The House of Representatives was called to order at 5:00 P.M., by the Honorable Yvonne Dorsey, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker
Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudouin
Bayor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damicco
Daniel
Dartez
DeWitt
Dorger
Dorsey
Dove
Downs

Faucheu
Frith
Galott
Geymann
Glover
Gray
Greene
Guilford, E.
Guilford, M.
Hammet
Harris
Heaton
Hebert
Hill
Honey
Hunter
Hutter
Jackson
Jefferson
Johns
Katz
Kennard
Kenney
Kleckley
LaBrouzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand

Morrell
Morrish
Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalis
Schneider
Smiley
Smith, G.
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker

ABSENT

Alario
Hopkins

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Hunter.

Pledge of Allegiance

Rep. Winston 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. Morrish, the reading of the Journal was dispensed with.

On motion of Rep. Morrish, the Journal of March 27, 2006, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

March 28, 2006

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. 4, 5, 7, and 12

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 4—

A CONCURRENT RESOLUTION

To commend Amanda Harb of Lafayette, Louisiana for having been named a recipient of the 2006 Prudential Spirit of Community Award, as a top youth volunteer in Louisiana.

Read by title.

On motion of Rep. Robideaux, and under a suspension of the rules, the resolution was concurred in.
SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATOR MICHOT
A CONCURRENT RESOLUTION
To commend Tara Doucet of Lafayette, Louisiana for having been
named a recipient of the 2006 Prudential Spirit of Community
Award, as a top youth volunteer in Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR CHEEK
A CONCURRENT RESOLUTION
To designate March 2006 as "Kidney Cancer Awareness Month."

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATORS ELLINGTON, ADLEY, AMEDEE, BOASSO, DUPRE, B.
GAUTREAUX, HEITMEIER, KOSTELKA AND THEUNISSEN AND
REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION
To recognize and commend Anthony "Tony" Culp on the occasion of
his retirement as the director of the aviation section at the
Department of Transportation and Development.

Read by title.

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS
March 28, 2006

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. 3
Returned without amendments

House Concurrent Resolution No. 4
Returned without amendments

House Concurrent Resolution No. 6
Returned without amendments

House Concurrent Resolution No. 7
Returned without amendments

House Concurrent Resolution No. 9
Returned without amendments

House Concurrent Resolution No. 10
Returned without amendments

House Concurrent Resolution No. 11
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate
Introduction of Resolutions, House and House Concurrent

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

**HOUSE RESOLUTION NO. 11**
*BY REPRESENTATIVE HEBERT*

A RESOLUTION

To adopt House Rule 8.29 of the Rules of Order of the House of Representatives to provide that the motion for final passage of the Capital Outlay Bill or to concur in amendments or adopt any conference committee report on such bill is not in order under certain circumstances.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 12**
*BY REPRESENTATIVE HEBERT*

A RESOLUTION

To adopt House Rule 10.10 of the Rules of Order of the House of Representatives to require the tally of votes to be visible to each member in the chamber while voting.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 13**
*BY REPRESENTATIVE HEBERT*

A RESOLUTION

To amend and readopt House Rule 6.2 of the Rules of Order of the House of Representatives to limit the service of a chairman of a committee.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 14**
*BY REPRESENTATIVE HEBERT*

A RESOLUTION

To amend House Rule 6.14(A) of the Rules of Order of the House of Representatives to provide for the membership of the conference committee on the General Appropriation Bill and on the Capital Outlay Bill.

Read by title.

Lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 40**
*BY REPRESENTATIVE HONEY*

A CONCURRENT RESOLUTION

To commend the members of the Southern University women's basketball team and their coaches and staff for their outstanding achievements during the 2005-2006 season, which included the Southwestern Athletic Conference championship and their advancement to the National Collegiate Athletic Association tournament.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 41**
*BY REPRESENTATIVE HONEY*

A CONCURRENT RESOLUTION

To commend the members of the Southern University men's basketball team and their coaches and staff for their outstanding achievements during the 2005-2006 season, which included the Southwestern Athletic Conference championship and their advancement to the National Collegiate Athletic Association tournament.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 42**
*BY REPRESENTATIVE GALLOT*

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Dr. Charles A. Berry of Grambling.

