

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

**FIRST 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

Sunday, November 6, 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	Morrish
Alario	Frith	Odinet
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Darte	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker

Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton
Fannin	Montgomery	Wright
Farrar	Morrell	
Total - 104		

ABSENT

Total - 0

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

**Prayer**

Prayer was offered by Dr. Ken Ward.

**Pledge of Allegiance**

Rep. Erdey 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:

**Message from the Secretary of State**

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

**State of Louisiana  
SECRETARY OF STATE**

November 1, 2005

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

I have the honor to hand you herewith a certified copy of the Proclamation by her Excellency, Kathleen Babineaux Blanco, Governor of the State of Louisiana, dated October 31, 2005, 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 Sunday, the 6th day of November, 2005, and to adjourn, sine die, not later than 6:00 o'clock P.M. on Tuesday, the 22nd day of November, 2005.

Sincerely,

AL ATER  
Secretary of State

**United States of America  
STATE OF LOUISIANA  
Al Ater  
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 Her Excellency, Kathleen Babineaux Blanco, Governor of the State of Louisiana, dated October 31, 2005, 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 6th day of November, 2005, and to adjourn, sine die, not later than 6:00 o'clock P.M. on the 22nd day of November, 2005.

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 1st day of November, 2005.

AL ATER  
Secretary of State

**State of Louisiana  
EXECUTIVE DEPARTMENT**

**PROCLAMATION NO. 62 KBB 2005**

**CONVENING OF LEGISLATURE  
IN EXTRAORDINARY SESSION**

By virtue of the authority vested in me by Paragraph B of Section 2 of Article III of the Constitution of Louisiana, I, Kathleen Babineaux Blanco, 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 17 calendar days, beginning at 5:00 o'clock P.M. on the 6th day of November, 2005, and ending no later than 6:00 o'clock P.M. on the 22nd day of November, 2005. The power to legislate at such session shall be limited, under penalty of nullity, to the following specified enumerated objects:

**ITEM NO. 1** – To amend R.S. 49:213 *et seq.* and other related statutes to charge the wetlands authority with the duty of development and implementation of a comprehensive coastal and hurricane protection plan including reorganization of related functions of various departments, membership of the authority and the power to require plan implementation for the purpose of focusing state resources for the long-term safety and sustainability of our communities and economy.

**ITEM NO. 2** – To legislate for the consolidation, division, or reorganization of existing levee districts and creation of new levee districts.

**ITEM NO. 3** – To propose an amendment to Article VII, Section 10.2 of the Constitution of Louisiana, to include hurricane protection as an authorized expenditure of the Wetlands Conservation and Restoration Fund and to amend Act 513 of the 2005 Regular Session of the Louisiana Legislature affecting the same Section.

**ITEM NO. 4** – To legislate with respect to establishing a special statewide election date for the purpose of submitting constitutional amendments to the electors of the state.

**ITEM NO. 5** – To legislate relative to state building or construction codes and the creation of a code commission.

**ITEM NO. 6** – To legislate relative to reporting of the receipt of anything of value by an elected or appointed state or local official as a result of contracts or transactions funded in whole or in part by federal funds allocated for reimbursement of expenses arising as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 7** – To legislate to suspend state sales taxes statewide for one day in December 2005.

**ITEM NO. 8** – To legislate with respect to the transfer of schools to the jurisdiction of the Recovery School District; to provide for the authority of the school district regarding the operation and management of the schools; and to provide for the eligibility of a student to enroll in or attend a Type 5 charter school.

**ITEM NO. 9** – To legislate for the creation of the crimes of price gouging or attempted price gouging, including the crime of conducting business without proper license or permit during a gubernatorially declared disaster or emergency.

**ITEM NO. 10** – To legislate as to electronic public access to information on disaster recovery funding and contracting.

**ITEM NO. 11** – To legislate that the Louisiana federal income tax deduction shall not be reduced by the amount of certain federal disaster relief tax credits.

**ITEM NO. 12** – To legislate relative to penalties for failure to register as a sex offender.

**ITEM NO. 13** – To legislate as to motor vehicles damaged as the result of a gubernatorially declared disaster or emergency.

**ITEM NO. 14** – To legislate relative to unemployment insurance taxes and benefits to require that Procedure 3 of R.S. 23:1474(I) apply for calendar year 2006 for establishing the taxable wage base, the formula for computation of benefits, and the maximum weekly benefit amount.

**ITEM NO. 15** – To legislate with respect to the manufacturing machinery and equipment sales tax exemption for hurricane damaged equipment.

**ITEM NO. 16** – To legislate with respect to exemption from the corporate franchise tax for certain borrowed capital for corporations for extraordinary debt incurred as the result of a gubernatorially declared disaster and emergency of 2005.

**ITEM NO. 17** – To legislate with respect to limiting the state sales and use tax paid on natural gas and electricity.

**ITEM NO. 18** – To legislate relative to the effective date of the Healthcare Affordability Act, Act 182 of the 2005 Regular Session of the Louisiana Legislature.

**ITEM NO. 19** – To legislate or to propose amendment to Article VII, Section 10.3 of the Constitution of Louisiana for any or all of the following purposes: to appropriate one-third of the monies in the Budget Stabilization Fund; to provide for authority to appropriate additional amounts from the Fund due to the effects of a gubernatorially declared disaster or emergency; and to provide for the maximum balance in the fund or funds.

