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

THIRD DAY’S PROCEEDINGS

Thirty-third Extraordinary Session of the Legislature
Under the Adoption of the Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, November 8, 2005

The House of Representatives was called to order at 5:00 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     Faucheux     Morrell
Alario         Frith        Morrish
Alexander      Gallot       Odinet
Ansardi       Geymann       Pierre
Arnold         Glover       Pinac
Badon          Gray         Pitre
Baldone        Greene       Powell, M.
Barrow         Guillory, E.  Powell, T.
Baudoin        Guillory, M.  Quezaire
Baylor         Hammett      Richmond
Beard          Harris       Ritchie
Bowler         Heaton       Robideaux
Bruce          Hebert       Romero
Brunneau       Hill         Scainse
Burns          Honey        Schneider
Burrell        Hopkins      Smiley
Carter, K.     Hunter       Smith, G.
Carter, R.     Hutter       Smith, J.D.–50th
Cazayoux       Jackson      Smith, J.H.–8th
Crane          Jefferson    Smith, J.R.–30th
Cravins        Johns        St. Germain
Crowe          Katz         Strain
Curtis         Kennard      Thompson
Dumico         Kenney       Toomy
Daniel         Kleckley     Townsend
Dartez         LaBrouzo     Trahan
DeWitt         LaFleur      Triche
Doerge         LaFonta      Tucker
Dorsey         Lambert      Waddell
Dove           Lancaster    Walker
Downs          Marchand     Walsworth

Total - 105

ABSENT

Total - 0

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Rep. Kennard.

Pledge of Allegiance

Rep. Faucheux 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. Triche, the reading of the Journal was dispensed with.

On motion of Rep. Kleckley, the Journal of November 7, 2005, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

November 7, 2005

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. 5
Returned without amendments

House Concurrent Resolution No. 6
Returned without amendments

House Concurrent Resolution No. 7
Returned without amendments

House Concurrent Resolution No. 8
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

House Concurrent Resolution No. 16
Returned without amendments

House Concurrent Resolution No. 18
Returned without amendments
House Concurrent Resolution No. 19
Returned without amendments
House Concurrent Resolution No. 20
Returned without amendments
House Concurrent Resolution No. 21
Returned without amendments
House Concurrent Resolution No. 22
Returned without amendments
House Concurrent Resolution No. 28
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS
November 7, 2005
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 and 8

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Richmond, 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. 4—
BY SENATORS JONES, BAJORIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, MURRAY AND SHEPHERD, AND REPRESENTATIVES BADON, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLOIR, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE AND RICHMOND
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of civil rights pioneer Rosa Parks.

Read by title.
On motion of Rep. Barrow, 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. 4—
BY REPRESENTATIVE GREENE
A RESOLUTION
To commend Nicole Hanney upon being named a National Merit Semifinalist.

Read by title.
On motion of Rep. Greene, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 5—
BY REPRESENTATIVE GREENE
A RESOLUTION
To commend Amanda Arikol upon being named a National Merit Semifinalist.

Read by title.
On motion of Rep. Greene, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 6—
BY REPRESENTATIVE GREENE
A RESOLUTION
To commend Kristen Landry upon being named a National Merit Semifinalist.

Read by title.
On motion of Rep. Greene, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVE HEBERT
A CONCURRENT RESOLUTION
To urge and request that the Louisiana State University Health Sciences Center discontinue the consideration of expropriation for the construction of a public hospital in East Baton Rouge Parish.

Read by title.
On motion of Rep. Hebert, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION
To commend James M. “Jim” Hudson upon being named a Community Banker of the Year.