Read by title.

On motion of Rep. Gallot, 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. 209**
*BY REPRESENTATIVE KLECKLEY*

AN ACT

To enact R.S. 38:1758.1, relative to gravity drainage districts in Calcasieu Parish; to provide relative to the governance of such districts; and to provide for related matters.

Read by title.

Lies over under the rules.

**HOUSE BILL NO. 1129**
*BY REPRESENTATIVE THOMPSON*

AN ACT

To enact R.S. 56:1705, relative to state funds; to establish the Poverty Point Reservoir Development Fund as a special treasury fund; to provide for the deposit and use of monies in the fund; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1130**
*BY REPRESENTATIVE RICHMOND*

AN ACT

To enact Chapter 27-F of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.100 through 9039.111, relative to local and regional economic development; to provide for the creation of local and regional economic development districts that may operate on a local, municipal, parish, or multiparish basis to promote economic development statewide; to provide for definitions; to provide for the appointment of members to the board of the local and regional economic development districts; to provide for the boards' functions, powers, and duties; to authorize the boards to exercise the power of taxation, levy assessments on property, and collect certain fees; to authorize the districts to undertake certain projects for the promotion of local and regional economic development activities; to provide procedures for the
To urge and request the House Committee on Administration of
HOUSE CONCURRENT RESOLUTION NO. 5—
Committee on House and Governmental Affairs.

To urge and request in the auditing of state
HOUSE CONCURRENT RESOLUTION NO. 2—
Committee on House and Governmental Affairs.

To amend and readopt House Rule 8.27(C) of the Rules of
HOUSE RESOLUTION NO. 10—
Committee on House and Governmental Affairs.

To amend and reenact Civil Code Articles 2323(A) and 2324(B) and
HOUSE BILL NO. 1131—
2nd Day's Proceedings - March 28, 2006

Criminal Justice and the Senate Committee on Judiciary B to
BY REPRESENTATIVE GRAY
Under the rules, the above resolution was referred to the
Read by title.

the appropriate legislative oversight committees.

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 RESOLUTION NO. 7—
BY REPRESENTATIVE M. POWELL
A RESOLUTION
To amend and readopt House Rule 8.27(A) and (C) of the Rules of
Order of the House of Representatives and to adopt House Rule
8.27(D) of the Rules of Order of the House of Representatives.

Read by title.

Under the rules, the above resolution was referred to the
Committee on House and Governmental Affairs.

HOUSE RESOLUTION NO. 10—
BY REPRESENTATIVE STRAIN
A RESOLUTION
To amend and readopt House Rule 8.27(C) of the Rules of Order of
the House of Representatives to require that, upon request, a
conference committee report received on the last two days of the
session shall lie over for no less than thirty minutes.

Read by title.

Under the rules, the above resolution was referred to the
Committee on House and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE SMILEY
A CONCURRENT RESOLUTION
To urge and request the legislative auditor in the auditing of state
agencies, as that term is defined in R.S. 39:2, to include in the
performance of such audits an examination of the fiscal
efficiency of the entity by determining the relationship between
fees charged and services rendered and to report entities levying
excessive fees to the Legislative Audit Advisory Council and to
the appropriate legislative oversight committees.

Read by title.

Under the rules, the above resolution was referred to the
Committee on House and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION
To urge and request the House Committee on Administration of
Criminal Justice and the Senate Committee on Judiciary B to
meet and function as a joint committee to study and recommend
policy directives for the state of Louisiana regarding issues
related to juvenile competency, which may include the
implementation of a pilot project to develop a process of
competency determination, restoration, and mental health
intervention, recommendations for a plan of statewide
implementation, and determination of the cost of
implementation.

Read by title.