**ITEM NO. 20** – To legislate with respect to benefits provided through the Office of Group Benefits programs for employees who are furloughed or terminated as a result of the effects of Hurricanes Katrina or Rita and are subsequently re-employed by a participating employer.

**ITEM NO. 21** – To legislate with regard to the contract limit for public works provided in R.S. 38:2212 for projects administered by the Office of Facility Planning and Control, Division of Administration, necessitated as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 22** – To legislate to extend the deadline for preparation of the comprehensive annual financial report and the narrative report required by R.S. 39:80 for the Fiscal Year ending June 30, 2005.

**ITEM NO. 23** – To legislate to suspend for 2005 the submission of annual reports by each undersecretary as required by R.S. 36:8(B).

**ITEM NO. 24** – To legislate to extend the submission deadlines and suspend certain required contents for budget requests, strategic plans, and the executive budget and supporting document for the Fiscal Year 2006-2007.

**ITEM NO. 25** – To legislate to suspend the requirement for preparation of the continuation budget as required by R.S. 39:29 for Fiscal Year 2006-2007.

**ITEM NO. 26** – To legislate with respect to the Louisiana Geographic Information System; to provide for membership of the Louisiana Geographic Information Systems Council; to provide for duties of the council and its staff; and to provide for duties of the Louisiana Geographic Information Center.

**ITEM NO. 27** – To legislate to create a fund or funds in the state treasury for the purpose of providing funding or other financial assistance for infrastructure costs related to disaster recovery; to provide for deposit into the fund or funds of certain monies, including non-recurring revenues resulting from the Fiscal Year 2004-2005; and to provide for uses of monies in the fund or funds.

**ITEM NO. 28** – To authorize the state to incur debt or issue bonds to provide relief from the natural catastrophe caused by Hurricanes Katrina and Rita; to create funds for the deposit of such proceeds; and to provide for appropriation, use and distribution of such proceeds.

**ITEM NO. 29** – To legislate with respect to the limitation on or exclusion from net state tax supported debt to provide for debt incurred or bonds issued by the state to provide relief from the natural catastrophe caused by Hurricanes Katrina and Rita.

**ITEM NO. 30** – To legislate to provide for making supplemental appropriations and reductions for the ordinary operating expenses of state government for the Fiscal Year 2005-2006.

**ITEM NO. 31** – To provide incentives for members of the Louisiana State Employees Retirement System to retire from state service.

**ITEM NO. 32** – To legislate relative to the Unfair Trade Practices and Consumer Protection Law.

**ITEM NO. 33** – To legislate with respect to the authority of the attorney general to issue cease and desist orders and take further actions during a gubernatorially declared disaster or emergency to protect the health, safety and welfare of Louisiana citizens.

**ITEM NO. 34** – To legislate as to the unauthorized practice of law and to provide for penalties.

**ITEM NO. 35** – To legislate with respect to prescription, peremption and other legal deadlines affected by Governor's Executive Order No. KBB 2005-32, as amended.

**ITEM NO. 36** – To legislate with respect to the formula to determine the cost of a Minimum Foundation Program of education in all public elementary and secondary schools.

**ITEM NO. 37** – To legislate relative to certain exemptions or waivers of statutory requirements for the Tuition Opportunity Program for Students (TOPS) as applied to certain displaced secondary school and TOPS eligible students for the academic year 05-06.

**ITEM NO. 38** – To legislate relative to pupil-teacher ratios, maximum number of students in a classroom, number of instructional minutes per school day, number of instructional days per school year, number of days in a school session, required date by which school system budgets are adopted and submitted and by which the superintendent's financial report is due, and deadline for conducting pupil sight and hearing tests.

**ITEM NO. 39** – To legislate relative to charter schools, to provide for the time line for application and approval, to provide for the number of instructional minutes per school day, instructional days per year, and number of days in a session, and to provide for the enrollment period.

**ITEM NO. 40** – To legislate with respect to the manner and procedure of assessment of property and the collection of ad valorem taxes in the circumstance where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency.

**ITEM NO. 41** – To legislate by providing for the continuation of the homestead exemption and special assessments where the homestead has been destroyed or is uninhabitable due to a gubernatorially declared disaster or emergency and to provide for postponement and later collection of ad valorem taxes in parishes affected by natural disasters.

**ITEM NO. 42** – To legislate with respect to deadlines in Title 47 of the Louisiana Revised Statutes of 1950 as to assessments and tax collections for property damaged by natural disasters.

**ITEM NO. 43** – To legislate to authorize the Department of Health and Hospitals regarding licensing and the re-establishment of healthcare facilities in parishes affected by a gubernatorially declared disaster or emergency.

**ITEM NO. 44** – To legislate relative to the domicile of the Vital Records Registry and relative to the proper venue for suits and actions against the registry.

**ITEM NO. 45** – To legislate relative to the requirement that the Vital Records Registrar serve as the local registrar for Orleans Parish.

**ITEM NO. 46** – To legislate relative to authorizing state agencies to utilize the design-build method for major reconstruction projects to address damage resulting from a gubernatorially declared disaster or emergency.

**ITEM NO. 47** – To legislate relative to the content of the petition for expropriation for road projects by the Department of Transportation and Development and relative to the information which must be annexed to a petition for expropriation.

**ITEM NO. 48** – To legislate relative to amount of time in which an oyster lessee is required to pay lease rentals.

**ITEM NO. 49** – To legislate relative to R.S. 47:1508 to authorize the Department of Revenue to release to Louisiana taxpayers their income tax information filed by third parties.

