

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

**FIRST DAY'S PROCEEDINGS**

**Thirty-second Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana  
  
Sunday, March 7, 2004

The House of Representatives was called to order at 5:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinot
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley
Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Downs	Marchand	Walker

Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Fauchoux	Morrish	
Total—104		

ABSENT

Total—0

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

**Prayer**

Prayer was offered by Dr. Ken Ward.

**Pledge of Allegiance**

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

**Motion**

On motion of Rep. Broome, the Speaker appointed the following special committee to notify the Governor that the House is convened and prepared to transact business: Reps. Bowler, Morrell, Durand, Dartez, and Jackson.

**Motion**

On motion of Rep. Broome, the Speaker appointed the following special committee to notify the Senate that the House is convened and prepared to transact business: Reps. Alario, Montgomery, Baudoin, Flavin, and St. Germain.

**Committee from the Senate**

A special committee from the Senate notified the House that the Senate has convened and is prepared to transact business.

The Speaker thanked and dismissed the committee.

**Petitions, Memorials and  
Communications**

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

**Message from the Secretary of State**

The following message from the Secretary of State was received and read:

**State of Louisiana**

**SECRETARY OF STATE**

March 1, 2004

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

Ladies and Gentlemen:

I have the honor to hand you herewith a certified copy of the Proclamation by her Excellency, Kathleen Babineaux Blanco, Governor of the State of Louisiana, dated March 1, 2004, designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 3:00 o'clock p.m. on

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1st Day's Proceedings - March 7, 2004

Sunday, the 7th day of March, 2004, and ending no later than 6:00 o'clock p.m. on Tuesday, the 23rd day of March, 2004.

Sincerely,

W. FOX MCKEITHEN  
Secretary of State

**United States of America  
STATE OF LOUISIANA  
Fox McKeithen  
Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the attached pages contain a true and correct copy of the Proclamation by her Excellency, Kathleen Babineaux Blanco, Governor of the State of Louisiana, dated March 1, 2004, hereby call and convene the Legislature of Louisiana into Extraordinary Session to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during seventeen calendar days, beginning at 3:00 o'clock p.m. on the seventh day of March, 2004, and ending no later than 6:00 o'clock p.m. on Tuesday, the twenty-third day of March, 2004.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on this the 1st day of March, 2004.

W. FOX MCKEITHEN  
Secretary of State

**STATE OF LOUISIANA  
OFFICE OF THE GOVERNOR  
BATON ROUGE, LOUISIANA**

## PROCLAMATION

By virtue of the authority vested in me by Paragraph B of Section 2 of Article III of the Constitution of Louisiana, I, Kathleen Babineaux Blanco, Governor of the state of Louisiana, HEREBY CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during seventeen calendar days, beginning at 3:00 o'clock p.m. on the seventh day of March, 2004, and ending no later than 6:00 o'clock p.m. on the twenty-third day of March, 2004. The power to legislate at such session shall be limited, under penalty of nullity, to the following specified enumerated objects:

**ITEM NO. 1:** To legislate relative to Subsections F, G, H, I, J, K, L, M, N, O, P and Q of Section 302, Section 305.50, Paragraph (1) of Subsection O of Section 331 of Title 47 of the Louisiana Revised Statutes of 1950, which repeal or suspend state sales tax exemptions, and which such repeal or suspension will expire in 2004; to provide for the repeal or suspension of such exemptions.

**ITEM NO. 2:** To legislate relative to the reduction or removal over time of sales taxes on machinery and equipment used in manufacturing by means of definitional exclusions.

**ITEM NO. 3:** To amend Title 47 of the Louisiana Revised Statutes of 1950 to eliminate over time borrowed capital as a basis for the assessment, imposition, and collection of the corporate franchise tax.

**ITEM NO. 4:** To amend and reenact R.S. 47:305.39 relative to sales and use taxes imposed on the direct consumer purchase of butane, propane, or other liquified petroleum gases for the private residential purposes of cooking and heating.

