Cragin  Jefferson  Toomy
Curtis  Kenney  Triche
Damiaco  Klein  Wooton
Dartez  LaFleur

Total - 53

NAYS

Alexander  Guillory, M.  Schneider
Beard  Hebert  Smiley
Bowler  Johns  Smith, G.
Bruneau  Katz  Smith, J.H.–8th
Burns  Kennard  Strain
Cravins  Kleeckley  Trahan
Crowe  LaBruzso  Tucker
Downs  Lambert  Waddell
Erdey  Lancaster  Walker
Fannin  Martiny  Walsworth
Farrar  Pitré  White
Faucheux  Powell, M.  Winston
Greene  Scalisce  Wright

Total - 39

ABSENT

Ansardi  Hutter  Powell, T.
Daniel  McDonald  Robideaux
Geymann  Morish  Shepherd
Heaton  Odinet  Pierre
Hunter  Powell, T.

Total - 13

The motion to suspend House Rule 6.25 to consider House Bill No. 1 in the Committee of the Whole House by schedule, not having received a favorable vote of two-thirds of the members present and voting, failed to pass.

Rep. Beard sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Beard in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 159, at the end of line 4, change “9,300,000” to “6,300,000”

AMENDMENT NO. 2

On page 175, between lines 46 and 47, insert the following:
"Payable out of the State General Fund by Statutory Dedications from the Higher Education Initiatives Fund to Southern University-Baton Rouge for the Southern University Business and Research Corporation for bio-tech, cellular research, and sickle cell anemia outreach $ 3,000,000"

Rep. Beard moved the adoption of the amendments.


By a vote of 19 yeas and 71 nays, the amendments were rejected.

Rep. Triche sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Triche and Hunter in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 173, delete lines 18 through 27 in their entirety and insert the following:

"FOR:
General Operational Expenses in the Louisiana State University System $ 8,762,585

TOTAL EXPENDITURES $ 8,762,585

FROM:
State General Fund (Direct) $ 8,762,585

TOTAL MEANS OF FINANCING $ 8,762,585

Provided, however, that of the State General Fund (Direct) appropriated herein for General Operational Expenses in the Louisiana State University System, allocations will be made as follows:

Louisiana State University and A&M College - Baton Rouge $ 2,938,154
Louisiana State University - Alexandria $ 122,521
University of New Orleans $ 912,418
Louisiana State University Health Sciences Center - New Orleans $ 1,891,163
Louisiana State University Health Sciences Center - Shreveport $ 897,301
E.A. Conway Medical Center $ 129,137
Louisiana State University - Eunice $ 121,444
Louisiana State University - Shreveport $ 215,817
Louisiana State University - Agricultural Center $ 1,222,689
Paul M. Hebert Law Center $ 134,587
Pennington Biomedical Research Center $ 177,354

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirements costs."

AMENDMENT NO. 2

On page 179, delete lines 21 through 30 in their entirety

AMENDMENT NO. 3

On page 179, between lines 20 and 21, insert the following:

"FOR:
General Operational Expenses in the Southern University System $ 1,196,726

TOTAL EXPENDITURES $ 1,196,726

FROM:
State General Fund (Direct) $ 1,196,726

TOTAL MEANS OF FINANCE $ 1,196,726

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirements costs."

AMENDMENT NO. 4

On page 190, between lines 33 and 34, insert the following:

"FOR:
General Operational Expenses in the University of Louisiana System $ 4,979,983

TOTAL EXPENDITURES $ 4,979,983

FROM:
State General Fund (Direct) $ 4,979,983

TOTAL MEANS OF FINANCE $ 4,979,983

Provided, however, that of the State General Fund (Direct) appropriated herein for General Operational Expenses in the University of Louisiana System, allocations will be made as follows:

Nicholls State University $ 405,166
Grambling State University $ 414,885
Louisiana Tech University $ 707,553
McNeese State University $ 441,934
University of Louisiana - Monroe $ 729,853
Northwestern State University $ 485,806
Southeastern Louisiana University $ 766,962
University of Louisiana - Lafayette $ 1,027,824

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirement costs."

AMENDMENT NO. 5

On page 190, delete lines 34 through 43 in their entirety

AMENDMENT NO. 6

On page 201, delete lines 18 through 28 in their entirety and insert the following:

"FOR:
General operational expenses in the Louisiana Community and Technical College System $ 2,536,862

TOTAL EXPENDITURES $ 2,536,862

FROM:
State General Fund (Direct) $ 2,536,862

TOTAL MEANS OF FINANCE $ 2,536,862

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirement costs."
Provided, however, that of the State General Fund (Direct) appropriated herein for general operational expenses in the Louisiana Community and Technical College System, allocations will be made as follows:

Baton Rouge Community College $ 93,890
Delgado Community College $ 593,009
Nunez Community College $ 86,729
Bossier Parish Community College $ 202,695
South Louisiana Community College $ 61,314
River Parishes Community College $ 49,528
Louisiana Delta Community College $ 49,467
Louisiana Technical College $ 1,248,973
SOWELA Technical Community College $ 105,843
L.E. Fletcher Technical Community College $ 54,414

Provided, however, that the State General Fund (Direct) appropriated herein shall be used exclusively to fund merit increases, group insurance, and retirement costs."

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

Rep. Triche sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Triche, Pitre, Baldone, and Dove in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Alario

AMENDMENT NO. 1

On page 256, between lines 14 and 15, insert the following:

"Payable out of the State General Fund (Direct) for operational expenses of Leonard J. Chabert Medical Center $ 200,000

Provided, however, the commissioner of administration shall reduce the annual appropriation allocated and distributed to Terrebonne and Lafourche Parishes from the Rural Development Fund by the amount of $200,000, but not to exceed the amount allocated and distributed to Terrebonne and Lafourche Parish from the Rural Development Fund."

On motion of Rep. Triche, the amendment was adopted.

Motion

On motion of Rep. Alario, the Committee of the Whole House agreed to rise and report.

ALFRED W. SPEER
Clerk of the House

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