**ITEM NO. 50** – To suspend or legislate relative to the required number of live racing days under R.S. 4:214.1 and R.S. 27:351 *et seq.* and the authority of the Louisiana State Racing Commission to approve additional races or race days and locations and address issues related to proceeds from operations and purse supplements all made necessary as the direct result of damage to an existing facility resulting from a gubernatorially declared disaster or emergency.

**ITEM NO. 51** – To legislate relative to suspension of the performance of obligations due to the cause of impracticability or an excessively onerous burden.

**ITEM NO. 52** – To legislate relative to removal and preservation of lessee property by the lessor during a gubernatorially declared disaster or emergency.

**ITEM NO. 53** – To legislate relative to requiring flood insurers to notify insured of coverage limits and of duty to mitigate damages due to flooding.

**ITEM NO. 54** – To legislate providing for placement of insurance policy settlement funds in an interest earning escrow account.

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**ITEM NO. 55** – To legislate in Title 22 of the Louisiana Revised Statutes of 1950 to require insurers offering property insurance, including homeowners coverage, in any area of the state to offer such insurance throughout the state.

**ITEM NO. 56** – To legislate relative to suspending the provisions of law relative to the annual canvass of voters.

**ITEM NO. 57** – To legislate relative to the eventuality of a shortage of available commissioners and commissioners in charge, authorizing persons who are qualified electors of the state to serve as commissioners in charge and commissioners, and to provide for training and selection of such persons.

**ITEM NO. 58** – To legislate as to the holding of elections impaired as the result of a gubernatorially declared disaster or emergency.

**ITEM NO. 59** – To legislate relative to allowing certain public employees to take in-service distributions from their Deferred Retirement Option Plan accounts for employees who experienced significant loss as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 60** – To legislate with respect to an extension of time for certain governmental entities to prepare certain financial documents in the event of a gubernatorially declared disaster or emergency.

**ITEM NO. 61** – To legislate with respect to authorizing the chief executive officer of certain political subdivisions, city, parish or local public school systems to reduce the salaries of employees as the result of a gubernatorially declared disaster or emergency.

**ITEM NO. 62** – To legislate relative to payment of certain expenses related to the legislative offices of certain temporarily displaced legislators.

**ITEM NO. 63** – To amend Title 9 of the Louisiana Revised Statutes of 1950 relative to child support; to provide for the definition of income; to provide for involuntary unemployment or underemployment; to provide an exception to the mandatory minimum; and to provide for retroactivity of support judgments.

**ITEM NO. 64** – To legislate relative to the definition of public purpose to recognize restoration and rebuilding of utilities damaged as a result of a declared emergency or disaster as a valid public purpose.

**ITEM NO. 65** – To legislate relative to allowing certain public employees furloughed as the result of a gubernatorially declared disaster or emergency at their own costs to continue eligibility to earn retirement service credit and to maintain coverage under Office of Group Benefits programs.

**ITEM NO. 66** – To legislate relative to procedure to set aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency of 2005.

**ITEM NO. 67** – To legislate relative to effective date of Act 169 of the 2005 Regular Session of the Louisiana Legislature providing for the recordation of mortgage and conveyance documents.

**ITEM NO. 68** – To legislate relative to each clerk of court, recorder of mortgages, or registrar of conveyances establishing an ancillary office in or out of the parish in times of a gubernatorially declared disaster or emergency.

**ITEM NO. 69** – To legislate relative to limitation of liability of law enforcement agencies, law enforcement officers, or corrections officers due to the detention of persons in parish prisons or local jails as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 70** – To legislate relative to payment of costs of medical care for prisoners transferred to a parish or local jail as a result of a gubernatorially declared disaster or emergency.

**ITEM NO. 71** – To legislate relative to procedures for the continuation of the criminal justice system during a declared disaster or emergency, and to provide for venue and jurisdiction of criminal prosecutions, proceedings, and habeas corpus petitions.

**ITEM NO. 72** – To legislate relative to the duty of insurers to itemize the coverages or claims which are included in payments made to the insured.

**ITEM NO. 73** – To legislate relative to waiver of interest due on delinquent contributions to state and statewide retirement systems during a gubernatorially declared disaster or emergency.

**ITEM NO. 74** – To legislate relative to the exemption from the payment of hotel occupancy taxes for hotel rooms rented in excess of thirty days.

**ITEM NO. 75** – To legislate for the extension of investment deadlines under the Capital Companies Tax Credit Program made necessary as the result of a gubernatorially declared disaster or emergency in 2005.

**ITEM NO. 76** – To legislate relative to the emergency powers of the commissioner of the Office of Financial Institutions relative to non-depository institutions.

**ITEM NO. 77** – To legislate or otherwise authorize Louisiana Community Development Financial Institutions under the Louisiana Community Development Financial Institutions Act to include investments in low income communities in areas affected by Hurricanes Katrina and Rita.

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 31st day of October, 2005.

KATHLEEN BABINEAUX BLANCO  
Governor of Louisiana

ATTEST BY THE GOVERNOR

AL ATER  
Secretary of State

### Motion

On motion of Rep. Dorsey, the Speaker appointed the following special committee to notify the Governor that the House is convened and prepared to transact business: Reps. Hill, Baudoin, Karen Carter, Trahan, and Ritchie.

### Motion

On motion of Rep. Dorsey, the Speaker appointed the following special committee to notify the Senate that the House is convened and prepared to transact business: Reps. Schneider, Odinet, Barrow, Strain, and Hebert.

