

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

**FIRST DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Monday, October 8, 2001

The House of Representatives was called to order at 5:00 P.M.,  
by the Honorable Charlie DeWitt, Speaker of the House of  
Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Gallot	Perkins
Alario	Glover	Pierre
Alexander, E	Green	Pinac
Alexander, R	Guillory	Pitre
Ansardi	Hammett	Powell
Baldone	Heaton	Pratt
Baudoin	Hebert	Quezaire
Baylor	Hill	Richmond
Beard	Holden	Riddle
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schneider
Carter, K	Iles	Schwegmann
Carter, R	Jackson, L	Shaw

Cazayoux	Jackson, M	Smith, G.—56th
Clarkson	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kennard	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Doerge	Martiny	Townsend
Downer	McCallum	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Futrell	Odinot	

Total—104

ABSENT

Total—0

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

**Prayer**

Prayer was offered by Rev. Keith Pellerin.

**Pledge of Allegiance**

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

**Petitions, Memorials and**  
**Communications**

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

**STATE OF WEST VIRGINIA**

**HOUSE RESOLUTION NO. 1**

By Mr. Speaker, Mr. Kiss, and Delegates Amores, Anderson,  
Angotti, Armstead, Ashley, Azinger, Beach, Beane, Boggs, Border,  
Brown, Browning, Butcher, Campbell, Cann, Canterbury, Caputo,  
Carmichael, Coleman, Compton, Craig, DeLong, Dempsey, Douglas,  
Doyle, Ellem, Ennis, Evans, Fahey, Faircloth, Ferrell, Flanigan,  
Fleischauer, Fletcher, Fox, Fragale, Frederick, Givens, Hall, Harrison,

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Hatfield, Hrutkay, Hubbard, Keener, Kominar, Kuhn, Leach, Leggett, Louisos, Mahan, Manchin, Manuel, Marshall, Martin, Mathews, McGraw, Mezzatesta, Michael, Morgan, Overington, Paxton, Perdue, Perry, Pethtel, Pino, Poling, Proudfoot, Prunty, Riggs, Romine, Schadler, Shaver, Shelton, Smirl, J. Smith, L. Smith, Spencer, Stalnaker, Staton, Stemple, Stephens, Susman, Swartzmiller, R. Thompson, R. M. Thompson, Trump, Tucker, Varner, Walters, Warner, Webb, Webster, C. White, G. White, H. White, Williams, Wills, Wright and Yeager)

(Adopted by the House of Delegates on September 18, 2001)

"Expressing the sense of the House of Delegates and decrying the outrageous terrorist attacks launched against the United States on Tuesday, September 11, 2001, expressing sympathy to the families and friends of those killed or injured, and urging the President of the United States and other federal officials to deal swiftly with those who threaten our freedom."

Whereas, The United States of America stands as the Nation most respected throughout the world for its freedom and its defense of freedom; and

Whereas, Tens of thousands of men and women have fought and died to secure, maintain and guarantee this freedom, and have utilized this freedom to build the most powerful and most successful nation on earth; and

Whereas, On Tuesday, September 11, 2001, enemies of the United States encroached upon the sacred soils of our Nation and conducted a series of the most inhumane, murderous attacks in the history of the world, hijacking and destroying four civilian aircraft, crashing two of them into the World Trade Center Towers in New York City, a third into the Pentagon outside Washington, D.C., and the fourth failing to reach its target and crashing in Pennsylvania, which monstrous attacks killed and injured thousands of innocent people and completely demolished the World Trade Center Towers and a portion of the Pentagon, symbols of American strength and success; and

Whereas, The freedom fought for, secured and maintained over the past two hundred twenty-five years is threatened by the attackers, by targeting symbols of America, clearly intended to intimidate our Nation and weaken its resolve; therefore, be it

*Resolved by the House of Delegates:*

That the members of the West Virginia House of Delegates hereby express their deepest, heartfelt sympathy to the families and

friends of those killed and injured in the terrorist attacks of Tuesday, September 11, 2001, and the recovery efforts following the attacks;

