Behavior

Prayer was offered by Rep. Thompson.

Pledge of Allegiance

Rep. Gary Smith 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. Trahan, the reading of the Journal was dispensed with.


Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 31, 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. 57
Returned without amendments.

House Concurrent Resolution No. 60
Returned without amendments.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

March 31, 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. 39 and 40.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Schneider, 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. 39—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION
To commend and congratulate Daniel Scott Eads on his extraordinary accomplishments as a student athlete and scholar at Pope John Paul II High School in Slidell, Louisiana.

Read by title.

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

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. 13—
BY REPRESENTATIVE KENNARD
A RESOLUTION
To commend and congratulate the Louisiana State University Lady Tigers basketball team upon advancing to its first National Collegiate Athletic Association (NCAA) Final Four and to extend best wishes to the players and coaches upon this historic occasion.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR CHEEK
A CONCURRENT RESOLUTION
To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVES BRUCE AND SALTER AND SENATOR CHEEK
A CONCURRENT RESOLUTION
To commend the participants in the one hundred fortieth anniversary reenactment of the battles of Mansfield and Pleasant Hill on April 3 and April 4, 2004, and to recognize their efforts on behalf of the preservation of Mansfield State Historic Site.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 67—
BY REPRESENTATIVES KENNEY AND FAUCHEUX
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of former Louisiana First Lady Marjorie F. McKeithen.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To memorialize the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to immediately close the Mississippi River Gulf Outlet.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 69—
BY REPRESENTATIVE ST. GERMAIN AND SENATOR B. GAUTREAUX
A CONCURRENT RESOLUTION
To declare March 31, 2004, as Kick Butts Day at the Louisiana State Capitol and commend Peers Against Tobacco.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 70—
BY REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION
To commend John David Hough upon attaining certification from the National Board for Professional Teaching Standards and to recognize his singular contributions to education in Jackson Parish.

Read by title.

Lies over under the rules.
Introduction of House Bills and Joint Resolutions

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

**HOUSE BILL NO. 18—**
BY REPRESENTATIVE SHEPHERD

To amend and reenact R.S. 40:531(C) and 532, relative to local housing authorities; to provide relative to the boards of commissioners of housing authorities in certain parishes; to provide relative to the appointment and time of service of board members; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1101—**
BY REPRESENTATIVES ANSARDI, DAMICO, MARTINY, AND WOOTON
AND SENATORS BOISSIERE, LENTINI, AND ULLO

AN ACT

To enact R.S. 33:2740.18.2, relative to the hotel occupancy tax; to authorize the Jefferson Parish Council to levy and collect an additional hotel occupancy tax within Jefferson Parish; to provide for the purposes for which the proceeds of the tax may be used; to provide for the issuance of bonds and other indebtedness secured by the revenues from the tax; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1410—**
BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact Code of Civil Procedure Article 1922 and to enact Code of Civil Procedure Article 891(C), relative to the payment of money; to require the social security number of the defendant to be included in the petition; to require certain information to be included in the judgment; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

**Committee on Agriculture, Forestry, Aquaculture, and Rural Development**
March 31, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Bill No. 65, by Hill
Reported favorably. (14-0) (Regular)

House Bill No. 367, by Thompson
Reported favorably. (15-0) (Regular)

House Bill No. 571, by T.Powell
Reported with amendments. (14-0) (Regular)

House Bill No. 891, by Thompson
Reported favorably. (15-0) (Regular)

**Committee on Natural Resources**
March 31, 2004

To the Speaker and Members of the House of Representatives:

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

House Bill No. 203, by Frith
Reported with amendments. (14-0) (Local and Consent)

House Bill No. 327, by Durand
Reported favorably. (14-0) (Local and Consent)

House Bill No. 637, by Quezaire
Reported favorably. (13-0) (Local and Consent)

House Bill No. 657, by Quezaire
Reported favorably. (14-0) (Local and Consent)

House Bill No. 1063, by J.D. Smith
Reported favorably. (14-0) (Regular)

WILFRED PIERRE
Chairman

House and House Concurrent Resolutions

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

**HOUSE CONCURRENT RESOLUTION NO. 55—**
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the practicality and feasibility of designing and utilizing traffic roundabouts as an alternative to traffic signals at heavily traveled and congested intersections along state highways and to report its findings to the House and Senate Transportation, Highways and Public Works Committees prior to the convening of the 2005 Regular Session.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 56—**
BY REPRESENTATIVE FAUCHEUX (BY REQUEST)

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, Board of Embalmers and Funeral Directors, continuing education rule (LAC 46:XXXVII.709(E)(6)), regarding continuing education credits for instructors of approved courses, and to direct the Administrative Code.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 58—**
BY REPRESENTATIVES PINAC AND LANCASTER
AND SENATORS HOLLIS AND JONES

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a Subcommittee on Science and Technology to study
science and technology issues; to seek ways to increase research and development and the availability of seed capital; to develop incentives to encourage investment; and to facilitate interactions among interested persons.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 59**
**BY REPRESENTATIVES WINSTON AND DURAND**
**A CONCURRENT RESOLUTION**
To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

**HOUSE CONCURRENT RESOLUTION NO. 61**
**BY REPRESENTATIVE MCDONALD**
**A CONCURRENT RESOLUTION**
To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

Read by title.