### 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.

### 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.

### Message from the Secretary of State

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

**State of Louisiana**  
**SECRETARY OF STATE**

July 19, 2005

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

I have the honor to submit to you the name of Terrell Harris, 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 Derrick Shepherd.

Terrell Harris, has been officially proclaimed duly and legally elected as Representative from the 87th Representative District of the State of Louisiana.

AL ATER  
Secretary of State

**United States of America**  
**STATE OF LOUISIANA**  
**Al Ater**  
**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 July 19, 2005 is declared elected by the people to the office set opposite his name for an unexpired term:

State Representative Terrell Harris, Representative of District 87.

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 19th day of July, 2005.

AL ATER  
Secretary of State

### Oath of Office

Terrell Harris presented himself before the bar of the House and took the following oath:

"I, Terrell Harris, 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".

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

November 6, 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 No. 1

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Suspension of the Rules

On motion of Rep. Dorsey, 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 BAJOE

#### A CONCURRENT RESOLUTION

To invite the Honorable Kathleen Babineaux Blanco, Governor of Louisiana, to address a joint session of the legislature.

Read by title.

On motion of Rep. Dorsey, 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 HEBERT

#### A RESOLUTION

To amend and readopt House Rule 11.2 of the Rules of Order of the House of Representatives to provide that it shall be in order to consider only one committee or floor amendment with a fiscal cost of over one hundred thousand dollars to any appropriation bill at any one time.

Read by title.

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

#### HOUSE RESOLUTION NO. 2—

BY REPRESENTATIVE HEBERT

#### A RESOLUTION

To adopt House Rule 7.22 of the Rules of Order of the House of Representatives to require that certain information regarding any appropriation or capital outlay bill or amendment thereto be provided to the members prior to consideration.

Read by title.

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On motion of Rep. Hebert, 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. 1—** BY REPRESENTATIVE PINAC

#### **A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana the provisions of R.S. 4:214.1, relative to the minimum number of live racing days.

Read by title.

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

### **HOUSE CONCURRENT RESOLUTION NO. 2—** BY REPRESENTATIVE LANCASTER

#### **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. 18:192, which provides for the annual canvass of registered voters.

Read by title.

On motion of Rep. Lancaster, 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. 3—** BY REPRESENTATIVE KLECKLEY

#### **A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Dr. Andrew Samuel Ranier of Lake Charles.

Read by title.

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

Ordered to the Senate.

### **HOUSE CONCURRENT RESOLUTION NO. 4—** BY REPRESENTATIVE HUTTER

#### **A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to create the National Wind Insurance Program.

Read by title.

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

### **HOUSE CONCURRENT RESOLUTION NO. 5—** BY REPRESENTATIVE SALTER

#### **A CONCURRENT RESOLUTION**

To commend Commissioner of Administration Jerry Luke LeBlanc upon the occasion of being named one of the 2005 Public Officials of the Year by Governing magazine.

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 REPRESENTATIVE SCHNEIDER

#### **A CONCURRENT RESOLUTION**

To commend first responders and volunteers for their outstanding response to Hurricanes Katrina and Rita.

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. 7—** BY REPRESENTATIVE SCHNEIDER

#### **A CONCURRENT RESOLUTION**

To commend the members and leaders of churches, synagogues, mosques, and other faith communities for their response to Hurricanes Katrina and Rita.

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. 8—** BY REPRESENTATIVE BRUNEAU

#### **A CONCURRENT RESOLUTION**

To commend Naval Mobile Construction Battalion (NMCB) 40 for its singular contributions to the greater New Orleans area in the aftermath of Hurricane Katrina.

Read by title.

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

Ordered to the Senate.

### **HOUSE CONCURRENT RESOLUTION NO. 9—** BY REPRESENTATIVE BRUNEAU

#### **A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of H. Eustis Reily of Metairie and to recognize his singular contributions and achievements.

Read by title.

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

Ordered to the Senate.

### **HOUSE CONCURRENT RESOLUTION NO. 10—** BY REPRESENTATIVE BRUNEAU

#### **A CONCURRENT RESOLUTION**

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

Read by title.

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

Ordered to the Senate.

### **HOUSE CONCURRENT RESOLUTION NO. 11—** BY REPRESENTATIVES BRUNEAU AND LANCASTER AND SENATOR HOLLIS

#### **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.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 12—**

BY REPRESENTATIVE BRUNEAU

**A CONCURRENT RESOLUTION**

To urge and request the Office of Financial Institutions, the Federal Deposit Insurance Corporation, and the federal Office of the Comptroller of the Currency to provide flexibility for the modification of loan terms for entities and persons affected by Hurricanes Rita and Katrina.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE JEFFERSON

**A CONCURRENT RESOLUTION**

To urge and request the State Board of Elementary and Secondary Education to develop and implement an age, grade, and geographically appropriate curriculum for disaster awareness education in all city, parish, and other local public school systems.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 14—**

BY REPRESENTATIVE JEFFERSON

**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. 18:192, which provides for the annual canvass of registered voters.

Read by title.

On motion of Rep. Jefferson, 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. 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, and under a suspension of the rules, the above resolution was referred to the Committee on Ways and Means, under the rules.

**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, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 1—**

BY REPRESENTATIVE RICHMOND

**AN ACT**

To enact R.S. 22:1471.1, relative to homeowners' insurance claims; to provide for payments; to provide for settlements; to provide for applicability; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 2—**

BY REPRESENTATIVES BRUNEAU AND PINAC

**AN ACT**

To enact R.S. 45:859, relative to utilities; to provide that restoration and rebuilding of certain utilities is a valid public purpose; 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. 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.

