

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

FOURTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, April 1, 2004

The House of Representatives was called to order at 2:00 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
Dove	Marchand	Walker

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

ABSENT

Total—0

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

Prayer

Prayer was offered by Rep. Kennard.

Pledge of Allegiance

Rep. Tucker 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. Morrell, the reading of the Journal was dispensed with.

On motion of Rep. Hutter, the Journal of March 31, 2004, was adopted.

**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. 1411—
BY REPRESENTATIVE FRITH
AN ACT**

To enact R.S. 9:3578.4(D), relative to small loans; to limit the fees in certain instances; and to provide for related matters.

Read by title.

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. 65—
BY REPRESENTATIVE ODINET
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.

**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.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine.

Read by title.

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

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. 18—
BY REPRESENTATIVE SHEPHERD
AN ACT

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.

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

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.

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

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.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

Motion

On motion of Rep. Hammett, the Committee on Appropriations was discharged from further consideration of House Bill No. 505.

HOUSE BILL NO. 505—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and to enact R.S. 49:316.1(A)(2)(c), relative to payments by treasury approved credit and debit cards; to provide for fees charged on transactions administered by third party processors for the Department of Revenue; and to provide for related matters.

Read by title.

On motion of Rep. Hammett, the bill was recommitted to the Committee on Ways and Means.

Motion

On motion of Rep. Hebert, the Committee on Insurance was discharged from further consideration of House Bill No. 827.

HOUSE BILL NO. 827—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:1214.3, relative to unfair discrimination by insurers; to provide for abused persons; to provide for prohibitions; to provide for use of information; to provide for policies and procedures; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hebert, the bill was withdrawn from the files of the House.

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. 65—
BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 3:2133, relative to the prevention of contagious or communicable diseases in animals; to provide for penalties for improper disposal of certain animal carcasses or failure to restrain certain animals; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 203—

BY REPRESENTATIVE FRITH

AN ACT

To authorize and provide for the transfer of certain state property in Vermilion Parish to the Vermilion Parish Police Jury; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 203 by Representative Frith

AMENDMENT NO. 1

On page 1, line 5, after "administration" delete the comma "," and insert "and the secretary of the Department of Health and Hospitals,"

AMENDMENT NO. 2

On page 1, line 6, after "contrary," change "is" to "are"

AMENDMENT NO. 3

On page 2, line 11, after "administration" delete the comma "," and insert "and the secretary of the Department of Health and Hospitals,"

AMENDMENT NO. 4

On page 2, line 12, at the beginning of the line change "is" to "are"

AMENDMENT NO. 5

On page 2, line 16, after "administration" insert a comma "," and insert "the secretary of the Department of Health and Hospitals,"

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

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

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 327—

BY REPRESENTATIVE DURAND

AN ACT

To authorize and provide for the transfer of certain state property situated in St. Martin Parish to the respective lessees; to provide for certain terms and conditions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the local an consent calendar.

HOUSE BILL NO. 367—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 3:556.3(B)(4) and (E) and to repeal R.S. 3:556.3(B)(5), relative to the Louisiana Crawfish Promotion and Research Board; to provide for changes in membership of the board; to provide relative to vacancies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 571—

BY REPRESENTATIVE T. POWELL

AN ACT

To amend and reenact R.S. 3:472, 473, 474, 476, and 478(A), relative to the Louisiana Strawberry Marketing Board; to provide relative to definitions; to provide relative to membership and powers of the board; to provide for the powers of the commissioner of agriculture and forestry; to provide relative to assessments; to provide relative to penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 571 by Representative Tank Powell

AMENDMENT NO. 1

On page 6, line 2, change "educational," to "education," and change "promotional," to "promotion."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 637—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To authorize and provide for the transfer of certain state property in Sabine Parish to the Department of Transportation and Development; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 657—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the local and consent calendar.