Under the rules, the above resolution was referred to the
Committee on Administration of Criminal Justice.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION
To amend the Department of Economic Development, Small and
Emerging Business Development Program rules to extend the
period of time that a business may benefit from the program and
to direct the Louisiana Register to print the amendments in the
Louisiana Administrative Code.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVE LANCASTER
A CONCURRENT RESOLUTION
To direct state agencies to provide to the division of archives, records
management, and history of the Department of State all
locations where their public records are stored and to direct such
division to work in cooperation with the Louisiana Geographical
Information Center to develop mapping relative to such
locations.

Read by title.

Under the rules, the above resolution was referred to the
Committee on House and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION
To authorize and request the Louisiana State Law Institute to study
and make recommendations to the legislature on the laws of
usufruct and naked ownership especially in light of Hurricanes
Katrina and Rita.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To suspend until sixty days after the final adjournment of the 2007
Regular Session of the Legislature of Louisiana, the provisions
R.S. 56:433(B)(1) and (C) and 435.1.1(C) insofar as they
specify a date for closure of the oyster harvest on the public seed
grounds and to authorize the Wildlife and Fisheries Commission
to open or re-open oyster harvest season in those parts of the
natural reefs where there are sufficient quantities of oysters
available for harvest.

Read by title.

Under the rules, the above resolution was referred to the
Committee on Natural Resources.
To enact R.S. 9:348, relative to children; to provide relative to

HOUSE BILL NO. 1124—

committees, as follows:

reading to be referred to committees were taken up, read, and referred

Committee on Environment.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the House Committee on Labor and Industrial

Relations and the Senate Committee on Labor and Industrial

Relations to meet and function as a joint committee to study
domestic abuse and its effect in the workplace and to submit a
report of its findings and recommendations to the governor and
the legislature prior to the 2007 Regular Session of the

legislature.

Read by title.

Under the rules, the above resolution was referred to the

Committee on Labor and Industrial Relations.

HOUSE CONCURRENT RESOLUTION NO. 31—

BY REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To direct the attorney general to examine the interaction between the

applicable provisions of Title 47 of the Louisiana Revised

Statutes of 1950 regarding income taxes and the provisions of the

Louisiana Election Code and determine what, if any,

implications exist if a displaced citizen files a nonresident or

part-year resident state income tax form, particularly one listing

an out-of-state address, and is registered to vote in Louisiana

and votes in Louisiana elections; to design an appropriate notice
to displaced citizens which simply and concisely outlines any

such implications; and to expeditiously mail such notice to all

displaced citizens of Louisiana with an out-of-state address in

accordance with the most current list of such persons obtained

by the attorney general from the Federal Emergency

Management Agency.

Read by title.

Under the rules, the above resolution was referred to the

Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To direct the Department of Environmental Quality and the office of

environmental education to cooperate with Keep Louisiana

Beautiful, Incorporated to conduct a campaign to educate the

public to prevent cigarette litter.

Read by title.

Under the rules, the above resolution was referred to the

Committee on Environment.

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. 1124—

BY REPRESENTATIVE PRITH

AN ACT

To enact R.S. 9:348, relative to children; to provide relative to
visitedation orders; to provide for missed visitation due to certain
military active duty; to require compensatory days of visitation in
such instances; to require negotiation between parents; to
provide for court intervention in certain circumstances; to
authorize court-ordered mediation; to provide relative to court
costs; to provide for definitions; 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.

HOUSE BILL NO. 1125—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 14:81(A) and (C) and to enact R.S.
14:81(D) through (J), relative to indecent behavior with
juveniles; to amend elements of the crime to provide that
reasonable belief that the victim is under the age of seventeen is
sufficient to commit the crime of indecent behavior with a
juvenile; to provide for definitions; to provide with respect to
defenses for the crime of indecent behavior with juveniles; to
provide for certain exceptions; to provide that evidence seized
resulting from the commission of the crime of indecent behavior
with juveniles is considered contraband; to require sex offender
registration if convicted for the crime of indecent behavior with
juveniles; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on
Administration of Criminal Justice.