Read by title.
On motion of Rep. Martiny, 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. 121—
BY REPRESENTATIVE CRANE AND SENATOR DUPLESSIS
AN ACT
To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973/2(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), and 3983(A)(1)(g), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district; to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents...
of such plan; to provide for the duration and continuation of the transfer; to require the state superintendent of education to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Hutter, 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. 124—
BY REPRESENTATIVE HUTTER
AN ACT
To provide for supplemental appropriations to the St. Bernard Parish School Board out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 for the payment of premiums for Office of Group Benefits insurance benefits to retirees; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Hutter, 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. 125—
BY REPRESENTATIVE TOOMY
AN ACT
To enact Subpart D of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1449 through 1449.6, relative to property insurance; to provide for orderly markets; to provide for offering homeowner's insurance; to provide for cancellation of policies; to provide for nonrenewal of policies; to provide for limitations; to provide for penalties; to provide for termination; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Hutter, 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. 126—
BY REPRESENTATIVE K. CARTER
AN ACT
To amend and reenact R.S. 15:824(B)(1)(b) and to enact R.S. 15:713, relative to medical care of prisoners; to provide for the payment of costs of medical care of prisoners in certain circumstances; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Martiny, 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 Judiciary.
HOUSE BILL NO. 128—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 22:1430.6(E) and (F), relative to the Louisiana Citizens Property Insurance Corporation; to provide for powers and duties; to provide for flood insurance; to provide for explanation of coverage limits; and to provide for related matters.

Read by title.

HOUSE BILL NO. 129—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 32:739 and R.S. 56:639.11, relative to motor vehicles; to provide for gubernatorially declared disaster or emergency; to provide for damaged vehicles; to provide for disposal; to provide for artificial reefs; to provide for rules and regulations; and to provide for related matters.

Read by title.

Suspension of the Rules
On motion of Rep. Karen Carter, 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 Commerce.

HOUSE BILL NO. 130—
BY REPRESENTATIVES GREENE, ALEXANDER, BEARD, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEMANN, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTIN, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALINGUCCI, SCHEIDENBERG, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, VAIL, WHITE, AND WINSLOW
AN ACT
To enact R.S. 42:1114.3, relative to the receipt of any thing of economic value from certain contracts and subcontracts; to require elected and appointed officials to disclose information regarding certain contracts and subcontracts; to provide for the content of such disclosure; to provide for certain prohibitions; to provide for penalties; and to provide for related matters.

Read by title.

Suspension of the Rules
On motion of Rep. Durand, 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. Montgomery, 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. 7—
BY REPRESENTATIVE MONTGOMERY
A RESOLUTION
To commend Captain Dirk Thibodeaux for his outstanding military service upon his return to House Legislative Services.

Read by title.

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

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

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION
To direct the Department of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to establish a plan to be implemented in times of emergency with regard to convicted sex offenders who are on supervised probation or parole.

Read by title.

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

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. 105—
BY REPRESENTATIVE HEBERT
AN ACT
To enact R.S. 38:2212.7, relative to limitations on contracts for public work that are advertised and let by the division of administration and other public entities in response to a gubernatorially declared disaster or emergency; to limit the portion of a public contract amount that may be retained by the contractor if he subcontracts for disaster recovery work; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 109—
BY REPRESENTATIVE TRAHAN
AN ACT
To amend and reenact R.S. 51:1402, 1404, 1405(B) and (C), 1406(3), 1407, 1408, 1409(A), (B), and (D), 1410, 1411(A) and (C), 1412(A) and (C), 1416, and 1417, relative to the Unfair Trade Practices and Consumer Protection Law; to provide relative to the duties of the Governor's Consumer Protection Division and its director; to provide for penalties for violations against
persons aged sixty-five or older; to provide for service of investigative demands and subpoenas; to provide for penalties for violation of an assurance of voluntary compliance; 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 Commerce.

HOUSE BILL NO. 111—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 51:1422, relative to consumer protection; to provide for insurance; to provide for principles; to provide for a bill of rights; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 112—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 22:1471.1, relative to property insurance; to require a statement of explanation; to provide for coverage; to provide for mitigation; and to provide for related matters.

Read by title.

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

HOUSE BILL NO. 113—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 51:1422, relative to cease and desist orders for the attorney general; to provide for unfair and deceptive trade practices; to provide for emergencies; to provide for homeowners' insurance; to provide for cancellations; to provide for nonrenewals; to provide for the authority of the attorney general; to provide for violations and penalties; 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. 114—
BY REPRESENTATIVE DORSEY
AN ACT
To amend and reenact Section 5 of Act 182 of the 2005 Regular Session of the Legislature, relative to state fees; to provide for the effective date of the Healthcare Affordability Act and certain provisions of law ancillary thereto; 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 Ways and Means.