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

**HOUSE BILL NO. 4—**

BY REPRESENTATIVE TOOMY

**AN ACT**

To enact R.S. 13:5, relative to each of the clerks of court throughout the state and the recorder of mortgages and the register of conveyances for the parish of Orleans; to authorize the establishment of an ancillary office during times of declared state of emergency or disaster; 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. 5—**

BY REPRESENTATIVE WALKER

**AN ACT**

To enact R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10), relative to minimum standards for licensure for hospitals, nursing facilities, and intermediate care facilities for the mentally retarded; to provide the Department of Health and Hospitals the authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

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### HOUSE BILL NO. 6—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 51:1926(I) and 1927.1(D), relative to time limits to make certain investments under the Capital Companies Tax Credit Program; to extend the time limit for making certain investments; 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. 7—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 24:31.4(D), relative to office expense allowances for members of the legislature; to provide for the payment of rent and other expenses for members of the legislature under certain circumstances; 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 REPRESENTATIVE ODINET AND SENATOR N. GAUTREAUX

AN ACT

To provide for an extended period of time for renewal or extension of oyster leases expiring on January 1, 2006; to provide relative to terms of lease renewals or extensions; to provide for the 2006 due date for annual rent for oyster leases; and to provide for the 2006 dates for determination and advertisement of defaulted oyster leases; to suspend Section 501(G)(3) of Chapter 5 of Part VII of Title 76 of the Louisiana Administrative Code relative to public auction of leases in default; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 9—

BY REPRESENTATIVES LAFLEUR AND CAZAYOUX

AN ACT

To enact R.S. 42:1114.3, relative to disclosure; to require certain officials to disclose information to the Board of Ethics regarding certain contracts or subcontracts; to provide for the content of such disclosure; to provide for penalties; 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. 10—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 23:1474(J), relative to the unemployment compensation fund; to suspend for calendar year 2006 the application of increases in the maximum amount of "wages" on which contribution rates are assessed; to provide for the application of procedures; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 11—

BY REPRESENTATIVES SMILEY, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 32:706.1 and to enact R.S. 32:702(14) and (15) and 707.3, relative to vehicles sustaining water damage from a declared disaster; to provide for definitions; to provide for disclosure before transfer; to provide for certificates of destruction; to provide for restrictions on transfer and registration; to provide for crushing; to provide for rules and regulations; to provide for penalties; 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. 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.

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

### HOUSE BILL NO. 13—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 32:702(14) and 707(I)(1)(c), relative to vehicles sustaining water damage as the result of a declared disaster; to provide for a definition; to provide for disposal of water-damaged vehicles pursuant to an insurance settlement; to provide for restriction on transfer; 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. 14—

BY REPRESENTATIVE STRAIN

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 a certain transportation infrastructure project which is included in the Transportation Infrastructure Model for Economic Development (TIMED) program; to remove certain limitations of the design-build program; 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. 15—**

BY REPRESENTATIVES CAZAYOUX, QUEZAIRE, AND SALTER  
AN ACT

To enact R.S. 48:442.1, relative to the expropriation of property for design-build projects by the Department of Transportation and Development; to provide relative to the content of the petition to expropriate such property; to provide relative to information which must be annexed to such petition; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 16—**

BY REPRESENTATIVE LABRUZZO  
AN ACT

To amend and reenact R.S. 14:329.8 and R.S. 29:734(C), to enact R.S. 14:329.9, and to repeal R.S. 14:329.6(A)(9), relative to price gouging; to provide with respect to the crime of price gouging; to provide for the elements of the crime; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 17—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:281(B), relative to delinquent contributions to certain public retirement systems; to waive interest on certain delinquent contributions during a gubernatorially declared disaster or emergency; to provide limitations and 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. 18—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 11:163(A) and (C), relative to retirement service and salary credit for public employees on involuntary furlough or leave without pay; to allow certain employees to continue to earn service and salary credit by payment of retirement contributions while on such furlough or leave; to provide limitations; to provide for implementation; 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. 19—**

BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:24.10(C)(4), relative to LA 4 class ratio requirements; to provide for the applicability of provisions relative to the requirements for student to lead teacher and student to adult staff member ratios for LA 4 classes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the ratios required for LA 4 classes; to provide for effectiveness; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 20—**

BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:88(A) and (C) and to enact R.S. 17:88(F), relative to the required dates for adoption and submission of school board budgets; to provide for the applicability of provisions relative to the required dates for school boards to adopt budgets and submit such budgets to the state superintendent of education; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the adoption and submission of such budgets; to provide for effectiveness; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 21—**

BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:236, relative to the requirement for a minimum school session; to provide for the applicability of the requirement for a minimum school session of not less than one hundred eighty days for school classification purposes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the minimum school session; to provide for effectiveness; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 22—**

BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:2112(A)(1) and to enact R.S. 17:2112(C), relative to the required time lines for conducting sight and hearing tests for certain pupils; to provide for the applicability of the requirement for testing the sight and hearing of pupils within thirty days after the admission of any pupils entering school late in the session; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to such requirement; to provide for effectiveness; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 23—**

Withdrawn from the files of the House prior to introduction.

**HOUSE BILL NO. 24—**

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, AND PINAC  
AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits; 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.