**ITEM NO. 5:** To legislate for an increase in the base amount of mineral revenues received by the state in the Budget Stabilization Fund.

**ITEM NO. 6:** To amend and reenact R.S. 51:1306 relative to the termination date of the Louisiana Tax Free Shopping Program.

**ITEM NO. 7:** To amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session, to continue the tax credit program for the rehabilitation of historic structures.

**ITEM NO. 8:** To amend and reenact R.S. 51:2461(B) to extend the date for new applications for tax credits and rebates for the Louisiana Quality Jobs Program.

**ITEM NO. 9:** To amend and reenact R.S. 47:302(P), 321(G), and 331 (N) to extend the effectiveness of the exemptions for purchases of utilities used by certain steel works and blast furnaces.

**ITEM NO. 10:** To provide relative to approval of a maximum salary to be set by the Governor for department secretaries as provided in Title 36 of the Louisiana Revised Statutes of 1950.

**ITEM NO. 11:** To amend and reenact R.S. 47:301(16)(l) to provide that tangible personal property shall not include other constructions permanently attached to the land for purposes of the state sales and use tax.

**ITEM NO. 12:** To amend the state revenue sharing distribution allocation for the parish of East Baton Rouge to include the millage for the Zachary Community School Board.

**ITEM NO. 13:** To amend and reenact R.S. 56:506 relative to the excise tax on shrimp and to dedicate the proceeds to the promotion and protection of domestic wild caught shrimp.

**ITEM NO. 14:** To legislate relative to motion picture investor tax credits to extend the time period authorized for investor tax credits and provide for the transferability of such credits.

**ITEM NO. 15:** To specify the allowable uses of the proceeds derived from the sales and use tax levied by the city of Natchitoches pursuant to the authorization for such tax provided in Act 960 of the 2003 Regular Session.

**IN WITNESS WHEREOF,** I have here unto set my hand and caused to be affixed the Great Seal of the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 1<sup>st</sup> day of March, 2004.

Kathleen Babineaux Blanco  
GOVERNOR OF LOUISIANA

ATTEST BY  
THE GOVERNOR

W. FOX MCKEITHEN  
SECRETARY OF STATE

## **Message from the Secretary of State**

The following message from the Secretary of State was received and read:

**State of Louisiana  
SECRETARY OF STATE**

March 2, 2004

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

Ladies and Gentlemen:

I have the honor to hand you herewith a certified copy of the Proclamation by her Excellency, Kathleen Babineaux Blanco, Governor of the State of Louisiana, issued on March 1, 2004, to hereby modify the proclamation issued March 1, 2004 designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 5:00 o'clock p.m. on Sunday, the seventh day of March, 2004, and ending no later than 6:00 o'clock p.m. on Tuesday, the twenty-third day of March, 2004.

Sincerely,

W. FOX McKEITHEN  
Secretary of State

**United States of America  
STATE OF LOUISIANA  
Fox McKeithen  
Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the attached page contains a true and correct copy of the Proclamation by her Excellency, Kathleen Babineaux Blanco, Governor of the State of Louisiana, dated March 1, 2004, designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 5:00 o'clock p.m. on Sunday the seventh day of March, 2004, and to adjourn not later than 6:00 o'clock p.m. on Tuesday, the twenty-third day of March, 2004.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on this the 2nd day of March, 2004.

W. FOX McKEITHEN  
Secretary of State

**STATE OF LOUISIANA  
OFFICE OF THE GOVERNOR  
BATON ROUGE, LOUISIANA**

**PROCLAMATION**

By virtue of the authority vested in me, I, Kathleen Babineaux Blanco, Governor of the state of Louisiana, HEREBY MODIFY THE PROCLAMATION ISSUED ON MARCH 1, 2004, TO CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during seventeen calendar days, now to begin at 5:00 o'clock p.m. on Sunday, the seventh day of March, 2004, and ending no later than 6:00 o'clock p.m. on the twenty-third day of March, 2004.

**ITEM NO. 5:** To legislate for an increase in the base amount of mineral revenues received by the state for deposit in the Budget Stabilization Fund.