That the members of the House of Delegates hereby offer collective condolences and unreserved expressions of support to the State and to the City of New York, to the State of Virginia, and to the State of Pennsylvania;

That the House of Delegates of West Virginia hereby condemns in the strongest possible terms the terrorists who contrived and carried out those attacks, as well as their sponsors or any person or nation which harbours terrorists;

That the House hereby commends the heroic actions of the myriad of rescue workers, volunteers and officials who responded to these tragic events with courage, determination and skill;

That we hereby publicly proclaim that we will not forget those who have fought and died to help secure and maintain our freedom, and we further publicly decry and condemn those who plot, plan and execute attacks on our freedom, our citizenry and our way of life;

That our thoughts and prayers go out to all those directly affected by the attacks and to those participating in the recovery from the attacks;

That the President of the United States and the Congress be hereby urged to deal swiftly and judiciously with the situation, that freedom might live; and, be it

*(Further Resolved)*, That the Clerk of the House of Delegates forthwith prepare and cause to be delivered certified copies of this resolution to President George W. Bush, to the Honorable Bob Wise, Governor of the State of West Virginia, to U.S. Senators Robert C. Byrd, and John D. Rockefeller IV, and to members of the United States House of Representatives Alan B. Mollohan, Shelley M. Capito and Nick Joe Rahall, to the Clerk of the United States House of Representatives and the Secretary of the United States Senate, to the Governor of New York and the Mayor of New York City, to the Governor of Virginia and the Governor of Pennsylvania, and to the Presiding Officers of the Legislatures of all the States in this Nation.

I, GREGORY, M. GRAY, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Resolution 1, which was adopted by the House of Delegates on the 18th day of September, 2001.

Gregory M. Gray

Clerk of the House of Delegates

### Message from the Secretary of State

The following message from the Secretary of State was received and read:

**State of Louisiana**

### SECRETARY OF STATE

September 24, 2001

To the honorable Speaker and Members of the Louisiana House of Representatives:

I have the honor to hand you herewith certified copy of the Proclamation by his Excellency, M. J. "Mike" Foster, Jr., Governor of the State of Louisiana, dated September 24, 2001, designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 5:00 o'clock P.M. on the 8th day of October, 2001, and to adjourn, sine die, not later than 6:00 o'clock P.M. on the 19th day of October, 2001.

Sincerely,

W. FOX McKEITHEN  
Secretary of State

**United States of America**  
**STATE OF LOUISIANA**  
**Fox McKeithen**  
**Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the attached pages contain a true and correct copy of the Proclamation by His Excellency, M. J. "Mike" Foster, Jr., Governor of the State of Louisiana, dated September 24, 2001, designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 5:00 o'clock P.M. on the 8th day of October, 2001, and to adjourn, sine die, not later than 6:00 o'clock P.M. on the 19th day of October, 2001.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on this the 24th day of September, 2001.

FOX McKEITHEN  
Secretary of State

### STATE OF LOUISIANA OFFICE OF THE GOVERNOR BATON ROUGE, LOUISIANA

### PROCLAMATION NO. 50 MJF 2001

By virtue of the authority vested in me by Paragraph B of Section 2 of Article III of the Constitution of Louisiana, I, M.J. "Mike" Foster, Jr., Governor of the state of Louisiana, HEREBY CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during twelve calendar days, beginning at 5:00 o'clock p.m. on Monday the 8th of October 2001, and ending no later than 6:00 o'clock p.m. on Friday the 19th day of October, 2001. The power to legislate at such session shall be limited, under penalty of nullity, to the following specified enumerated objects:

**ITEM NO. 1:** To adopt an Act relative only to the House of Representatives of the Legislature of Louisiana; to provide for the composition of the House of Representatives; to provide for representative districts; and to reapportion the representation in said House of Representatives.

**ITEM NO. 2:** To adopt an Act relative only to the Senate of the Legislature of Louisiana; to provide for the composition of the Senate; to provide for senatorial districts; and to reapportion the representation in said Senate.