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### HOUSE BILL NO. 25—

BY REPRESENTATIVE ROBIDEAUX  
AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits; 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. 26—

BY REPRESENTATIVE CRAVINS AND SENATOR N. GAUTREAUX  
AN ACT

To amend and reenact R.S. 15:542(C)(2)(a) and (b) and (F)(1), relative to penalties for failure to register as a sex offender; to provide that penalties for failure to register as a sex offender shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residence due to an evacuation order or declaration of an emergency; to amend the criminal penalties for a first conviction of failure to register as a sex offender; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 27—

BY REPRESENTATIVE SALTER  
AN ACT

To provide for a special statewide election on the first Saturday in February of 2006 for the purpose of submitting constitutional amendments to the electors of the state; to provide for the conduct of such election; 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. 28—

BY REPRESENTATIVES MARTINY, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

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.

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

### HOUSE BILL NO. 29—

BY REPRESENTATIVES MARTINY, RICHMOND, AND GALLOT AND SENATOR MURRAY

AN ACT

To enact R.S. 15:87.1, relative to criminal bail; to provide that certain bail bonds in certain parishes are void based upon

destruction of property and records by Hurricanes Katrina and Rita; to provide for applicability; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 30—

BY REPRESENTATIVE PINAC  
AN ACT

To enact R.S. 6:121.6, relative to the powers of the commissioner of the Office of Financial Institutions; to authorize the commissioner to waive, suspend, or delay compliance of certain statutes relating to certain entities regulated by the commissioner; to provide for an effective date; 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. 31—

BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 51:1425, relative to contracts awarded for disaster recovery work; to limit a portion of the amount of a contract that may be retained by the contractor if disaster recovery work under the contract is subcontracted to another person; 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. 32—

BY REPRESENTATIVES GALLOT AND ANSARDI AND SENATOR LENTINI

AN ACT

To enact R.S. 9:2561, relative to the performance of contracts; to provide for the suspension of performance of contracts due to impracticability; to provide for a definition of impracticability of performance; to provide relative to default by the obligor; to provide relative to partial performance; to provide that Hurricanes Katrina and Rita are fortuitous events; to provide relative to obligations for the payment of money; to provide for applicability to contracts effected by Hurricanes Katrina or Rita; to provide for retroactivity; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 33—

BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:154.3 and to enact R.S. 17:154.1(A)(5), relative to minimum requirements for instructional time; to provide for applicability of such requirements including the required number of certain work days per school year under specified circumstances; to provide for certification by the state superintendent of education relative to the applicability of the minimum requirements for instructional time for certain public schools and school systems; to provide for rules and regulations adopted by the State Board

of Elementary and Secondary Education relative to all such applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

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

### 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. 34—

BY REPRESENTATIVES ALARIO, HAMMETT, AND ODINET  
A JOINT RESOLUTION

Proposing to add Article VII, Sections 18(G)(5) and 20(A)(10) of the Constitution of Louisiana, relative to the homestead exemption and special assessment level where the homestead has been destroyed or is uninhabitable due to a disaster or emergency; to provide for claiming and keeping the homestead exemption and special assessment levels; to provide for submission of the proposed amendment to the electors; 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. 35—

BY REPRESENTATIVE ARNOLD AND SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 47:1987(A), relative to assessment procedure; to provide for a change of the time and date when the assessor of Orleans Parish has to complete the work on preparing and making up the assessment lists; to provide for additional time to reassess and prepare the tax rolls for 2005 in Orleans Parish; 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. 36—

BY REPRESENTATIVE LAFLEUR  
AN ACT

To enact Subpart I of Part II-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.31 and 100.32, relative to state funds; to establish the Restoration Fund as a special fund in the state treasury; to provide for accounts within the fund; to provide for the deposit of monies into the fund; to provide for appropriation and use of monies in the fund; to provide for limitations on appropriations; to require the development of an annual prioritized program for projects and expenditures recommended for funding through appropriations from the fund; to authorize the Joint Legislative Committee on the Budget to provide by resolution for the content and schedule for submission and consideration of the program; to provide for the consideration, amendment, and approval of such program by the Joint Legislative Committee on the Budget; to authorize rulemaking; and to provide for related matters.

Read by title.

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

#### HOUSE BILL NO. 37—

BY REPRESENTATIVE ARNOLD AND SENATOR MURRAY  
AN ACT

To amend and reenact R.S. 47:1978 and to enact R.S. 47:1703(E), 1989.2, and 1992.1, relative to ad valorem taxation; to provide for an extension of the homestead exemption when property is damaged by public calamity or disaster; to provide for the listing and assessing of property damaged by public calamity or disaster; to provide for review of appeals by the Louisiana Tax Commission of property assessed as a result of a public calamity or disaster; to provide relative to the inspection of assessment lists compiled as a result of a public calamity or disaster; to provide relative to notification and review of assessments by board of review as a result of such listing; to provide relative to hearing officers; 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. 38—

BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property for non-business use on certain dates from selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; 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. 39—

BY REPRESENTATIVES HAMMETT AND PINAC  
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.

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

#### HOUSE BILL NO. 40—

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

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.