**ITEM NO. 6:** To legislate relative to the termination date of the Louisiana Tax Free Shopping Program.

**IN WITNESS WHEREOF**, I have here unto set my hand and caused to be affixed the Great Seal of the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 1<sup>st</sup> day of March, 2004.

Kathleen Babineaux Blanco  
GOVERNOR OF LOUISIANA

ATTEST BY  
THE GOVERNOR

W. FOX McKEITHEN  
SECRETARY OF STATE

**Louisiana House of Representatives**

January 12, 2004

The Honorable Joe R. Salter, Speaker  
Louisiana House of Representatives  
Post Office Box 94062  
Baton Rouge, Louisiana 70804

Dear Mr. Speaker:

I am tendering my resignation as a member of the Louisiana House of Representatives, District 45, effective 5:00 p.m., January 12, 2004.

Serving the citizens of the state of Louisiana is indeed a privilege and an honor. It has been a pleasure serving in the House of Representatives for the past 15 years and representing the people of District 45 and Lafayette Parish.

Thank you for your friendship and our strong working relationship during our service together. I know you will serve the State of Louisiana and the House of Representatives with honor and dignity. I look forward to working with you to keep Louisiana moving forward.

Sincerely yours,

Jerry Luke LeBlanc

**Louisiana House of Representatives**

February 10, 2004

The Honorable Joe R. Salter  
Speaker of the House  
State Capitol  
Baton Rouge, LA 70804

Dear Mr. Speaker:

In 2003, I was elected to represent District No. 67 in the Louisiana House of Representatives using my legal name at the time, Yvonne Dorsey Welch. Since taking the oath of office in January of this year for the current term, I have changed my surname to Dorsey. Accordingly, I respectfully request from this date forward you have all records of the House of Representatives reflect my legal name of Yvonne Dorsey.

Thank you for your attention and cooperation.

Cordially yours,

Yvonne Dorsey  
State Representative District 67

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

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

**HOUSE RESOLUTION NO. 1—**

BY REPRESENTATIVE CROWE

**A RESOLUTION**

To amend and readopt House Rules 6.1(introductory paragraph), (16), and (17) and 6.6(P) and (Q) of the Rules of Order of the House of Representatives, and to adopt House Rules 6.1(18), 6.6(R), and 6.7(C)(6) of the Rules of Order of the House of Representatives, to create and provide for the House Committee on Science and Technology; and to provide for related matters.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 2—**

BY REPRESENTATIVES JOHNS, FLAVIN, GEYMAN, E. GUILLORY,  
AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

**A RESOLUTION**

To commend Pam Quebodeaux of Calcasieu Parish upon her selection as Louisiana Elementary Principal of the Year and to recognize her outstanding contributions to the education of the youth of Louisiana.

Read by title.

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

**HOUSE RESOLUTION NO. 3—**

BY REPRESENTATIVE HUNTER

**A RESOLUTION**

To amend and readopt House Rule 6.3(A) of the Rules of Order of the House of Representatives to provide that chairmen of standing committees may serve on other standing committees.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 1—**

BY REPRESENTATIVES SALTER AND BROOME

**A CONCURRENT RESOLUTION**

To invite the Honorable Kathleen Babineaux Blanco, Governor of Louisiana, to address a joint session of the legislature.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 2—**

BY REPRESENTATIVE DORSEY

**A CONCURRENT RESOLUTION**

To commend and congratulate the 2003 LSU Football Tigers and Coach Nick Saban upon winning the national championship.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 3—**

BY REPRESENTATIVE ALARIO

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Alwynn J. "Al" Cronvich, former sheriff of Jefferson Parish.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 4—**

BY REPRESENTATIVE CROWE AND SENATOR NEVERS

**A CONCURRENT RESOLUTION**

To commend George and Germaine Briant as Louisiana's longest married couple.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 5—**

BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To commend the Honorable W.J. "Billy" Tauzin II for thirty-two consecutive years of incomparable service in the Louisiana Legislature and the United States House of Representatives and to recognize his special place in the annals of state history.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 6—**

BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To commend the Honorable John Breaux for his service to the state of Louisiana upon the occasion of his retirement from the United States Senate and to recognize his special place in the annals of state history.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 7—**

BY REPRESENTATIVE ST. GERMAIN

**A CONCURRENT RESOLUTION**

To designate the ground floor breezeway of the Louisiana State Capitol as Elias "Bo" Ackal, Jr. Hall.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 8—**

BY REPRESENTATIVE JOHNS

**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of Mark Joseph Miller.

Read by title.