HOUSE BILL NO. 891—
BY REPRESENTATIVES THOMPSON, ST. GERMAIN, BAUDOIN, BRUCE, DEWITT, FANNIN, FRITH, GEYMAN, M. GUILLORY, HILL, AND KENNEY
AN ACT

To repeal R.S. 3:4617(F), relative to the use of certain terms in the labeling of food products; to repeal provision relative to the use of terms protected by trademark or registered trade name.

Read by title.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1063—
BY REPRESENTATIVE JACK SMITH
AN ACT

To authorize and provide for the transfer of certain state property in St. Mary Parish to the governing authority of St. Mary Parish; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

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.

Motion

On motion of Rep. Bowler, the bill was returned to the 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.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 148 by Representative Gallot

AMENDMENT NO. 1

On page 2, line 15, following "37:2555" and before "." change "(B) (1) and (2)" to "(C) and (D)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Faucheux	Morrell	Wright
Total—99		
NAYS		
Total—0		
ABSENT		
Alario	Hill	St. Germain
Farrar	Odinet	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

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

HOUSE BILL NO. 150—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact Title XII of Book III of the Civil Code, formerly consisting of Articles 2891 through 2925, to comprise Articles 2891 through 2913 and to transfer and redesignate Civil Code Article 2924 as R.S. 9:3500, relative to loan; to provide for loan for use; to provide for loan for consumption; to provide for loan on interest; to provide for definitions of loan for use and loan for consumption; to provide for the application of the rules governing obligations; to provide for things subject to loan for use; to provide for limitations of use; to provide for the ordinary wear and tear; to provide for the liability of borrowers and lenders; to provide for fortuitous events; to provide for valuation and risk of loss; to provide for the reimbursement of expenses; to provide for the time of return of a thing lent for use; to provide for liberative prescription; to provide for ownership of a thing lent for consumption; to provide for the loan of nonfungible things; to provide for the loan of money or commodities; to provide for the term of a loan for consumption; to provide for restoration; to provide for payment of value; to provide for the payment and release of legal interest; to provide for the transfer and redesignation of certain laws; to provide authority for the correction of certain cross-references; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
Alario	Faucheux	Morrish
Alexander	Frith	Murray
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, M.

Baudoin	Gray	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Broome	Heaton	Scalise
Bruce	Hebert	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	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kennard	Townsend
Daniel	Kenney	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Total—99		

NAYS

Total—0

ABSENT

Flavin	Odinet	St. Germain
Hill	Romero	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 164—
BY REPRESENTATIVES ANSARDI, DAMICO, LANCASTER, MARTINY,
AND SHEPHERD AND SENATORS BOISSIERE, HOLLIS, LENTINI, AND
ULLO

AN ACT

To amend and reenact R.S. 13:5112(C), relative to judicial interest rates in suits against the state or political subdivisions; to provide for the rate of interest prior to judgment; and to provide for related matters.

Read by title.

Rep. Ansardi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Murray
Alexander	Flavin	Pierre
Ansardi	Frith	Pinac
Arnold	Futrell	Pitre

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Badon	Gallot	Powell, M.
Baldone	Geymann	Powell, T.
Baudoin	Glover	Quezaire
Baylor	Gray	Ritchie
Beard	Guillory, E.	Scalise
Bowler	Guillory, M.	Schneider
Broome	Hammett	Shepherd
Bruce	Heaton	Smiley
Bruneau	Hebert	Smith, G.—56th
Burns	Honey	Smith, J.D.—50th
Burrell	Hudson	Smith, J.H.—8th
Carter, K.	Hunter	Smith, J.R.—30th
Carter, R.	Hutter	Strain
Cazayoux	Jackson	Thompson
Crane	Jefferson	Toomy
Crowe	Johns	Townsend
Curtis	Katz	Trahan
Damico	Kennard	Triche
Daniel	Kenney	Tucker
Dartez	LaBruzzo	Waddell
DeWitt	Lambert	Walker
Doerge	Lancaster	Walsworth
Dorsey	Marchand	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	Wright
Erdey	Montgomery	
Fannin	Morrell	
Total—97		

NAYS

Richmond	Romero
Total—2	

ABSENT

Hill	LaFleur	St. Germain
Hopkins	Odinet	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Read by title.

