

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

**THIRD DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Sunday, December 10, 2006

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	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Anders	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Harris	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Chandler	Katz	Strain
Crane	Kennard	Thompson
Crowe	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaBruzzo	Triche
Daniel	LaFleur	Tucker
Dartez	LaFonta	Waddell
DeWitt	Lambert	Walker
Doerge	Lancaster	Walsworth

Dorsey	Marchand	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	
Erdey	Montgomery	
Total - 100		

**ABSENT**

Pitre	Toomy
Total - 2	

The Speaker announced that there were 100 members present  
and a quorum.

**Prayer**

Prayer was offered by Rep. Hunter.

**Pledge of Allegiance**

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

On motion of Rep. Wooton, the Journal of December 9, 2006,  
was adopted.

**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. 5—**

BY REPRESENTATIVE WINSTON

**A RESOLUTION**

To direct the Clerk of the House of Representatives to compile a list  
of the customs, usages, and practices of the House of  
Representatives affecting legislative procedure, to present such  
list to the Committee on House and Governmental Affairs for its  
approval prior to the 2007 Regular Session of the Legislature,  
to compile the customs, usages, and practices which are  
approved by the Committee on House and Governmental Affairs  
into an appendix, and to print such appendix as part of the Rules  
of Order of the House of Representatives prior to the 2007  
Regular Session of the Legislature.

Read by title.

On motion of Rep. Winston, and under a suspension of the rules,  
the above resolution was referred to the Committee on House and  
Governmental Affairs, under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 12—**

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR,  
BURRELL, K. CARTER, CURTIS, DORSEY, GALLOT, GRAY, E.  
GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON,  
LAFONTA, MARCHAND, PIERRE, AND QUEZAIRE AND SENATORS  
BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES,  
MURRAY, AND SHEPHERD

**A CONCURRENT RESOLUTION**

To commend Dr. Norman C. Francis, president of Xavier University  
of Louisiana, for his outstanding accomplishments, for his  
singular contributions to the university and as chairman of the  
Louisiana Recovery Authority, and upon being chosen as a  
recipient of the Presidential Medal of Freedom.

Read by title.

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On motion of Rep. Richmond, 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 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. 118—

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To enact Part VIII of Chapter 2 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:765, relative to state funds; to establish the Parish Transportation Fund No. 2 as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

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

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

#### HOUSE BILL NO. 119—

BY REPRESENTATIVE GEYMAN  
AN ACT

To enact Part XVIII of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2121 through 2127, relative to state funds; to establish the Louisiana Hurricane Damage Mitigation Program Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to establish and provide for the Louisiana Hurricane Damage Mitigation Program; to provide for inspections; to provide for grants; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

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

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

#### HOUSE BILL NO. 120—

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 47:6025, relative to state income tax credits; to reimburse, pay, or offset certain assessments levied by Louisiana Citizens Property Insurance Corporation; to provide a refundable credit against state income taxes to certain taxpayers in the amount of the surcharges, market equalization charges, or assessments paid as a result of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

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

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

#### HOUSE BILL NO. 121—

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 47:297(D) and to enact R.S. 47:297(P), relative to the individual income tax; to provide for a child tax credit; to suspend the education tax credit; and to provide for related matters.

Read by title.

### Suspension of the Rules

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

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

### Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended to permit the Committee on Ways and Means to meet upon recess on Sunday, December 10, 2006, without giving the notice required by House Rule 14.24(A) and consider the following legislative instrument:

House Bill No. 120

### Recess

On motion of Rep. Townsend, the Speaker declared the House at recess until 3:15 P.M.

### After Recess

Speaker Salter called the House to order at 3:55 P.M.

### ROLL CALL

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

#### PRESENT

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Anders	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Harris	Robideaux
Beard	Heaton	Romero
Bowler	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Smiley
Burns	Hunter	Smith, G.

Burrell	Hutter	Smith, J.D.—50th
Carter, K.	Jackson	Smith, J.H.—8th
Carter, R.	Jefferson	Smith, J.R.—30th
Cazayoux	Johns	St. Germain
Chandler	Katz	Strain
Crane	Kennard	Thompson
Crowe	Kenney	Townsend
Curtis	Kleckley	Trahan
Damico	LaBruzzo	Triche
Daniel	LaFleur	Tucker
Dartez	LaFonta	Waddell
DeWitt	Lambert	Walker
Doerge	Lancaster	Walsworth
Dorsey	Marchand	White
Dove	Martiny	Winston
Downs	McDonald	Wooton
Durand	McVea	
Erdey	Montgomery	
Total - 100		

ABSENT

Pitre	Toomy
Total - 2	

The Speaker announced there were 100 members present and a quorum.

### Suspension of the Rules

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

### 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. 6— BY REPRESENTATIVE SCHNEIDER A RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to create a federal catastrophe fund.

Read by title.

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

#### HOUSE CONCURRENT RESOLUTION NO. 13— BY REPRESENTATIVE GRAY A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to extend Emergency Rule 23, which suspends the rights of property insurers to cancel or nonrenew certain policies.

Read by title.

Rep. Gray moved to suspend the rules to consider the adoption of the resolution.

Rep. Bowler objected.

By a vote of 44 yeas and 35 nays, the House refused to suspend the rules.

Lies over under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 14— BY REPRESENTATIVES SALTER, DORSEY, AND PINAC A CONCURRENT RESOLUTION

To approve a proposed amendment to the Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget; and to provide for other matters pertaining thereto.

Read by title.

On motion of Rep. Dorsey, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 15— BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, DEWITT, AND THOMPSON A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for 2006-2007 Fiscal Year.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 16— BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, DEWITT, AND THOMPSON A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for 2006-2007 Fiscal Year.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 17— BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, DEWITT, AND THOMPSON A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for 2006-2007 Fiscal Year.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

#### HOUSE CONCURRENT RESOLUTION NO. 18— BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, DEWITT, AND THOMPSON A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for 2006-2007 Fiscal Year.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

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### HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND,  
DEWITT, AND THOMPSON

#### A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for 2006-2007 Fiscal Year.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the above resolution was referred to the Committee on Appropriations, under the rules.

### 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. 113—

BY REPRESENTATIVE MORRELL  
AN ACT

To amend and reenact R.S. 13:1373.1(A) and (C), relative to minute clerks, court reporters, and deputy court reporters of the Criminal District Court for the parish of Orleans; to increase the annual salary paid by the state; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Dorsey, the bill was returned to the calendar.

### Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended in order to take up and consider Reports of Committees at this time.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Ways and Means

December 10, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 120, by Townsend  
Reported favorably. (13-0) (Regular)

T. TAYLOR TOWNSEND  
Chairman

### Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended to permit the Committee on Commerce to meet on Monday, December 11, 2006, without giving the notice required by House Rule 14.24(A) and consider the following legislative instrument:

House Bill No. 77

### Suspension of the Rules

On motion of Rep. Schneider, the rules were suspended to permit the Committee on Retirement to meet on Monday, December 11, 2006.

### Leave of Absence

Rep. Pitre - 1 day

### Adjournment

On motion of Rep. Kenney, at 4:05 P.M., the House agreed to adjourn until Monday, December 11, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, December 11, 2006.

ALFRED W. SPEER  
Clerk of the House