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

Ordered to the Senate.

### Introduction of House Bills and Joint Resolutions

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 1—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, ANSARDI, DAMICO, DARTEZ, DOERGE, DURAND, GALLOT, HILL, HUNTER, MONTGOMERY, QUEZAIRE, JOHN SMITH, AND WALKER AND SENATORS HINES, BAJOIE, MOUNT, BOISSIERE, CHAISSON, CHEEK, DUPRE, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HOLDEN, HOLLIS, JACKSON, JONES, LENTINI, MARIONNEAUX, AND MCPHERSON

**AN ACT**

To enact R.S. 47:302(R) and 331(P), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 2—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND MONTGOMERY

**AN ACT**

To enact R.S. 47:301(3)(i), (13)(k), and (28) and 337.10(I), relative to sales and use tax of the state and statewide political subdivisions; to provide for the reduction of the sales price, cost price, gross proceeds derived from a lease or rental, monthly lease or rental price paid, and the monthly lease or rental price contracted or agreed to by way of a definitional exclusion of certain machinery and equipment; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 3—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND MONTGOMERY

**AN ACT**

To amend and reenact R.S. 47:601(A), 602(A), (B), and (E)(1), 603(A), 604(A)(introductory paragraph) and (C), and 606(A)(introductory paragraph) and (C); to enact R.S. 47:602(G) and 605.1, and to repeal R.S. 47:601(D) and 603, relative to the corporation franchise tax; to reduce the amount of borrowed capital included in taxable capital until it is phased out; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 4—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, MONTGOMERY AND THOMPSON

**AN ACT**

To enact R.S. 47:301(10)(x), relative to the sales and use taxes of the state and statewide political subdivisions; to phase in a reduction of the tax for the sale or purchase by consumers of certain fuels or gases for residential use; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 5—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO AND MONTGOMERY

**AN ACT**

To amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, Section 3 of Act No. 1291 of the 1997 Regular Session of the Legislature, Section 1 of Act No. 50 of the 1998 Regular Session of the Legislature, and Section 3 of Act No. 7 of the 2001 First Extraordinary Session of the Legislature, relative to the Louisiana Tax Free Shopping Program; to change the termination date of the program; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 6—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, AND MONTGOMERY

**AN ACT**

To amend and reenact Section 3 of Act No. 60 of the 2002 Regular Session of the Legislature, relative to the corporation franchise tax and individual income tax credit for costs associated with the rehabilitation of certain historic structures; to provide for the taxable periods in which the credit may be taken; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 7—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 51:2461(B), relative to the Louisiana Quality Jobs Program Act; to extend the time period for application for tax credits and rebates; and to provide for related matters.

Read by title.

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

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## HOUSE BILL NO. 8—

BY REPRESENTATIVES HAMMETT, SALTER AND MONTGOMERY  
AN ACT

To enact R.S. 47:302(R), 321(I), and 331(P), relative to the sales and use tax; to extend the effectiveness of the exemption for purchases of utilities used by certain steelworks and blast furnaces; to provide for an effective date; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 9—

BY REPRESENTATIVES HAMMETT AND ALARIO  
AN ACT

To amend and reenact R.S. 47:301(16)(I), relative to state and political subdivision sales and use tax; to provide that tangible personal property shall not include other constructions permanently attached to the land; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 10—