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

#### HOUSE BILL NO. 41—

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

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

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corporations directly affected by Hurricanes Katrina and Rita; 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. 42—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property for non-business use on a certain date from selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; 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. 43—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To amend and reenact R.S. 47:2106 and to enact R.S. 47:1703(E), relative to the homestead exemption; to provide for an extension of the homestead exemption when property is damaged by public calamity or disaster; to provide deferment of tax payments in case of public calamity or disaster; 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. 44—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To amend and reenact R.S. 47:2106, relative to the deferment of ad valorem tax payments where property subject to ad valorem taxation has been damaged or destroyed during a gubernatorially declared disaster or emergency; 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. 45—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To amend and reenact R.S. 47:1508(B)(1), relative to the furnishing of tax information to the taxpayer or his duly authorized representative; 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. 46—**

BY REPRESENTATIVES HAMMETT AND PINAC  
AN ACT

To enact R.S. 47:1703(E), relative to the homestead exemption; to provide for an extension of the homestead exemption when property is damaged or destroyed during a disaster or emergency declared by the governor; 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. 47—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 47:297(P), relative to the individual income tax; to provide for a credit for certain disaster-related casualty losses; to provide for an effective date; 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. 48—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 47:293(7) and to enact R.S. 47:293(6)(a)(ix), relative to the imposition of individual income tax; to authorize a deduction from gross income for disaster-related casualty losses allowed on the taxpayer's federal income tax return for the same tax year; 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. 49—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits; 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. 50—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits; 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. 51—**

BY REPRESENTATIVE BRUNEAU AND SENATOR CAIN AND REPRESENTATIVES ALEXANDER, BEARD, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

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 officials, immediate family members, and certain

related legal entities 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.

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

**HOUSE BILL NO. 52—**

BY REPRESENTATIVES WHITE, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 47:302(R), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax on sales of natural gas and electricity; 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. 53—**

BY REPRESENTATIVES WHITE, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

**AN ACT**

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits; 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. 54—**

BY REPRESENTATIVE GREENE

**AN ACT**

To provide for reductions to certain appropriations from the State General Fund for Fiscal Year 2005-2006 for certain nonstate entities; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 55—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To enact Subpart I of Part II-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.21, relative to state funds; to establish the Rebuild Louisiana Fund as a special fund in the state treasury; to provide for the deposit of monies into the fund; to provide for appropriation and use of monies in the fund; to provide for limitations on the use of appropriations; to require approval by the Joint Legislative Committee on the Budget for certain

expenditures from monies appropriated from the fund; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 56—**

BY REPRESENTATIVES PINAC, MARTINY, JOHNS, AND HEATON

**AN ACT**

To enact R.S. 27:354.1, relative to slot machine gaming at live horse racing facilities; to provide relative to the required number of live racing days; to provide for the authority of the Louisiana State Racing Commission to approve additional races or race days and locations, transfer proceeds and purse supplements, all as made necessary by damage to existing facilities due to a disaster, emergency, or force majeure, or other such occurrence; and to provide for related matters.

Read by title.

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

**Recess**

On motion of Rep. Dorsey, the Speaker declared the House at recess upon the call of the House.

**Joint Session of the Legislature**

The joint session of the legislature was called to order at 6:00 P.M. by the Honorable Don Hines, President of the Senate.

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

On motion of Rep. Dorsey, 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 Kathleen Babineaux Blanco, Governor of the State of Louisiana, to the joint session.

On the part of the Senate: Senators Heitmeier, Mount, Murray, Duplessis, Quinn, and Amedee.

On the part of the House: Representatives Karen Carter, Doerge, Pinac, Montgomery, Elcie Guillory, and Quezaire.

The President of the Senate introduced the Honorable Kathleen Babineaux Blanco, who addressed the joint session of the legislature.

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

**After Recess**

Speaker Salter called the House to order at 6:35 P.M.

**ROLL CALL**

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

**PRESENT**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinot
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.

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Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
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
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Total - 105		

ABSENT

Total - 0

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

### House Business Resumed

#### 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. 57—

BY REPRESENTATIVE JEFFERSON  
AN ACT

To amend and reenact R.S. 18:109, 115(B)(1)(a) and (G), 132, and 133(A) and to enact R.S. 18:115(F)(2)(d) and 425(A)(4), relative to the conduct of elections during and following a gubernatorially declared state of emergency; to provide for procedures for the registrar of voters relative to returned notices of registration or change of registration of temporarily displaced persons; to provide for procedures for the registrar of voters relative to returned verification mailings of temporarily displaced persons; to provide for displaced persons who have registered to vote by mail to vote absentee by mail; to require certain documentation showing displaced status; to provide for the effectiveness of such provisions; to authorize the registrars of voters to utilize temporary offices and branch offices; to provide relative to a parishwide shortage of commissioners due to an emergency; to authorize commissioners from other parishes to serve in the affected parish; to provide relative to selection and training of such commissioners; 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. 58—

BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 18:1308.3, relative to provisions applicable to United States service members and persons residing outside the United States relative to voting absentee by mail; to provide for the application of certain such provisions to temporarily displaced persons; to provide for documentation; to provide for the effectiveness of the provisions; 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. 59—

BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 18:115(F)(2)(d) and 425(A)(4), relative to the conduct of elections during or following a gubernatorially declared state of emergency; to provide for displaced persons who have registered to vote by mail to vote absentee by mail; to require certain documentation showing displaced status; to provide for the effectiveness of such provisions; to provide relative to a parishwide shortage of commissioners due to an emergency; to authorize commissioners from other parishes to serve in the affected parish; to provide relative to selection and training of such commissioners; 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. 60—

BY REPRESENTATIVE LAFLEUR  
AN ACT

To provide for reductions to certain appropriations from the State General Fund for Fiscal Year 2005-2006 for the Department of Economic Development for support of the Sugar Bowl; and to provide for related matters.

Read by title.

