

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

**SECOND DAY'S PROCEEDINGS**

**Thirty-fourth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, April 1, 2008

The House of Representatives was called to order at 4:00 P.M., by the Honorable Jim Tucker, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, E.	Morris
Arnold	Guillory, M.	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burrell	Honey	Richmond
Carmody	Howard	Ritchie
Carter	Hutter	Robideaux
Cazayoux	Jackson G.	Roy
Champagne	Johnson	Schroder
Chandler	Jones, R.	Simon
Chaney	Jones, S.	Smiley
Connick	Katz	Smith, G.
Cortez	Kleckley	Smith, J.
Cromer	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White

Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton
Franklin	McVea	
Gallot	Mills	
Total - 103		

ABSENT

Burns, T.	Jackson M.
Total - 2	

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

**Prayer**

Prayer was offered by Rep. White.

**Pledge of Allegiance**

Rep. Ponti led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Suspension of the Rules**

On motion of Rep. Peterson, the rules were suspended in order to allow the Education Subcommittee of the Committee on Appropriations to meet while the House was in session.

**Reading of the Journal**

On motion of Rep. Peterson, the reading of the Journal was dispensed with.

On motion of Rep. Peterson, the Journal of March 31, 2008, 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. 9—**

BY REPRESENTATIVE NOWLIN

A RESOLUTION

To amend and readopt House Rule 7.9(C) of the Rules of Order of the House of Representatives, to provide for the form and content of the General Appropriation Bill and to prohibit certain actions if the bill is not in such form.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 10—**

BY REPRESENTATIVE BARRAS

A RESOLUTION

To commend Anite B. Gondron upon the momentous occasion of her one hundredth birthday and to celebrate her lifetime of outstanding accomplishments.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 29—**

BY REPRESENTATIVE ROY

A CONCURRENT RESOLUTION

To recognize April 5, 2008, as Kiwanis ONE Day in Louisiana and to extend gratitude to Kiwanians throughout the world for their good deeds.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 30—**

BY REPRESENTATIVE BARRAS  
A CONCURRENT RESOLUTION

To commend Mr. Carroll Boudreaux of Iberia Parish upon his induction into the Louisiana 4-H Hall of Fame and to congratulate him on many years of dedicated and highly productive service to the Louisiana 4-H organization.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 31—**

BY REPRESENTATIVE BARRAS  
A CONCURRENT RESOLUTION

To commend Dr. Charles Miller of Iberia Parish upon his induction into the Louisiana 4-H Hall of Fame and to congratulate him on many years of dedicated and highly productive service to the Louisiana 4-H organization and the LSU AgCenter.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 32—**

BY REPRESENTATIVE CARTER  
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Richard F. Gill of Baton Rouge.

Read by title.

On motion of Rep. Carter, 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. 792—**

BY REPRESENTATIVE WHITE  
AN ACT

To amend and reenact R.S. 33:4570, 4570.2, and 4570.4 and to enact R.S. 33:4567.1, relative to recreation districts; to provide for the creation of a recreation district in the city of Central; to provide for boundaries; to provide for the purposes of the district; to provide for governance and powers; to provide for the transfer of the operation and control of certain properties and facilities to the district; to except the district from certain authority; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1114—**

BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact R.S. 36:475.1(B) and to enact R.S. 36:8(E)(2)(d) and 474(A)(12), relative to organization of the Department of Social Services; to transfer certain powers, functions, and responsibilities for the department from the department undersecretary to the department secretary; to provide for their respective powers and responsibilities; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 1115—**

BY REPRESENTATIVES ARMES AND HOWARD  
AN ACT

To amend and reenact R.S. 38:2322(C), relative to the Sabine River Authority; to increase the per diem of the board of commissioners; 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 RESOLUTION NO. 7—**

BY REPRESENTATIVE GEYMAN  
A RESOLUTION

To urge and request the Department of Agriculture and Forestry to study the issue of escaped farm-raised crawfish being caught by people other than the farmers and to require the department to report recommendations to the legislature.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 11—**

BY REPRESENTATIVE HILL  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to designate the portion of Louisiana Highway 165 North from Oakdale city limits to the Rapides Parish line as the "Staff Sergeant Timothy B. Cole, Jr. Memorial Highway" and to erect signage along this route reflecting this designation.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 12—**