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:6007, relative to the Louisiana motion picture investor tax credit; to extend the sunset date; to limit the credit so that it will not exceed Louisiana expenditures of the production; to authorize a carry forward of tax credits; to provide for administrative procedures and fees for the credit by the Governor's Office of Film and Television and the Department of Revenue; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 11—

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 47:305.50(B), relative to the state sales and use tax; to exempt repairs of rail rolling stock manufactured in this state for use in interstate commerce from the tax, under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 12—

BY REPRESENTATIVES ALARIO AND TRICHE  
AN ACT

To amend and reenact R.S. 39:94(A), relative to the Budget Stabilization Fund; to provide for an increase in the base amount of revenues received by the state as a result of the production of or exploration for minerals, as a result of grants or donations, and as derived from any tax on the transportation of minerals which base is used to determine the deposit of such revenues into the fund; to provide for an effective date; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 13—

BY REPRESENTATIVES SALTER, HAMMETT, ALARIO, ANSARDI, DAMICO, DARTEZ, DOERGE, DURAND, GALLOT, HILL, HUNTER, MONTGOMERY, QUEZAIRE, JOHN SMITH, AND WALKER AND SENATORS HINES, BAJAIE, MOUNT, BOISSIERE, CHAISSON, CHEEK, DUPRE, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HOLDEN, HOLLIS, JACKSON, JONES, LENTINI, MARIONNEAUX, AND MCPHERSON  
AN ACT

To enact R.S. 47:302(R) and 331(P), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 14—

BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 47:301(10)(w); relative to the state sales and use tax; to provide for an exclusion for the sale or purchase by consumers of certain fuels or gases used for heating places of residence; to provide for an effective date; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 15—

BY REPRESENTATIVES STRAIN, ALARIO, ALEXANDER, BALDONE, BOWLER, BRUCE, DANIEL, DARTEZ, DOERGE, DOWNS, FANNIN, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, HILL, HOPKINS, JOHNS, KATZ, KENNARD, KENNEY, McDONALD, MORRISH, H. POWELL, QUEZAIRE, RITCHIE, SCALISE, JACK SMITH, JOHN SMITH, THOMPSON, TOOMY, WADDELL, AND WALKER AND SENATORS AMEDEE, BARHAM, DUPLESSIS, ELLINGTON, N. GAUTREAU, HOLLIS, KOSTELKA, MCPHERSON, MICHOT, NEVERS, AND SMITH  
AN ACT

To enact R.S. 47:301(10)(w), relative to the sales and use taxes of the state and statewide political subdivisions; to phase in a reduction of the tax for the sale or purchase by consumers of certain fuels or gases for residential use; to provide for an effective date; and to provide for related matters.

Read by title.

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

## HOUSE BILL NO. 16—

BY REPRESENTATIVES STRAIN, DOERGE, FAUCHEUX, AND WADDELL  
AN ACT

To enact R.S. 47:301(10)(w), relative to the sales and use taxes of the state and statewide political subdivisions; to provide for an exclusion for the sale or purchase by consumers of certain fuels or gases for residential use; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:301(10)(x), relative to the sales and use taxes of the state and statewide political subdivisions; to phase in a reduction of the tax for the sale or purchase by consumers of certain fuels or gases for residential use; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 18—**

BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 47:601, 602, 604, and 606(A)(introductory paragraph) and (C) and to repeal R.S. 47:603, relative to the corporation franchise tax; to provide that borrowed capital shall not be included in the levy of the tax; to provide an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 19—**

BY REPRESENTATIVE SCALISE  
AN ACT

To enact R.S. 47:301(3)(i) and (13)(k), relative to sales and use tax of the state and statewide political subdivisions; to provide for a definitional exclusion of the sales and cost price of machinery and equipment used in a trade or business; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 20—**

BY REPRESENTATIVE STRAIN  
AN ACT

To amend and reenact R.S. 47:601, 602, 603, 604, and 606(A)(introductory paragraph) and (C) and to repeal R.S. 47:603, relative to the corporation franchise tax; to provide that borrowed capital shall not be included in the levy of the tax after a certain time; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 21—**