HOUSE BILL NO. 116—
BY REPRESENTATIVE SCALISE
AN ACT
To amend and reenact Section 5 of Act 182 of the 2005 Regular Session of the Legislature, relative to state fees; to provide for the effective date of the Healthcare Affordability Act and certain provisions of law ancillary thereto; 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 Ways and Means.

HOUSE BILL NO. 120—
BY REPRESENTATIVE SCHNEIDER
AN ACT
To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; 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. 98—
BY REPRESENTATIVE GRAY
AN ACT
To enact R.S. 23:1533(3), relative to unemployment compensation; to provide for the experience rating records of an employer; and to provide for related matters.

Called from the calendar.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

House and House Concurrent Resolutions

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

Motion
On motion of Rep. Schneider, the Committee on Ways and Means was discharged from further consideration of House Concurrent Resolution No. 15.

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to grant for distributions from DROP accounts to active state and local government employees who are members of public retirement systems similar tax relief as that provided...
to members of qualified retirement plans by the Katrina Emergency Tax Relief Act of 2005.

Read by title.

On motion of Rep. Schneider, the resolution was recommitted to the Committee on Retirement.

Motion

On motion of Rep. Schneider, the Committee on Ways and Means was discharged from further consideration of House Concurrent Resolution No. 27.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to grant to victims of Hurricane Rita similar tax relief as that provided by the Katrina Emergency Tax Relief Act of 2005, and to include distributions from DROP accounts to active state and local government employees who are members of public retirement systems and who are victims of Hurricane Katrina or Hurricane Rita as eligible retirement plan distributions, and to permit such distributions from tax-qualified plans.

Read by title.

On motion of Rep. Schneider, the resolution was recommitted to the Committee on Retirement.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Civil Law and Procedure

November 8, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 3, by Toomy
Reported favorably. (8-0) (Regular)

House Bill No. 15, by Cazayoux
Reported favorably. (7-0) (Regular)

House Bill No. 28, by Martiny
Reported with amendments. (6-2-1) (Regular)

House Bill No. 88, by Gallot
Reported with amendments. (8-0) (Regular)

House Bill No. 90, by Ansardi
Reported with amendments. (6-2-1) (Regular)

House Bill No. 92, by Greene
Reported with amendments. (9-0) (Regular)

House Bill No. 104, by Greene
Reported with amendments. (9-0) (Regular)

GLENN ANSARDI
Chairman

Report of the Committee on Transportation, Highways and Public Works

November 8, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Bill No. 12, by Quezaire
Reported by substitute. (16-2) (Regular)

ROY QUEZAIRE
Chairman

Report of the Committee on Ways and Means

November 8, 2005

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. 24, by Hammett
Reported favorably. (15-0) (Regular)

House Bill No. 39, by Hammett
Reported with amendments. (18-0) (Regular)

House Bill No. 40, by Hammett
Reported favorably. (15-0) (Regular)

House Bill No. 41, by Hammett
Reported favorably. (16-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Suspension of the Rules

On motion of Rep. Hammett, the rules were suspended in order to take up House Bills contained in the committee report at this time.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 3—
BY REPRESENTATIVE TOOMY
AN ACT
To amend and reenact Section 10 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to the recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to change the effective date of the Act; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 12—
BY REPRESENTATIVES QUEZAIRE AND SALTER
AN ACT
To amend and reenact R.S. 48:250.2(A) and (C), relative to contracts let by the Department of Transportation and Development; to authorize the Department of Transportation and Development
to utilize the design-build method to construct transportation projects in certain areas; to remove certain limitations of the design-build program; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Transportation, Highways and Public Works.