**ITEM NO. 3:** To legislate relative to the reapportionment of the Congressional districts of Louisiana.

**ITEM NO. 4:** To adopt an Act relative only to the Louisiana Board of Elementary and Secondary Education; to provide for the composition of the Louisiana Board of Elementary and Secondary Education; to provide for districts; and to reapportion the representation in said Louisiana Board of Elementary and Secondary Education.

**ITEM NO. 5:** To adopt an Act relative only to the Louisiana Public Service Commission; to provide for the composition of the Louisiana Public Service Commission; to provide for Louisiana Public Service Commission districts; and to reapportion the representation in said Louisiana Public Service Commission.

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**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 24th day of September, 2001.

**M. J. "Mike" Foster, Jr.**  
**GOVERNOR OF LOUISIANA**

**ATTEST BY**  
**THE GOVERNOR**

**W. Fox McKeithen**  
**SECRETARY OF STATE**

**State of Louisiana**

**SECRETARY OF STATE**

October 2, 2001

To the honorable Speaker and Members of the Louisiana House of Representatives:

I have the honor to hand you herewith certified copy of the Proclamation by his Excellency, M. J. "Mike" Foster, Jr., Governor of the State of Louisiana, dated October 2, 2001, designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 5:00 o'clock P.M. on the 8th day of October, 2001, and to adjourn, sine die, not later than 6:00 o'clock P.M. on the 19th day of October, 2001.

Sincerely,

W. FOX McKEITHEN  
Secretary of State

**United States of America**  
**STATE OF LOUISIANA**  
**Fox McKeithen**  
**Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the attached pages contain a true and correct copy of the Proclamation by His Excellency, M. J. "Mike" Foster, Jr., Governor of the State of Louisiana, dated October 2, 2001, designating certain objects to be considered at the Extraordinary Session of the Legislature of Louisiana, to be convened at 5:00 o'clock P.M. on the

8th day of October, 2001, and to adjourn, sine die, not later than 6:00 o'clock P.M. on the 19th day of October, 2001.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on this the 2nd day of October, 2001.

**FOX McKEITHEN**  
Secretary of State

**STATE OF LOUISIANA**  
**OFFICE OF THE GOVERNOR**  
**BATON ROUGE, LOUISIANA**

**PROCLAMATION NO. 53 MJF 2001**

By virtue of the authority vested in me I, M.J. "Mike" Foster, Jr., Governor of the state of Louisiana, HEREBY ADD A CERTAIN ITEM TO THE PROCLAMATION ISSUED ON SEPTEMBER 24, 2001 TO CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION at the State Capitol, in the city of Baton Rouge, Louisiana, during twelve calendar days, beginning at 5:00 o'clock p.m. on Monday the 8th of October 2001, and ending no later than 6:00 o'clock p.m. on Friday the 19th day of October, 2001 as follows:

**ITEM NO. 1:** To legislate relative to certain relief, benefits, endowments and such other matters necessary to provide for public servants called into uniform service for the national emergency created by the recent terrorist incidents and to provide relative thereto.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Louisiana, at the Capitol, in the city of Baton Rouge, on this 2nd day of October, 2001.

**M. J. "Mike" Foster, Jr.**  
**GOVERNOR OF LOUISIANA**

**ATTEST BY**  
**THE GOVERNOR**

**W. Fox McKeithen**  
**SECRETARY OF STATE**

**Message from The Secretary of State**

The following message from the Secretary of State was received and read:

**State of Louisiana**

**SECRETARY OF STATE**

August 22, 2001

To the honorable Speaker and Members of the House of Representatives:

I have the honor to submit to you the name of Gary Beard, who has been duly elected to fill the vacancy occurring in your honorable body since the last Session of the Legislature, caused by the resignation of Representative Charles "Chuck" McMains.

Gary Beard, has been officially proclaimed duly and legally elected as Representative from the 69th Representative District of the State of Louisiana.