BY REPRESENTATIVE CROWE  
AN ACT

To enact R.S. 47:301(10)(x), relative to the state sales and use tax; to provide for an exclusion for the sale or purchase by consumers of certain fuels or gases for residential use by the consumer; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 22—**

BY REPRESENTATIVE MCDONALD  
AN ACT

To enact R.S. 47:301(10)(x), relative to the sales and use taxes of the state and statewide political subdivisions; to phase in a reduction of the tax for the sale or purchase by consumers of certain fuels or gases for residential use; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 23—**

BY REPRESENTATIVE MCVEA  
AN ACT

To amend and reenact that part of Section 9(B)(14) of Act 1134 of the 2003 Regular Session of the Legislature which is applicable to the allocation and distribution of funds in East Baton Rouge Parish, relative to the Revenue Sharing Fund; to provide with respect to certain distributions in East Baton Rouge Parish for Fiscal Year 2003-2004; to provide for the retroactive application of this Act; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 24—**

BY REPRESENTATIVES DARTEZ, BALDONE, DOVE, AND PINAC, AND SENATORS DUPRE AND B. GAUTREAU  
AN ACT

To amend and reenact R.S. 56:506(A)(1) and (H), relative to saltwater shrimp taken from the waters of this state or imported into the state; to increase the excise tax imposed on such shrimp and to provide for the use of the avails of the increase; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 25—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact R.S. 47:302(R), 321(I), and 331(P), relative to the sales and use tax; to extend the effectiveness of the exemption for purchases of utilities used by certain steelworks and blast furnaces; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 26—**

BY REPRESENTATIVE BALDONE  
AN ACT

To enact R.S. 47:305.53, relative to state sales and use tax; to exempt purchases of certain machinery and equipment by certain businesses; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 27—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:6019(A)(1), (2), and (3)(a) and (b)(i) and (B), relative to the state historic rehabilitation credit; to extend the sunset; to provide for the administration of the credit by the State Historic Preservation Office and the Department of Revenue; to provide for an effective date; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 28—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 47:6007(G) and to enact R.S. 47:6007(H), relative to the motion picture investor tax credit; to provide that a taxpayer's excess credit may be sold under certain circumstances to other taxpayers with Louisiana tax liabilities; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 29—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 47:601, 602, 603, 604, and 606(A)(introductory paragraph) and (C) and to repeal R.S. 47:603, relative to the corporation franchise tax; to provide that borrowed capital shall not be included in the levy of the tax after a certain time; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 30—**  
BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 47:6007, relative to the Louisiana motion picture investor tax credit; to extend the credit to the corporation franchise tax; to extend the sunset date; to limit the credit so that it will not exceed Louisiana expenditures of the production; to authorize a carry forward of tax credits; to provide for administrative procedures and fees for the credit by the Governor's Office of Film and Television and the Department of Revenue; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 31—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To enact R.S. 47:301(3)(i) and (13)(k), relative to sales and use tax of the state and statewide political subdivisions; to provide for the reduction by way of a definitional exclusion of the sales and cost price of certain machinery and equipment used in a trade or business; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 32—**  
BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 33:2738.84(A)(1) and (D), relative to municipal sales and use taxes; to provide with respect to the allowable uses of the proceeds derived from the levy and collection of an additional sales and use tax by the city of Natchitoches; to remove references to population categories; and to provide for related matters.

Read by title.

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

**Reports of Special Committees**

The special committee appointed to notify the Governor that the House had convened and was prepared to transact business reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had convened and was prepared to transact business reported that it had performed that duty.

The Speaker thanked and discharged the committees.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

March 7, 2004

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. 1

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

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

**Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:



**SENATE CONCURRENT RESOLUTION NO. 1—**  
BY SENATOR BAJOIE

**A CONCURRENT RESOLUTION**

To invite the Honorable Kathleen Babineaux Blanco, Governor of Louisiana to address a joint session of the legislature.

Read by title.

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

**Recess**

On motion of Rep. Broome, the Speaker declared the House at recess until 6:30 P.M.