Rep. Gallot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Arnold	Gallot	Powell, M.

Badon	Geymann	Powell, T.
Baldone	Glover	Quezaire
Baudoin	Gray	Richmond
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Romero
Bowler	Hammett	Scalise
Broome	Heaton	Schneider
Bruce	Hebert	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	Kennard	Townsend
Daniel	Kenney	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Faucheux	Murray	
Total—100		

NAYS

Total—0
ABSENT

Ansardi	Martiny
Hill	Odinet
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gallot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Read by title.

Motion

On motion of Rep. Broome, the bill was returned to the 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.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed House Bill No. 750 by Representative Durand

AMENDMENT NO. 1

On page 1, line 2, after "(C)(2)" insert "and 61(A)(4)"

AMENDMENT NO. 2

On page 1, line 7, after the semicolon ";" and before "and" insert "to provide for penalties;"

AMENDMENT NO. 3

On page 1, line 9, after "(C)(2)" insert "and 61(A)(4)"

AMENDMENT NO. 4

On page 3, after line 13, insert the following:

" * * "

§61. Penalties

A. A fine of not more than ten thousand dollars or imprisonment of not more than five years, or both, shall be imposed on:

* * *

(4) In addition to dismissal proceedings pursuant to state civil service regulations, any employee of the vital records registry or office of preventive and public health services who willfully and knowingly furnishes or processes a certificate of birth or death, or certified copy of a certificate of birth or death, or discloses information contained in a certificate of birth or death, with the knowledge or intention that it be used for the purposes of deception; or

* * *

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Pierre
Alario	Frith	Pinac
Alexander	Futrell	Pitre
Arnold	Gallot	Powell, M.
Baldone	Geymann	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Romero
Broome	Hebert	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Shepherd
Burns	Hudson	Smiley
Burrell	Hunter	Smith, G.—56th
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	White
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Faucheux	Odinot	
Total—98		

NAYS

Total—0

ABSENT

Ansardi	Glover	Hill
Badon	Heaton	Martiny
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Durand moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

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.

Read by title.

Rep. Johns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Romero
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Shepherd
Burns	Hunter	Smiley
Burrell	Hutter	Smith, G.—56th
Carter, K.	Jackson	Smith, J.D.—50th
Carter, R.	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaBruzzo	Toomy
Dartez	Lambert	Townsend
Doerge	Lancaster	Trahan
Dorsey	Marchand	Triche
Dove	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	White
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Odinet	Wright

Total—96

NAYS

Total—0

ABSENT

Alario	DeWitt	Hill
Arnold	Farrar	LaFleur
Cazayoux	Hammett	

Total—8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Johns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Called from the calendar.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Murray
Alario	Flavin	Odinet
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Ritchie
Beard	Guillory, M.	Scalise
Bowler	Hammett	Schneider
Broome	Heaton	Shepherd
Bruce	Hebert	Smiley
Bruneau	Honey	Smith, G.—56th
Burns	Hopkins	Smith, J.D.—50th
Burrell	Hudson	Smith, J.H.—8th
Carter, K.	Hutter	Smith, J.R.—30th
Carter, R.	Jackson	St. Germain
Cazayoux	Jefferson	Strain
Crane	Johns	Thompson
Crowe	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright

Total—96

NAYS

Curtis	Richmond
Hunter	Romero

Total—4

ABSENT

Farrar	Katz
Hill	Lancaster

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bowler moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

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.

Called from the calendar.

Read by title.