FOX McKEITHEN  
Secretary of State

**United States of America**  
**STATE OF LOUISIANA**  
**Fox McKeithen**  
**Secretary of State**

As Secretary of State of the State of Louisiana, I do hereby certify that the following candidate, having run in the election held on August 18, 2001, is declared elected by the people to the office set opposite his name for an unexpired term:

State Representative Gary Beard, Representative of District 69.

In testimony whereof, I have hereunto set my hand and caused the seal of my office to be affixed at the city of Baton Rouge on this, the 22nd day of August, 2001.

FOX McKEITHEN  
Secretary of State

**Oath of Office**

Mr. Beard presented himself before the bar of the House and took the following oath:

"I, Gary Beard, do solemnly swear that I will support the constitution and laws of the United States and the constitution and

laws of this state and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a member of the House of Representatives according to the best of my ability and understanding, so help me God".

**Louisiana House of Representatives**  
**Office of the Speaker**

June 23, 2001

The Members of the House of Representatives

Dear Colleagues:

I am please to advise you of my appointment this day of Mr. Clarence Russ as the Chief Sergeant at Arms of the Louisiana House of Representatives. I know that Mr. Russ will serve the House well and be an asset to us and to the state.

I thank Clarence for his willingness to serve and look forward to a long relationship between he and the House. Please make him welcome.

Sincerely,

Charlie DeWitt

**Appointment of the Sergeant at Arms**  
**of the House**

Pursuant to House Rule 2.11, the Speaker appointed Mr. Clarence R. Russ Sergeant at Arms of the House.

**Oath of Office**

The oath of office was administered to Mr. Clarence R. Russ by the Honorable Alfred W. Speer, Clerk of the House.

**Motion**

On motion of Rep. Bruneau, the Speaker appointed the following special committee to notify the Governor that the House is convened and prepared to transact business: Reps. Downer, Pratt, Jack Smih, Johns, and Heaton.

**Motion**

On motion of Rep. Bruneau, the Speaker appointed the following special committee to notify the Senate that the House is

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convened and prepared to transact business: Reps. Iles, Lydia Jackson, Bowler, Clarkson, and Schwegmann.

### **Reports of Special Committees**

The special committee appointed to notify the Governor that the House had convened and was prepared to transact business reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had convened and was prepared to transact business reported that it had performed that duty.

The Speaker thanked and discharged the committees.

### **Committee from the Senate**

A special committee from the Senate notified the House that the Senate has convened and is prepared to transact business.

The Speaker thanked and dismissed the committee.

### **Message from the Senate**

#### **ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS**

October 8, 2001

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 No. 1

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### **Suspension of the Rules**

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

### **Senate Concurrent Resolutions**

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

#### **SENATE CONCURRENT RESOLUTION NO. 1—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To invite the Honorable M. J. "Mike" Foster, Governor of Louisiana to address a joint session of the legislature.

Read by title.

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

### **Joint Session of the Legislature**

The joint session of the legislature was called to order at 5:30 P.M. by the Honorable John J. Hainkel, Jr., President of the Senate.

On motion of Sen. Tarver, the calling of the roll on the part of the Senate was dispensed with.

On motion of Rep. Bruneau, the calling of the roll on the part of the House was dispensed with.

The President of the Senate appointed the following special committee to escort the Honorable M. J. "Mike" Foster, Jr., Governor of the State of Louisiana, to the joint session.

On the part of the Senate: Senators Tarver, Hoyt, Theunissen, Romero, and Ellington.

On the part of the House: Representatives Downer, Pratt, Jack Smith, Johns, Heaton, and Hebert.

The President of the Senate introduced the Honorable M. J. "Mike" Foster, Jr., who addressed the joint session of the legislature.

On motion of Sen. Lambert, the Senate retired to its own chamber.

### **House Business Resumed**

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

### **Introduction of Resolutions, House and House Concurrent**

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

**HOUSE RESOLUTION NO. 1—**

BY REPRESENTATIVE GUILLORY

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Kevin Wayne Yokum of Lake Charles.