**Joint Session of the Legislature**

The joint session of the legislature was called to order at 6:00 P.M. by the Honorable Don Hines, President of the Senate.

On motion of Sen. Bajoie, the calling of the roll on the part of the Senate was dispensed with.

On motion of Rep. Broome, the calling of the roll on the part of the House was dispensed with.

The President of the Senate appointed the following special committee to escort the Honorable Kathleen Babineaux Blanco, Governor of the State of Louisiana, to the joint session.

On the part of the Senate: Senators Mount, Heitmeier, McPherson, Irons, Fontenot, and Jones.

On the part of the House: Representatives Broome, Pinac, Winston, Bruce, Gallot, and Arnold.

The President of the Senate introduced the Honorable Kathleen Babineaux Blanco, who addressed the joint session of the legislature.

On motion of Sen. Mount, the Senate retired to its own chamber.

**After Recess**

Speaker Salter called the House to order at 6:40 P.M.

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Flavin	Murray
Alario	Frith	Odinet
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Heaton	Romero
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Shepherd
Burns	Hopkins	Smiley

Burrell	Hudson	Smith, G.—56th
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Crowe	Johns	Strain
Curtis	Katz	Thompson
Damico	Kennard	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Downs	Marchand	Walker
Dove	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright
Fauchoux	Morrish	
Total—104		

ABSENT

Total—0

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

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

March 7, 2004

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

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

Senate Concurrent Resolution Nos. 2 and 3

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

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

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

**HOUSE CONCURRENT RESOLUTION NO. 9—**  
BY REPRESENTATIVE BRUCE  
**A CONCURRENT RESOLUTION**

To urge and request the boards of supervisors of the Louisiana State University System, the Southern University System, the University of Louisiana System, and the Louisiana Community

and Technical College System to consider the implementation of tuition exemption programs for law enforcement officers and firefighters or the enhancement of any such programs at institutions under the supervision of each where such programs currently exist and to submit a written report on any actions taken in the consideration of such program implementation or enhancement to the House Committee on Appropriations and the Senate Committee on Revenue and Fiscal Affairs by not later than May 15, 2004.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 10—**  
BY REPRESENTATIVE WRIGHT

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to develop, implement, and enforce more stringent ethics rules pertaining to post-employment restrictions on lobbying as applicable to former members of congress.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 11—**  
BY REPRESENTATIVES ALARIO AND HAMMETT

**A CONCURRENT RESOLUTION**

To approve maximum salaries for certain department officers in accordance with the provisions of the Executive Reorganization Act.

Read by title.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to refer the resolution to committee at this time.

Under the rules, the resolution was referred to the Committee on Appropriations.

**Introduction of House Bills  
and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 33—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 47:601, 602, 603, 604, and 606(A)(introductory paragraph) and (C) and to repeal R.S. 47:603, relative to the corporation franchise tax; to provide that borrowed capital shall not be included in the levy of the tax after a certain time; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 34—**

BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:301(3)(i) and (13)(k), relative to sales and use tax of the state and statewide political subdivisions; to provide for the reduction by way of a definitional exclusion of the sales and cost price of machinery and equipment used in a trade or business; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 35—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 47:305.50(A)(1)(a) 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, by Act No. 27 of the 2000 Regular Session of the Legislature, and by Act No. 2 of the 2002 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.

Read by title.

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

**HOUSE BILL NO. 36—**

BY REPRESENTATIVE STRAIN  
AN ACT

To enact R.S. 47:301(10)(x), relative to sales and use taxes; to provide for the exclusion of the sales and use tax on machinery and equipment used in a trade or business; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 37—**

BY REPRESENTATIVE BALDONE  
AN ACT

To repeal Chapter 5 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:601 through 618, to repeal the corporation franchise tax; and to provide for an effective date and the applicability of the Act.

Read by title.

**Adjournment**

On motion of Rep. Kenney, at 6:45 P.M., the House agreed to adjourn until Monday, March 8, 2004, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, March 8, 2004.

ALFRED W. SPEER  
Clerk of the House