Under the rules, the above resolution was referred to the Committee on Environment.

**HOUSE CONCURRENT RESOLUTION NO. 62**
**BY REPRESENTATIVE ODINET**
**A CONCURRENT RESOLUTION**
To urge and request the Department of Wildlife and Fisheries and the Department of Health and Hospitals to study the correlation between nighttime water and air temperature and the development of *Vibrio vulnificus* in oysters harvested during those times.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources.

**HOUSE CONCURRENT RESOLUTION NO. 63**
**BY REPRESENTATIVE GARY SMITH**
**A CONCURRENT RESOLUTION**
To urge and request the office of motor vehicles and the state Board of Elementary and Secondary Education to include in their training and testing of drivers information relative to sharing the road with motorcycles and tractor/trailer trucks.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 64**
**BY REPRESENTATIVE DAMICO**
**A CONCURRENT RESOLUTION**
To urge and request the Department of Wildlife and Fisheries to study the development and implementation of a plan for the management of nuisance fish around oyster beds.

Read by title.

Under the rules, the above resolution was referred to the Committee on Natural Resources.

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 3**
**BY SENATOR THEUNISSEN**
**A CONCURRENT RESOLUTION**
To continue the Governor's Aviation Advisory Commission, as created by Senate Concurrent Resolution 78 of the 1997 Regular Session of the Legislature of Louisiana.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

**SENATE CONCURRENT RESOLUTION NO. 20**
**BY SENATOR NEVERS**
**A CONCURRENT RESOLUTION**
To memorialize the Congress of the United States to appropriate and expedite funding for the development of a hurricane evacuation route in Louisiana and Mississippi.

Read by title.

Under the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works.

**SENATE CONCURRENT RESOLUTION NO. 33**
**BY SENATOR HINES**
**A CONCURRENT RESOLUTION**
To express the preference of the Louisiana Legislature to fully fund the Louisiana Senior Prescription Program in the governor's office of elderly affairs.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

**House Bills and Joint Resolutions on Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**HOUSE BILL NO. 1408**
**BY REPRESENTATIVES DANIEL AND KENNARD**
**AN ACT**
To amend and reenact R.S. 4:420, 421(A)(2) through (9), 422, 423(B), (G)(3), (H), and (I), 424, 426, 432, and 433 and to enact R.S. 4:421(A)(10) through (14), 422.1(A)(5), 423(G)(4), 425(D), 427(A)(6) and (7) and (D), and 430(C), relative to athlete agents; to provide for legislative purpose; to provide for definitions; to provide for registration; to provide for denial or revocation of registration; to provide for notice to head coach instead of president of institution; to provide for notice to athlete; to provide for contract relationship between athlete and institution or school; to provide for duties and obligations; to provide for notice to head coach; to provide for prohibited activities; to provide for record keeping; to provide for attorney athlete agents; to provide remedies and penalties; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on Commerce.

**HOUSE BILL NO. 1409—**
BY REPRESENTATIVE MONTGOMERY
AN ACT
To amend and reenact R.S. 3:3807(B)(2), relative to licensure of retail florists; to require applicants to meet certain educational requirements; and to provide for related matters.

Read by title.

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 17—**
BY REPRESENTATIVE BOWLER
AN ACT
To amend and reenact R.S. 9:292, relative to the use of surnames by married persons; to provide for the use of a deceased spouse's surname; to provide for the use of a present spouse's surname; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 148—**
BY REPRESENTATIVE GALLOT
AN ACT
To amend and reenact Code of Civil Procedure Article 1443, relative to the taking of depositions; to provide for the manner of objections and the conduct of counsel; to specify when a deponent may be instructed not to answer; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 148 by Representative Gallot

**AMENDMENT NO. 1**
On page 2, at the beginning of line 3, change "must" to "shall"

**AMENDMENT NO. 2**
On page 4, delete lines 2 through 6 in their entirety

**AMENDMENT NO. 3**
On page 4, at the beginning of line 7, delete "(b)"

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 150 by Representative Gallot

**AMENDMENT NO. 1**
On page 3, line 30, after "event" insert a period "." and delete the remainder of the line and delete line 31 in its entirety