Read by title.

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

**HOUSE RESOLUTION NO. 2—**

BY REPRESENTATIVE GARY SMITH

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Robert J. Hymel, a former resident of St. Charles Parish.

Read by title.

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

**HOUSE RESOLUTION NO. 3—**

BY REPRESENTATIVE CRANE

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Navy Lieutenant Michael Scott "Scotty" Lamana of Baton Rouge.

Read by title.

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

**HOUSE RESOLUTION NO. 4—**

BY REPRESENTATIVE SCHNEIDER

**A RESOLUTION**

To authorize and direct each public retirement system to work together and combine its efforts with efforts of participating employers to develop a comprehensive system for notifying members of the uniformed services of their retirement rights before, during, and after military service so the state of Louisiana can fulfill the goal of being a model employer.

Read by title.

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

**HOUSE RESOLUTION NO. 5—**

BY REPRESENTATIVES JOHNS, FLAVIN, GUILLORY, HILL, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Donna Duberville of Sulphur.

Read by title.

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

**HOUSE RESOLUTION NO. 6—**

BY REPRESENTATIVE RICHMOND

**A RESOLUTION**

To recognize the Twenty-Four-Hour Prayer Vigil of Louisiana and to provide for the holding of the vigil on the steps of the State Capitol.

Read by title.

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

**HOUSE RESOLUTION NO. 7—**

BY REPRESENTATIVE WALSWORTH

**A RESOLUTION**

To express sincere and heartfelt condolences upon the death of Benjamin Leslie Caldwell of West Monroe.

Read by title.

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

**HOUSE RESOLUTION NO. 8—**

BY REPRESENTATIVE WALSWORTH

**A RESOLUTION**

To recognize and commend the students of West Monroe High School for their heroic and exemplary efforts in raising money for the families of New York City firefighters who lost their lives during the terrorist attack of September 11, 2001.

Read by title.

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

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### HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVES DEWITT, DOWNER, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DIEZ, DOERGE, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT

#### A CONCURRENT RESOLUTION

To express sincere condolences to the families of the victims of the terrorist attacks of September 11, 2001, to recognize rescue workers, and to extend support to the President, Congress, and those brave men and women who seek to preserve freedom in the world.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVES BOWLER, DEVILLIER, AND JOHNS

#### A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to instruct West Publishing Company to print Revision Comments of 2001 to R.S. 9:315.9 to clarify the intention of the Louisiana Legislature as to the appropriate calculation of child support obligations in shared custody arrangements.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVE SCHNEIDER

#### A CONCURRENT RESOLUTION

To authorize and direct each public retirement system to work together and combine its efforts with efforts of its participating employers to develop a comprehensive system for notifying members of the uniformed services of their retirement rights

before, during, and after military service so the state of Louisiana can fulfill the goal of being a model employer.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE SCHNEIDER

#### A CONCURRENT RESOLUTION

To commend Ronnie Kole upon his induction into the Order of Arts and Letters by the government of France.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE SALTER

#### A CONCURRENT RESOLUTION

To memorialize the United States Congress to support a special highway appropriation amendment to four-lane U.S. Highway 84 from near Mansfield, Louisiana, to Tenaha, Texas.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVES DEWITT, DOWNER, ALARIO, MCDONALD, JOHN SMITH, AND FUTRELL AND SENATORS HAINKEL, THEUNISSEN, JOHNSON, BARHAM, AND CAIN

#### A CONCURRENT RESOLUTION

To urge and request all state and local public employers and all private sector employers in Louisiana to ensure continued compensation and benefits for military personnel called to active duty if funds are available; to urge and request public and private postsecondary education institutions to develop and implement policies to ensure minimal impact on students called to active duty, and to urge and request the State Civil Service



Commission and all local civil service commissions to take all steps necessary to accomplish the goals of this Resolution.

Read by title.

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

Ordered to the Senate.