HOUSE BILL NO. 1126—

BY REPRESENTATIVE DARTEZ

AN ACT

To appropriate funds out of the General Fund of the state of
Louisiana for Fiscal Year 2006-2007 to be used to pay certain
consent judgments against the Department of Transportation and
Development; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 1128—

BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 3:3203(E) and R.S. 47:301(16)(f) and to
enact R.S. 3:3221(G), relative to the registration of
pharmaceuticals with the Department of Agriculture and
Forestry; to prohibit certain pharmaceuticals and vaccines from
being classified or registered as pesticides; to provide relative to
sales tax exempt pharmaceuticals; and to provide for related
matters.

Read by title.

Under the rules, the above bill was referred to the Committee on
Agriculture, Forestry, Aquaculture, and Rural Development.

Motion

On motion of Rep. Cazayoux, the Committee on Education was
discharged from further consideration of House Bill No. 345.

HOUSE BILL NO. 345—

BY REPRESENTATIVE CAZAYOUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of
Louisiana, to authorize the investment in stocks of certain
endowed funds of institutions of higher education; to provide
for submission of the proposed amendment to the electors; and
to provide for related matters.

Read by title.

On motion of Rep. Cazayoux, the bill was recommitted to the
Committee on Appropriations.
Motion

On motion of Rep. Durand, the Committee on Health and Welfare was discharged from further consideration of House Bill No. 477.

HOUSE BILL NO. 477—
BY REPRESENTATIVE DURAND
AN ACT
To amend and reenact R.S. 36:251(A), (B), and (C)(1), 253, 254(A)(11) and (12)(b) and (c) and (B)(9), 254.1(C)(4), 254.2, 256(A) and (B), 257(A), 258(A), and 259, relative to the Department of Health and Hospitals; to change the name of the Department of Health and Hospitals to the Department of Health; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations
March 28, 2006
To the Speaker and Members of the House of Representatives:

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

House Bill No. 332, by Alario
Reported favorably. (11-0) (Regular)

House Bill No. 333, by Alario
Reported favorably. (11-0) (Regular)

House Bill No. 465, by Alario
Reported favorably. (11-0) (Regular)

House Bill No. 661, by Alario
Reported favorably. (13-0) (Regular)

House Bill No. 774, by Alario
Reported favorably. (13-0) (Regular)

House Bill No. 947, by Alario
Reported favorably. (12-0) (Regular)

House Bill No. 1127, by Alario
Reported favorably. (11-0) (Regular)

CHARLES W. DEWITT, JR.
Acting Chairman

Privileged Report of the Committee on Enrollment
March 28, 2006
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 Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 3—
BY REPRESENTATIVE PINAC
A RESOLUTION
To declare May 2, 2006, as "FFA Day" at the Louisiana House of Representatives and to commend the current state officers of the Future Farmers of America (FFA) organization.

HOUSE RESOLUTION NO. 4—
BY REPRESENTATIVE JOHNS
A RESOLUTION
To commend Frank Mathews upon being named Distinguished Person of the Year by the DeQuincy Chamber of Commerce.

HOUSE RESOLUTION NO. 5—
BY REPRESENTATIVE HILL
A RESOLUTION
To commend B. R. Harvey for his dedicated service to the Vernon Parish School Board and his outstanding achievements in education.

HOUSE RESOLUTION NO. 6—
BY REPRESENTATIVE FANNIN
A RESOLUTION
To commend the Calvin High School girls basketball team upon winning the 2006 Class C state championship.

HOUSE RESOLUTION NO. 8—
BY REPRESENTATIVE SALTER
A RESOLUTION
To urge and request the House Select Committee on Homeland Security to study the feasibility of a statewide special needs registry.

HOUSE RESOLUTION NO. 9—
BY REPRESENTATIVE PIERRE
A RESOLUTION
To commend the members of the Holy Rosary Institute class of 1966 upon the occasion of their fortieth class reunion.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Leave of Absence

Rep. Alario - 1 day
Rep. Hopkins - 1 day

Adjournment

On motion of Rep. Kenney, at 5:31 P.M, the House agreed to adjourn until Wednesday, March 29, 2006, at 4:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 4:00 P.M., Wednesday, March 29, 2006.

ALFRED W. SPEER
Clerk of the House