The substitute was read by title as follows:

**HOUSE BILL NO. 28—**

BY REPRESENTATIVES MARTINY, ALEXANDER, BEARD, BRUNEAU, BURNS, R. CARTER, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRIZZO, LAMBERT, MCVEA, MORRIS, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON

AN ACT

To amend and reenact R.S. 29:735(A), relative to immunity of personnel during a declaration of emergency or disaster; to provide for limitation of liability for law enforcement agencies and officers based on detention of persons in any parish prison or local jail under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 28 by Representative Martiny

**AMENDMENT NO. 1**

On page 1, line 5, after the semicolon ";" and before "and" insert "to provide for retroactive application;"

**AMENDMENT NO. 2**

On page 2, line 1, after "Additionally," delete the remainder of the line and delete lines 2 through 6 in their entirety and insert "no person detained or incarcerated in any parish prison or local jail operated by any sheriff or law enforcement agency shall have a cause of action for damages against the sheriff, the law enforcement agency, or employee thereof based solely on his custody or detention in such prison or jail for a period of time in excess of that required by the Code of Criminal Procedure or Title 15 of the Louisiana Revised Statutes of 1950 and which was caused by the impact of Hurricane Katrina or Hurricane Rita, unless the sheriff or law enforcement agency or employee thereof willfully fails to release the prisoner pursuant to a lawful order of the court, order of release from the district attorney or city or parish attorney, or pursuant to bail as authorized by law;"

**AMENDMENT NO. 3**

On page 2, between lines 7 and 8 insert the following:

"Section 2. The provisions of this Act shall be applied retroactively to August 29, 2005."

**AMENDMENT NO. 4**

On page 2, line 8, change "Section 2." to "Section 3."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 29—**

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, LAMBERT, MONTGOMERY, SCALISE, JANE SMITH, AND TOWNSEND

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to provide that the state sales or use tax shall not apply to manufacturing machinery and equipment purchased, leased, or
rented or repaired by manufacturers for use in the replacement of hurricane-damaged equipment; to provide for the applicability of certain definitions; to provide for an effective date and expiration date for the Act; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 39 by Representative Hammett

**AMENDMENT NO. 1**

On page 2, line 7, after "Rita" and before the period "." insert "which were uninsured or under insured"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 40—**

BY REPRESENTATIVES HAMMETT, MONTGOMERY, PINAC, ARNOLD, CURTIS, DARTEZ, FAUCHEUX, HILL, KENNEY, AND JANE SMITH

To amend and reenact R.S. 47:331(P)(2), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax for sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, MONTGOMERY, ODINET, SCALISE, JANE SMITH, TOWNE\N, AND TUCKER

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES GALLOT AND ANSARDI AND SENATOR LENTINI

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and peremptive periods; to provide for the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for the effect of suspension; to provide for termination; to provide for retroactive application; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 88 by Representative Gallot

**AMENDMENT NO. 1**

On page 4, delete lines 20 and 21 and insert the following:

I. The provisions of this Section shall not affect the laws governing eviction proceedings.

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 90—**

BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR LENTINI

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and peremptive periods; to provide for the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for the effect of suspension; to provide for termination; to provide for retroactive application; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 90 by Representative Ansardi

**AMENDMENT NO. 1**

On page 2, line 6, after "67" delete the remainder of the line

**AMENDMENT NO. 2**

On page 2, delete lines 7 and 8 in their entirety, and insert "is hereby approved, ratified, and confirmed."

**AMENDMENT NO. 3**

On page 2, line 12, change "January 1, 2006" to "January 3, 2006"
HOUSE BILL NO. 92—
BY REPRESENTATIVE GREENE
AN ACT
To enact R.S. 9:304, relative to legal deadlines affected by Executive Order KBB 2005-32, as amended; to provide for the effect of such legal deadlines on judgments of divorce; to provide for the effect of certain waiting and abandonment periods; to provide for judgments of divorce; and to provide for related matters.
Read by title.
Reported with amendments by the Committee on Civil Law and Procedure.
The committee amendments were read as follows:

AMENDMENT NO. 1
On page 1, line 17, change "December 31, 2005" to "January 3, 2006"