#### **HOUSE CONCURRENT RESOLUTION NO. 7—**

BY REPRESENTATIVE CROWE

##### **A CONCURRENT RESOLUTION**

To urge and request all state agencies and departments to procure goods and services from Louisiana-based businesses in order to patronize and enrich domestic providers of various goods and services, provide for the addition of new jobs for the citizens of this state, and ultimately bolster overall economic development and increase commercial activity throughout the state.

Read by title.

On motion of Rep. Crowe, 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 entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

#### **HOUSE BILL NO. 1—**

BY REPRESENTATIVES BRUNEAU, MURRAY, LANCASTER, AND DEWITT

##### **AN ACT**

To enact R.S. 24:35.5 and to repeal R.S. 24:35.4, relative to legislative reapportionment; to provide for the redistricting of the House of Representatives of the Legislature of Louisiana; to provide for effective dates; 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. 2—**

BY REPRESENTATIVES BRUNEAU AND LANCASTER

##### **AN ACT**

To enact R.S. 18:1276 and to repeal R.S. 18:1276.1, relative to congressional districts; to provide for the redistricting of Louisiana's congressional districts; to provide for the terms of members serving on the effective date of the Act; to provide for filling of vacancies; to provide with respect to positions and offices, other than congressional, which are based upon congressional districts; to provide for the effectiveness of the Act; 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. 3—**

BY REPRESENTATIVES BRUNEAU AND LANCASTER

##### **AN ACT**

To enact R.S. 18:1276 and to repeal R.S. 18:1276.1, relative to congressional districts; to provide for the redistricting of Louisiana's congressional districts; to provide for the terms of members serving on the effective date of the Act; to provide for filling of vacancies; to provide with respect to positions and offices, other than congressional, which are based upon congressional districts; to provide for the effectiveness of the Act; 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. 4—**

BY REPRESENTATIVES BRUNEAU, MURRAY, LANCASTER, AND DEWITT

##### **AN ACT**

To enact R.S. 17:2.2 and to repeal R.S. 17:2.1, relative to the State Board of Elementary and Secondary Education; to provide for the redistricting of districts for the election of board members; to provide for the terms of members serving on the effective date of the Act and for the election of board members; to provide for filling of vacancies; to provide for the effectiveness of the Act; 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.

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### HOUSE BILL NO. 5—

BY REPRESENTATIVE ILES

#### AN ACT

To enact R.S. 24:35.5 and to repeal R.S. 24:35.4, relative to legislative reapportionment; to provide for the redistricting of the House of Representatives of the Legislature of Louisiana; to provide for effective dates; 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. 6—

BY REPRESENTATIVE MORRELL

#### AN ACT

To enact R.S. 18:1276 and to repeal R.S. 18:1276.1, relative to congressional districts; to provide for the redistricting of Louisiana's congressional districts; to provide for the terms of members serving on the effective date of the Act; to provide for filling of vacancies; to provide with respect to positions and offices, other than congressional, which are based upon congressional districts; to provide for the effectiveness of the Act; 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. 7—

BY REPRESENTATIVE E. ALEXANDER AND SENATOR MICHOT

#### AN ACT

To enact R.S. 18:1276 and to repeal R.S. 18:1276.1, relative to congressional districts; to provide for the redistricting of Louisiana's congressional districts; to provide for the terms of members serving on the effective date of the Act; to provide for filling of vacancies; to provide with respect to positions and offices, other than congressional, which are based upon congressional districts; to provide for the effectiveness of the Act; 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. 8—

BY REPRESENTATIVES BRUNEAU, MURRAY, LANCASTER, AND DEWITT

#### AN ACT

To amend and reenact R.S. 45:1161.1, to enact R.S. 45:1161.4, to repeal R.S. 45:1161.3(A) through (C), and to provide for the Louisiana State Law Institute to change the heading of R.S. 45:1161.3, relative to redistricting the Public Service Commission districts; to provide for the redistricting of the five districts of the Public Service Commission; to provide for the retention of the incumbent commissioners; to provide for the effectiveness of the Act; to provide for elections from Public Service Commission districts; 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. 9—