Rep. Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Honey	Shepherd
Bruneau	Hopkins	Smiley
Burns	Hudson	Smith, G.—56th
Burrell	Hunter	Smith, J.D.—50th
Carter, K.	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Crane	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Downs	McVea	White
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Faucheux	Murray	
Total—98		

NAYS

Total—0

ABSENT

Bowler	Flavin	Lancaster
Farrar	Hill	Romero
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Broome moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

**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. 14—

BY REPRESENTATIVE MURRAY
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Elonia Copelin Ramsey of New Orleans.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install traffic warning devices at certain locations in St. Mary 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. 1412—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To enact R.S. 33:2218.10, relative to extra compensation for certain law enforcement officers; to provide for eligibility of certain elected sheriffs; to provide for an effective date; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Judiciary

April 1, 2004

To the Speaker and Members of the House of Representatives:

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

House Bill No. 5, by Faucheux
Reported favorably. (9-0-1) (Regular)

House Bill No. 20, by Shepherd
Reported favorably. (10-0-1) (Regular)

House Bill No. 41, by Dove
Reported with amendments. (8-0-1) (Regular)

House Bill No. 103, by Toomy
Reported with amendments. (8-0-1) (Regular)

House Bill No. 104, by Toomy
Reported with amendments. (7-0-1) (Regular)

House Bill No. 119, by Toomy
Reported favorably. (8-0-1) (Regular)

House Bill No. 121, by Toomy
Reported favorably. (8-0-1) (Regular)

House Bill No. 132, by Johns
Reported with amendments. (8-0-1) (Regular)

House Bill No. 155, by Martiny
Reported favorably. (8-0-1) (Regular)

House Bill No. 159, by Quezaire
Reported favorably. (7-0-1) (Regular)

House Bill No. 209, by Gallot
Reported favorably. (8-0-1) (Regular)

House Bill No. 491, by Toomy
Reported with amendments. (8-0-1) (Regular)

House Bill No. 973, by R. Carter
Reported favorably. (7-0-1) (Regular)

JOSEPH F. TOOMY
Chairman

**Report of the Committee on
Municipal, Parochial and Cultural Affairs**

Thursday, April 1, 2004

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 14, by Bruce
Reported with amendments. (6-0) (Regular)

House Bill No. 51, by Montgomery
Reported favorably. (6-0) (Regular)

House Bill No. 63, by Erdey
Reported favorably. (8-0-1) (Local and Consent)

House Bill No. 175, by Hammett
Reported favorably. (8-0-1) (Regular)

House Bill No. 251, by Hammett
Reported favorably. (8-0-1) (Regular)

House Bill No. 270, by Pitre
Reported favorably. (8-0-1) (Local and Consent)

House Bill No. 283, by Winston
Reported favorably. (8-0-1) (Local and Consent)

House Bill No. 396, by Murray
Reported favorably. (7-0-1) (Regular)

House Bill No. 417, by Richmond
Reported with amendments. (7-0-1) (Regular)

House Bill No. 499, by Erdey
Reported favorably. (8-0-1) (Local and Consent)

House Bill No. 507, by Murray
Reported with amendments. (7-1) (Regular)

House Bill No. 661, by Geymann
Reported favorably. (7-0-1) (Local and Consent)

House Bill No. 692, by Baldone
Reported with amendments. (7-0-1) (Local and Consent)

ERNEST BAYLOR, JR.
Chairman

**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. 9—
BY REPRESENTATIVE STRAIN
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.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Strain, the bill was withdrawn from the files of the House.

Privileged Report of the Committee on Enrollment

April 1, 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. 57—
BY REPRESENTATIVES HONEY, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUNEAU, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, FARRAR, FAUCHEUX, FRITH, FUTRELL, GALLOT, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KENNEY, LABRUZZO, LAMBERT, MARCHAND, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCHNEIDER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRICHE, WADDELL, WHITE, WINSTON, AND WRIGHT

A CONCURRENT RESOLUTION

To honor the Southern University students who participated in the historic 1960 lunch counter sit-ins upon their being awarded honorary degrees by Southern University.

HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVES DOERGE, DURAND, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, 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, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend the office of state fire marshal, code enforcement and building safety for a century of dedicated service to the state of Louisiana and its people.

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 2:35 P.M., the House agreed to adjourn until Monday, April 5, 2004, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, April 5, 2004.

ALFRED W. SPEER
Clerk of the House