On motion of Rep. Ansardi, the amendments were adopted.
On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 104—
BY REPRESENTATIVES GREENE, ANSARDI, AND GALLOT AND SENATOR LENTINI
AN ACT
To amend and reenact R.S. 9:315(C)(3)(a), 315.1(B), and 315.14 and to enact R.S. 9:315(C)(3)(d)(v), 315.11(C), and 315.21(F), relative to child support; to provide for the definition of gross income; to provide for a deviation from the guidelines; to provide for voluntary unemployment or underemployment; to provide for an exception to the mandatory minimum; to provide for retroactivity; to provide for a contingent effective date for R.S. 9:315.21(F); and to provide for related matters.
Read by title.
Reported with amendments by the Committee on Civil Law and Procedure.
The committee amendments were read as follows:

AMENDMENT NO. 1
On page 1, line 2, change "R.S. 9:315(C)(3)(a), 315.1(B), and 315.14" to "R.S. 9:315(C)(3)(a) and 315.1(B)"

AMENDMENT NO. 2
On page 1, line 5, after the semicolon ";" delete the remainder of the line and at the beginning of line 6, delete "exception to the mandatory minimum;"

AMENDMENT NO. 3
On page 1, line 9, change "R.S. 9:315(C)(3)(a), 315.1(B), and 315.14" to "R.S. 9:315(C)(3)(a) and 315.1(B)"

AMENDMENT NO. 4
On page 3, delete lines 10 through 19 in their entirety
On motion of Rep. Ansardi, the amendments were adopted.
On motion of Rep. Ansardi, the bill, as amended, was ordered engrossed and passed to its third reading.
Under the rules, placed on the regular calendar.

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 CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION
To strongly urge and request the Louisiana secretary of state to make every extraordinary effort and to work with other state and federal agencies to contact individuals displaced by Hurricanes Katrina and Rita in order to provide them information relative to their voting rights and how to register to vote and vote in upcoming elections
Read by title.
On motion of Rep. Gray, 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. 32—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2006 Regular Session of the Legislature of Louisiana the provisions of R.S. 18:193(A), (D), and (E), which provide certain
To commend the members and leaders of churches, synagogues, mosques, and other faith communities for their response to Hurricanes Katrina and Rita.

A CONCURRENT RESOLUTION

To commend the many volunteers of Zanesville, Ohio, for their outstanding contributions and achievements.

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Wallace Moll of Metairie.

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of the Honorable Walter Fox McKeithen, Louisiana's secretary of state, and to record the appreciation of the citizens of Louisiana for his extraordinary contributions and achievements.

A CONCURRENT RESOLUTION

To commend the many volunteers of Zanesville, Ohio, for their efforts in the Hurricane Katrina recovery effort in Slidell.

A CONCURRENT RESOLUTION

To commend the many volunteers of Zanesville, Ohio, for their extraordinary contributions and achievements.

A CONCURRENT RESOLUTION

To commend Friends of the Frontline for their dedication to the police officers and firefighters impacted by Hurricane Katrina.
HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE GRAY AND SENATOR HINES
A CONCURRENT RESOLUTION
To urge and request the agencies of the state and its political subdivisions to utilize the services of Louisiana vendors, contractors, and workers in the repair, rebuilding, and construction of the public infrastructure of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOW, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAI AND SENATORS BAOHE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Austin Leslie of New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 21—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOW, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAI AND SENATORS BAOHE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Rosa Parks and to celebrate her legacy of courage and integrity.

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVES GREENE, BARROW, BEARD, CRANE, DANIEL, DORSEY, HONEY, JACKSON, AND KENNARD AND SENATOR DARDENNE
A CONCURRENT RESOLUTION
To commend Robert Yarborough upon his receipt of the 2005 Golden Deeds Award.

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE HUTTER AND SENATOR HINES
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to allow the Stafford Act to provide for payment of regular pay to essential personnel.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Suspension of the Rules
On motion of Rep. Crane, the rules were suspended to permit the Committee on Education to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 121
House Concurrent Resolution Nos. 15 and 27

Adjournment
On motion of Rep. Kenney, at 5:55 P.M., the House agreed to adjourn until Wednesday, November 9, 2005, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Wednesday, November 9, 2005.

ALFRED W. SPEER
Clerk of the House