BY REPRESENTATIVES ANSARDI AND MARTINY

#### AN ACT

To amend and reenact R.S. 29:405(A), relative to the payment of state supplemental pay or extra compensation paid by the state to peace officers and firefighters who are called to active duty in the uniformed services of the United States; to require the payment of state supplemental pay or extra compensation during active duty service; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 10—

BY REPRESENTATIVES DEWITT, DOWNER, ALARIO, FUTRELL, MCDONALD, AND JOHN SMITH AND SENATORS HAINKEL, THEUNISSEN, JOHNSON, BARHAM, AND CAIN

#### AN ACT

To enact R.S. 47:292.3, relative to state individual income tax; to provide for certain relief to persons in the uniformed services called to active service in the uniformed services; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 11—**

BY REPRESENTATIVES DEWITT, DOWNER, ALARIO, FUTRELL, MCDONALD, AND JOHN SMITH AND SENATORS HAINKEL, THEUNISSEN, JOHNSON, BARHAM, AND CAIN

**AN ACT**

To amend and reenact R.S. 29:403(2), (6), and (8), relative to military service relief; to provide for relief, benefits, compensation, endowments, and such matters relative to public servants called to active service in the uniformed services of the United States; to define compensation, service in the uniformed services, and uniformed services under the Military Service Relief Act; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 12—**

BY REPRESENTATIVES DEWITT, DOWNER, ALARIO, FUTRELL, MCDONALD, AND JOHN SMITH AND SENATORS HAINKEL, THEUNISSEN, JOHNSON, BARHAM, AND CAIN

**AN ACT**

To amend and reenact R.S. 29:251.2(A)(introductory paragraph) and to enact R.S. 29:251.2(A)(7) and 251.3(4), relative to veterans affairs; to provide for eligibility for benefits during certain periods of military service; to provide for preference in original appointment in civil service; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 13—**

BY REPRESENTATIVES DEWITT, DOWNER, ALARIO, FUTRELL, MCDONALD, JOHN SMITH, AND E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, K. CARTER, R. CARTER, CAZAYOUX, CLARKSON, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALSWORTH, WELCH, WINSTON, WOOTON, AND WRIGHT AND SENATORS HAINKEL, THEUNISSEN, JOHNSON, BARHAM, AND CAIN

**AN ACT**

To amend and reenact R.S. 29:38.2 and 420, relative to student members of the uniformed services of the United States; to

prohibit undue penalties against student members of the uniformed services called to active service; to require the Board of Regents and the management boards of public postsecondary education, proprietary schools, and nonpublic colleges and universities to adopt certain policies; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 14—**

BY REPRESENTATIVE K. CARTER

**AN ACT**

To enact R.S. 24:35.5 and to repeal R.S. 24:35.4, relative to legislative reapportionment; to provide for the redistricting of the House of Representatives of the Legislature of Louisiana; to provide for effective dates; 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. 15—**

BY REPRESENTATIVE MORRELL

**AN ACT**

To enact R.S. 24:35.5 and to repeal R.S. 24:35.4, relative to legislative reapportionment; to provide for the redistricting of the House of Representatives of the Legislature of Louisiana; to provide for effective dates; 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.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

October 8, 2001

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. 2, 3, 4, 5, 6, 7, and 10

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

### **Suspension of the Rules**

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

### **Senate Concurrent Resolutions**

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

#### **SENATE CONCURRENT RESOLUTION NO. 2—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Brad Joseph Bella, son of state fire marshal and former state representative, Vincent J. "V.J." Bella.

Read by title.

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

#### **SENATE CONCURRENT RESOLUTION NO. 3—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To urge and request the selection of the city of New Orleans as the site of the Annual Meeting of the National Conference of State Legislatures in 2007 or 2008 and to express the full support and commitment of the Legislature of Louisiana to carrying out host state responsibilities related to the annual meeting.

Read by title.