**AMENDMENT NO. 2**
On page 4, delete lines 2 through 6 in their entirety

**AMENDMENT NO. 3**
On page 4, at the beginning of line 7, delete "(b)"

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 164 by Representative Gallot

**AMENDMENT NO. 1**
On page 2, at the beginning of line 3, change "must" to "shall"

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

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.
Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 418—
BY REPRESENTATIVE MONTGOMERY
AN ACT
To amend and reenact Code of Civil Procedure Article 3603.1(C), relative to protective orders; to require clerks of court to assist in the preparation of applications for protective orders in certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 418 by Representative Montgomery

AMENDMENT NO. 1
On page 1, line 6, after "of" and before "Procedure" change "Criminal" to "Civil"

AMENDMENT NO. 2
On page 2, line 1, after "necessary," delete the remainder of the line
On motion of Rep. Ansardi, the amendments were adopted.

On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 577—
BY REPRESENTATIVE JACKSON
AN ACT
To enact Code of Civil Procedure Article 224(11), relative to contempt of court; to provide for constructive contempt of court for making a false statement of a material fact for support enforcement services; to provide for contempt of court for failing to disclose a material fact for support enforcement services; and to provide for related matters.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 750—
BY REPRESENTATIVE DURAND
AN ACT
To amend and reenact R.S. 40:41(B) and (C)(2) and to enact R.S. 40:41(J), relative to vital statistics; to provide for judicial use of birth certificates; to provide for judicial use of death certificates; to clarify that an attorney may obtain birth or death certificates in a record only if he represents persons authorized to inspect or receive such certificates; to provide for the Department of Health and Hospitals to use vital statistic information; and to provide for related matters.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1011—
BY REPRESENTATIVE JOHNS
AN ACT
To repeal Section 2 of Act 1005 of the 2003 Regular Session, relative to the terms of options and rights of first refusal relating to the sale of immovable property; to repeal provisions of Act 1005 of the 2003 Regular Session providing for retroactive application to claims existing or actions pending; to provide for prospective application of Act 1005; to provide for applicability of this Act; and to provide for related matters.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Ansardi, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Privileged Report of the Committee on Enrollment
March 31, 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. 7—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To commend Phyllis Diecidue for receiving the Milken Family Foundation National Educator Award and for her dedicated service to the students of St. Bernard Parish.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION
To commend Vermilion Catholic High School upon winning the Class 1A State Football Championship.
HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVE LANCASTER AND SENATOR HAINKEL
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of the Honorable William H. Byrnes III, chief judge of the 4th Circuit Court of Appeal and a former state representative, and to recognize his contributions to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION
To Recognize May 5, 2004, as State Employee Recognition Day.

HOUSE CONCURRENT RESOLUTION NO. 21—
BY REPRESENTATIVES FLAVIN, FRITH, GEYMANN, E. GUILLORY, HILL, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Robert William Clements of Lake Charles.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE STRAIN
A CONCURRENT RESOLUTION
To recognize September of 2004 as Parent Teacher Association Month in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE SMILEY
A CONCURRENT RESOLUTION
To commend Josh Burton upon receiving the Milken Family Foundation National Educator Award and for his dedicated service to the students of Livingston Parish.

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION
To commend Chief Master Sergeant Charlie Sherman Poole who gave his life for his country in the war in Vietnam and to recognize his bravery and sacrifice for his nation.

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVE SCHNEIDER AND CROWE AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION
To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mrs. Marilyn Faust of Slidell.

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION
To commend the Southern University Laboratory School boys basketball team upon winning the high school Class 1A state championship.

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE WINSTON
A CONCURRENT RESOLUTION
To proclaim April 22, 2004, as Take Our Daughters and Sons to Work Day and to encourage whole communities to participate in the day’s activities.

HOUSE CONCURRENT RESOLUTION NO. 49—
BY REPRESENTATIVES E. GUILLORY, FLAVIN, GEYMANN, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
A CONCURRENT RESOLUTION
To commend the Lake Charles-Boston High School Boys Basketball team upon winning the Class 3A state championship.

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE JANE SMITH
A CONCURRENT RESOLUTION
To recognize Travis Feaster for his many outstanding accomplishments during his years at Benton High School.

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE JANE SMITH
A CONCURRENT RESOLUTION
To commend Will Slack of Stockwell Place Elementary School in Bossier City for qualifying for the State Geography Bee to be held on Friday, April 2, 2004.

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION
To recognize in Louisiana the month of April every year as “Crime Victims Awareness and Memorial Month” in order to promote public awareness of and educate the public on the need to prevent violent crimes against women.

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.

Adjournment

On motion of Rep. Triche, at 4:25 P.M., the House agreed to adjourn until Thursday, April 1, 2004, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Thursday, April 1, 2004.

ALFRED W. SPEER
Clerk of the House