BY REPRESENTATIVE HILL  
A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority and the United States Army Corps of Engineers to give proportionate attention to Louisiana's Chenier Plain in the development and implementation of the state's coastal protection and restoration efforts.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 14—**

BY REPRESENTATIVES GALLOT AND TUCKER  
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature the provisions of R.S. 18:1483(14)(c) and 1501.2 as enacted by Act No. 26 of the 2008 First Extraordinary Session of the Legislature relative to campaign finance.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 15—**

BY REPRESENTATIVE ST. GERMAIN  
A CONCURRENT RESOLUTION

To suspend until July 1, 2009, the provisions of R.S. 42:1113(D)(4), as enacted by Act No. 2 of the 2008 First Extraordinary Session of the Legislature, relative to requiring certain public servants and the spouses, legal entities, and immediate family members thereof to file an annual report with the Board of Ethics by July first disclosing contracts with state government.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 21—**

BY REPRESENTATIVE GARY SMITH  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the feasibility of constructing center turn lanes on certain portions of Louisiana Highway 48 in St. Charles Parish.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 25—**

BY REPRESENTATIVE ST. GERMAIN AND SENATOR DUPRE  
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2009 Regular Session of the Legislature Part IV-A of Chapter 4 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:852.1 through 852.22, relative to titling of vessels in the state of Louisiana.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 26—**

BY REPRESENTATIVE ST. GERMAIN  
A CONCURRENT RESOLUTION

To adopt Joint Rule No. 7 of the Joint Rules of the Senate and House of Representatives, to establish the Atchafalaya Basin Program Oversight Committee to monitor, review, and make recommendations relative to all aspects of the Atchafalaya Basin Program in the Department of Natural Resources.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 27—**

BY REPRESENTATIVES CONNICK AND MORRELL  
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to develop and implement a policy which allows for certified copies of state identification cards to be used as substantiating documentation in obtaining a duplicate or replacement identification card.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 28—**

BY REPRESENTATIVE FOIL  
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to study Bayou Manchac for possible inclusion in the Louisiana Historic and Scenic Rivers system.

Read by title.

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

#### Motion

On motion of Rep. Hardy, the Committee on Administration of Criminal Justice was discharged from further consideration of House Bill No. 7.

**HOUSE BILL NO. 7—**

BY REPRESENTATIVE HARDY  
AN ACT

To amend and reenact R.S. 14:95.1(B), relative to violations of possession of a firearm by a person convicted of certain felonies; to provide for increased penalties; and to provide for related matters.

Read by title.

#### Motion

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

#### Motion

On motion of Rep. Hardy, the Committee on Education was discharged from further consideration of House Bill No. 181.

**HOUSE BILL NO. 181—**

BY REPRESENTATIVE HARDY  
AN ACT

To enact R.S. 17:176.2, relative to extracurricular activities for public school students; to require each local public school that has been identified as academically unacceptable pursuant to the school and district accountability system to suspend all extracurricular activities for students; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

**Motion**

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

**HOUSE BILL NO. 1109—**  
BY REPRESENTATIVE FANNIN  
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

Read by title.

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

**HOUSE BILL NO. 1110—**  
BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 11:2262(D)(1) and (2), relative to the Firefighters' Retirement System; to provide with respect to the pension accumulation fund, employer contributions, and the interest rate applicable to collection of delinquent employee and employer contributions; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1111—**  
BY REPRESENTATIVE CONNICK  
AN ACT

To amend and reenact R.S. 42:1134(E) and (O), 1141.1, and 1142(A), relative to enforcement of laws under the jurisdiction of the Board of Ethics; to provide for the power of the Ethics Adjudicatory Board or a panel thereof relative to declaratory opinions; to provide for appeal of such opinions and other decisions and actions of the adjudicatory board; to provide relative to advisory opinions of the Board of Ethics; to provide relative to the publication of decisions and declaratory opinions of the adjudicatory board; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1112—**  
BY REPRESENTATIVE GARY SMITH  
AN ACT

To amend and reenact R.S. 38:100(introductory paragraph), 101, and 103(B), relative to the Westwego to Harvey Canal hurricane protection project; to provide for the extension of the West Bank and vicinity hurricane protection project; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 1113—**  
BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 22:1021, 1024, and 1027 and to repeal R.S. 22:1023, 1025, and 1026, relative to statutory deposits of insurers; to provide for the amount of the deposit; to provide for

delivery of home state certifications; to eliminate surety bonds in lieu of deposits; to eliminate additional deposits of surety insurers; to eliminate conditions of additional deposits; and to provide for related matters.