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

#### **SENATE CONCURRENT RESOLUTION NO. 4—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To express to the citizens of the Commonwealth of Virginia the regret of the Legislature of Louisiana on behalf of its citizens for the impact the deplorable events of September 11th had on their state and to offer Louisiana's support as Virginia seeks to recover during this time of national resolve.  
Read by title.

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

#### **SENATE CONCURRENT RESOLUTION NO. 5—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To express to the citizens of the Commonwealth of Pennsylvania the regret of the Legislature of Louisiana on behalf of its citizens for the impact the deplorable events of September 11th had on their state and to offer Louisiana's support as Pennsylvania seeks to recover during this time of national resolve.

Read by title.

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

#### **SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To express to the citizens of the state of New York the regret of the Legislature of Louisiana on behalf of its citizens for the impact the deplorable events of September 11th had on their state and to offer Louisiana's support as New York seeks to recover during this time of national resolve.

Read by title.

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

#### **SENATE CONCURRENT RESOLUTION NO. 7—**

BY SENATOR HAINKEL

##### **A CONCURRENT RESOLUTION**

To offer the condolences of the legislature to the families of those Louisiana citizens who died in the September 11, 2001 attack on the United States and to remember those lost by rededicating itself to the achievement of the public good.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 10—**

BY SENATOR MARIONNEAUX

**A CONCURRENT RESOLUTION**

To urge and request all employers to continue to pay a salary to those national guard and reservist employees who are activated and serving their country in the military forces

Read by title.

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

**Suspension of the Rules**

On motion of Rep. Lancaster, the rules were suspended to permit the Committee on House and Governmental Affairs to meet on Tuesday, October 9, 2001, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 1, 2, 3, 4, 5, 6, 7, 8, 14, and 15

**Suspension of the Rules**

On motion of Rep. Toomy, the rules were suspended to permit the Committee on Judiciary to meet on Tuesday, October 9, 2001, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 9, 11, 12, and 13

**Suspension of the Rules**

On motion of Rep. Hammett, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, October 9, 2001, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 10

**Adjournment**

On motion of Rep. Kenney, at 6:20 P.M., the House agreed to adjourn until Tuesday, October 9, 2001, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, October 9, 2001.

ALFRED W. SPEER

Clerk of the House

**COMMITTEE MEETING NOTICES**

**Committee on House and Governmental Affairs**

Will meet at: 9:00 A.M. Date: October 9, 2001

Location: Committee Room 5

The Committee will meet on Tuesday, October 9, 2001 at 9:00 a.m. to consider legislation that will be introduced and referred to the Committee on Monday, October 8, 2001, relative to the redistricting of:

Louisiana Congressional Districts

Louisiana House of Representatives Districts

Board of Elementary and Secondary Education Districts

CHARLES D. LANCASTER, JR.

Chairman

**Committee on Judiciary**

Will meet at: 9:00 A.M. Date: October 9, 2001

Location: Committee Room 3

**HB 9 ANSARDI – MILITARY AFFAIRS:** Provides for the payment of state supplemental pay to certain peace officers and firefighters (**SUBJECT TO RULE SUSPENSION**)

**HB 11 DEWITT – MILITARY AFFAIRS:** Clarifies certain definitions under the Military Service Relief Act (**SUBJECT TO RULE SUSPENSION**)

**HB 12 DEWITT – MILITARY AFFAIRS:** Provides for powers, authority, and compensation of military police in the Military Department, State of Louisiana (**SUBJECT TO RULE SUSPENSION**)

**HB 13 DEWITT – MILITARY AFFAIRS:** Provides for policies addressing academic issues of student members of uniformed services (**SUBJECT TO RULE SUSPENSION**)

JOSEPH F. TOOMY

Chairman

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### **Committee on Ways and Means**

Will meet at: 2:00 P.M.      Date: October 9, 2001

Location: Committee Room 1

**HB 10 DEWITT – TAX/INCOME-INDIV/RETURN :** Provides for certain state income tax relief for the uniformed services called to active service

BRYANT O. HAMMETT, JR.  
Chairman