The House of Representatives was called to order at 2:45 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
Odinet
Alario
Frith
Pierre
Alexander
Furrell
Pinac
Ansardi
Gallot
Pitre
Arnold
Geymann
Powell, M.
Badon
Glover
Powell, T.
Baldone
Gray
Quezaire
Baudoin
Guillory, E.
Richmond
Baylor
Guillory, M.
Ritchie
Beard
Hammett
Romero
Bowler
Heaton
Scalar
Broome
Hebert
Schneider
Bruce
Hill
Shepherd
Bruneau
Honey
Smiley
Burns
Hopkins
Smith, G.—56th
Burrell
Hudson
Smith, J.D.—50th
Carter, K.
Hunter
Smith, J.H.—8th
Carter, R.
Hutter
Smith, J.R.—30th
Cazayoux
Jackson
St. Germain
Crane
Jefferson
Strain
Crowe
Johns
Thompson
Curtis
Katz
Toomy
Damico
Kenney
Townsend
Daniel
LaBruzzo
Trahan
Dartez
LaFleur
Triche
DeWitt
Lambert
Tucker
Doerge
Lancaster
Waddell
Dorsey
Marchand
Walker
Downs
Martiny
Walsworth

ABSENT

Kennard

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rep. Emile "Peppi" Bruneau.

Pledge of Allegiance

Rep. Fannin 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. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hill, the Journal of March 9, 2004, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS
March 9, 2004

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

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

House Concurrent Resolution No. 12
Returned without amendments.

Respectfully submitted,
GLENN KOEPP
Acting Secretary of the Senate

Message from the Senate

SENATE BILLS
March 10, 2004

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 Senate Bills:

Senate Bill Nos. 8, 9, 13, 14, and 15

Respectfully submitted,
GLENN KOEPP
Acting Secretary of the Senate
Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 8—

BY SENATORS HEITMEIER, HINES, MOUNT, CHEEK, DUPLESSIS, FIELDS, B. GAUTREAUX, HOLDEN, JACKSON, JONES, LENTINI, MCPHERSON AND ULLO

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.

SENATE BILL NO. 9—

BY SENATORS MOUNT, HINES, HEITMEIER, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, DUPRE, ELLENGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, NEVERS, ROMERO, SCHEDLER, SMITH AND ULLO AND 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 income and franchise tax credits 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.

SENATE BILL NO. 13—

BY SENATORS MOUNT, HINES, HEITMEIER AND NEVERS AND REPRESENTATIVES HAMMETT, SALTER, ALARIO AND MONTGOMERY

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 provide for 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.

SENATE BILL NO. 15—

BY SENATORS MOUNT, HINES, HEITMEIER AND HAINKEL AND REPRESENTATIVE HAMMETT

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.

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. 4—

BY REPRESENTATIVE BAYLOR

A RESOLUTION

To commend James C. Birdsong, Jr. upon his appearance at Huntington High School in Shreveport and to welcome him to Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To express condolences upon the death of Reverend Charles Reed of Monroe.

Read by title.

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

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

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.

Rep. Alario moved the adoption of the resolution.
ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Futrell  Morrish
Alario  Gallo  Murray
Ansardi  Geymann  Odinet
Arnold  Glover  Pierre
Badon  Guillo, E.  Powell, T.
Baudouin  Guillo, M.  Quezaire
Baylor  Hammett  Richmond
Beard  Heaton  Ritchie
Bromme  Hebert  Romero
Bruce  Hill  Scalise
Burns  Honey  Schneider
Burrell  Hopkins  Shepherd
Carter, K.  Hudson  Smith, G.—56th
Cazayoux  Jackson  St. Germain
Crane  Jefferson  Thompson
Curtis  Johns  Toomy
Dumico  Kenney  Triche
Dartez  LaFleur  Trahan
DeWitt  Lambert  Walker
Doerge  Lancaster  Waddell
Dorsey  Marchand  Walker
Downs  Martiny  White
Duran  McDonald  Wooton
Erdey  McVea  Winston
Farrar  Montgomery  Winston
Faucheux  Morrell  Wooton
Total—83

NAYS

Alexander  Frith  Powell, M.
Brower  Hutter  Smiley
Crowe  Katz  Strain
Fannin  LaBruzzo  Walsworth
Flavin  Pitre  Wright
Total—15

ABSENT

Bruneau  Daniel  Smith, J.D.—50th
Carter, R.  Kennard  Townsend
Total—6

The resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

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

Recess

On motion of Rep. Broome, the Speaker declared the House at recess until 4:00 P.M.

After Recess

Speaker Salter called the House to order at 4:15 P.M.
HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE BROOME
A CONCURRENT RESOLUTION
To commend and congratulate the 2003 LSU Football Tigers and to invite the Honorable Kathleen Babineaux Blanco, Governor of Louisiana, to properly enroll:

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment
March 10, 2004

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. 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.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVES DORSEY, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, K. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTZ, DEWITT, DOERGE, DOERR, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOW, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTIN, MCDONALD, MCOEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZARE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SLEEPER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOMMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOIE, BARRAM, BOASSO, BOISIERIE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTHREAU, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, KENNEY, KENT, KETELKA, LENTINI, MALONE, MARIONNEAUX, MCMICHERSON, MICHOT, MONT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, K. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTZ, DEWITT, DOERGE, DOERR, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOW, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTIN, MCDONALD, MCOEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZARE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SLEEPER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOMMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOIE, BARRAM, BOASSO, BOISIERIE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTHREAU, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, KENNEY, KENT, KETELKA, LENTINI, MALONE, MARIONNEAUX, MCMICHERSON, MICHOT, MONT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVES BALDONE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, K. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTZ, DEWITT, DOERGE, DOERR, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOW, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTIN, MCDONALD, MCOEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZARE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SLEEPER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOMMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOIE, BARRAM, BOASSO, BOISIERIE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTHREAU, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, KENNEY, KENT, KETELKA, LENTINI, MALONE, MARIONNEAUX, MCMICHERSON, MICHOT, MONT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

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.

HOUSE CONCURRENT RESOLUTION NO. 6—
BY REPRESENTATIVES BALDONE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, K. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTZ, DEWITT, DOERGE, DOERR, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOW, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTIN, MCDONALD, MCOEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZARE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SLEEPER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOMMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOIE, BARRAM, BOASSO, BOISIERIE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTHREAU, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, KENNEY, KENT, KETELKA, LENTINI, MALONE, MARIONNEAUX, MCMICHERSON, MICHOT, MONT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Alwynn J. "Al" Cronvich, former sheriff of Jefferson Parish.
MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAI, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDDE, BAJORIE, BARAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPER, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKE, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHE, MITTEN, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

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.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVES KENNARD, ALARIO, ALESSANDER, ANSARDI, ARNOLD, BADON, BALDWIN, BAUDOIN, BAYLOR, BEARN, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEIBERT, HILL, HONEY, HOPKINS, HUDSON, HUBER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LABRUZZO, LARLEUR, LAMBERT, LANCASTER, MARCHAND, MARTIN, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MOU, MURRAY, ODINET, PIETRE, M. POWELL, T. POWELL, QUEZAI, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDDE, BAJORIE, BARAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPER, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKE, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHE, MITTEN, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of LSU equipment manager Jeff Boss.

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.

Suspension of the Rules

On motion of Rep. Baylor, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet upon adjournment on Wednesday, March 10, 2004, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 32