Read by title.

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

**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. 1116—**  
BY REPRESENTATIVE ELLINGTON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2007-2008 to the Department of Agriculture and Forestry for boll weevil eradication; to provide for an effective date; and to provide for related matters.

Read by title.

**Petitions, Memorials and Communications**

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

**Motion**

On motion of Rep. Greene, the following meeting schedule for standing committees was adopted.

Pursuant to House Rule 14.20, the Speaker proposes the following uniform schedule of committee meetings:

**STANDING COMMITTEE MEETING SCHEDULE**

<u>Session Week</u>	<u>Day/Date</u>
Week 1	Morning – 4/1 Afternoon – 4/2 Weekly – 4/3
Week 2	Morning – 4/7 & 4/8 Afternoon – 4/9 & 4/10 Weekly – none
Week 3	Morning – 4/14 & 4/15 Afternoon – 4/16 Weekly – 4/17
Week 4	Morning – 4/21 Afternoon – 4/22 & 4/23 Weekly – 4/24
Week 5	Morning – 4/28 & 4/29 Afternoon – 4/30 & 5/1 Weekly – none
Week 6	Morning – 5/5 & 5/6 Afternoon – 5/7 & 5/8 Weekly – none

Week 7	Morning – 5/12 & 5/13 Afternoon – 5/14 Weekly – 5/15
Week 8	Morning – 5/19 & 5/20 Afternoon – 5/21 & 5/22 Weekly – none
Week 9	Memorial Day – 5/26 Morning – 5/27 Afternoon – 5/28 Weekly – 5/29
Week 10	Morning – 6/2 Afternoon – 6/3 & 6/4 Weekly – 6/5
Week 11	Morning – 6/9 Afternoon – 6/10 & 6/11 Weekly – 6/12
Week 12	Morning – 6/16 Afternoon – 6/17 Weekly – 6/18 Catch-all – 6/19 & 6/20

Committees shall convene on their designated day at a time certain between the hours of 9:00 a.m. and 10:00 a.m.

### Privileged Report of the Committee on Enrollment

April 1, 2008

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. 2— BY REPRESENTATIVE DIXON

##### A RESOLUTION

To express sincere and heartfelt condolences upon the death of Billy "Cool" Humphrey, Sr.

#### HOUSE RESOLUTION NO. 3— BY REPRESENTATIVE GEYMAN

##### A RESOLUTION

To designate the St. John Bosco Catholic Church jambalaya cook-off as an annual event in the state of Louisiana.

#### HOUSE RESOLUTION NO. 4—

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

##### A RESOLUTION

To express sincere and heartfelt condolences upon the death of J. D. Salter of Florien and to recognize his singular contributions and achievements.

#### HOUSE RESOLUTION NO. 5—

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

##### A RESOLUTION

To commend Representative Patrick Williams for "Walking the Walk" against childhood obesity and autism.

#### HOUSE RESOLUTION NO. 6—

BY REPRESENTATIVE GISCLAIR

##### A RESOLUTION

To commend Edna LeBlanc Guidry upon the momentous occasion of her one hundredth birthday and to celebrate her lifetime of outstanding accomplishments.

#### HOUSE RESOLUTION NO. 8—

BY REPRESENTATIVE ANDERS

##### A RESOLUTION

To recognize May 7, 2008, as "FFA Day" at the Louisiana House of Representatives and to commend the current state officers of the Future Farmers of America organization.

Respectfully submitted,

WAYNE WADDELL  
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.

### Suspension of the Rules

On motion of Rep. Wooton, the rules were suspended to permit the Committee on Administration of Criminal Justice to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 751

### Suspension of the Rules

On motion of Rep. Kleckley, the rules were suspended to permit the Committee on Insurance to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1113

### Adjournment

On motion of Rep. Trahan, at 4:20 P.M., the House agreed to adjourn until Wednesday, April 2, 2008, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Wednesday, April 2, 2008.

ALFRED W. SPEER  
Clerk of the House