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

#### HOUSE BILL NO. 61—

BY REPRESENTATIVES TUCKER, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRIS, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN  
AN ACT

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.

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

**HOUSE BILL NO. 62—**

BY REPRESENTATIVE TUCKER

AN ACT

To provide for supplemental appropriations and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 63—**

BY REPRESENTATIVES SCHNEIDER, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

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. 64—**

BY REPRESENTATIVES HAMMETT AND PINAC

AN ACT

To amend and reenact R.S. 47:1978, 1993(D), and 2101(A)(1), relative to the listing and assessing of property damaged by public calamity or disaster; to provide for filing dates of tax rolls for certain parishes; to provide for deadlines for payment of ad valorem taxes for certain parishes; 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. 65—**

BY REPRESENTATIVES HAMMETT AND PINAC

AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), 2171(A)(introductory paragraph), 2180(A)(1)(a), and 2180.1(A) and to enact R.S. 47:1997(C), relative to assessment of immovable and movable property for tax year 2006 and for tax year 2005 in Orleans Parish; to change time periods for public inspection of assessment rolls; to change assessment deadlines; to change ad valorem tax collection procedures and deadline; 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. 66—**

BY REPRESENTATIVES ALARIO, HAMMETT, AND ODINET

AN ACT

To enact R.S. 47:1978.1, 1989.2, and 1992.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; 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. 67—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 68—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2005-2006 for deposit into certain special treasury funds; to provide for the deposit of certain nonrecurring revenues into the State Disaster or Emergency Relief Fund.

Read by title.

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

**HOUSE BILL NO. 69—**

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv), relative to public contracts; to increase the contract limit for certain public works let by the division of administration related to disaster recovery; to provide for circumstances under which the contract limit is increased; 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. 70—**

BY REPRESENTATIVES ALARIO, HAMMETT, AND ODINET

AN ACT

To enact R.S. 47:1703(E), relative to ad valorem taxation; to provide for keeping or claiming the homestead exemption and special assessment level when property is damaged or destroyed by a disaster or emergency; 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.

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### HOUSE BILL NO. 71—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property for non-business use on a certain date from selling dealers who choose to comply with the provisions of the Act; to provide restrictions on the types and cost of purchases that are eligible for exemption; 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. 72—

BY REPRESENTATIVE MARTINY

AN ACT

To provide for supplemental appropriations for the Department of Correction out of the State General Fund (Direct) for Fiscal Year 2005-2006 for payment of hospitalization costs of prisoners housed in parish jails, and to pay for related matters.

Read by title.

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

### HOUSE BILL NO. 73—

BY REPRESENTATIVES MARTINY, LAFLEUR, TOWNSEND, CAZAYOUX, CRAVINS, GALLOT, AND HEATON AND SENATOR CHAISSON

AN ACT

To enact Title XXXIII of the Louisiana Code of Criminal Procedure, to be comprised of Louisiana Code of Criminal Procedure Articles 941 through 956, relative to criminal procedure; to provide for emergency sessions of criminal court; to provide for definitions; to provide for applicability; to provide for criminal jurisdiction and venue in emergency sessions of court; to provide for venue for habeas corpus proceedings in certain circumstances; to provide for criteria for emergency sessions of court; to provide for the power and authority of the court conducting emergency sessions; to provide for legislative findings; to provide for powers, duties, and authority of the sheriff operating in emergency sessions of court; to provide for the powers, duties, and authority of the clerk of court of an affected court conducting emergency sessions; to provide for the authority of the indigent defender board of the affected court conducting emergency sessions of court; to provide with respect to the summoning of a criminal jury pool; to provide for the suspension of certain time periods, limitations, and delays in the affected court; to provide for exceptions; to provide for appeals and the application of supervisory writs from a judgment or ruling of an affected court conducting emergency sessions of court; to provide for preemption of conflicting provisions of law; to provide for the court costs, fees, and fines assessed or taxed and collected by the affected court conducting emergency sessions of court; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 74—

BY REPRESENTATIVE BEARD

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

infrastructure projects in certain areas; to remove certain limitations of the design-build program; 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. 75—

BY REPRESENTATIVE JEFFERSON

AN ACT

To enact R.S. 6:242(A)(18), relative to banking powers; to provide for investments to promote public welfare in low-income communities affected by Hurricanes Katrina and Rita; 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. 76—

BY REPRESENTATIVE PINAC

AN ACT

To enact Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.39, and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1, relative to the state building codes; to provide for public policy; to provide for the creation of the Louisiana State Uniform Construction Code Council; to provide for enforcement; to provide for agreements with other governmental entities; to provide for appointment of building official; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for adoption of state uniform construction code; to provide for construction of industrial facilities; to provide for construction of farm structures; to provide for mandamus and injunctive relief; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshal; to repeal the current state uniform construction code; 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. 77—

BY REPRESENTATIVE LABRUZZO

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property for non-business use on a certain date from selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; 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. 78—

BY REPRESENTATIVES MARTINY, PINAC, JOHNS, AND HEATON

AN ACT

To amend and reenact R.S. 27:353(4) and 354, relative to slot machine gaming at live horse racing facilities; to amend the definition of an eligible facility to provide that the Louisiana State Racing Commission can approve less than eighty days



within a twenty-week period in certain emergencies or disasters or other such occurrences; to provide for the effect of this determination; to provide relative to the powers and authority of the Louisiana State Racing Commission; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE LABRUZZO

AN ACT

To enact R.S. 47:297.5, relative to individual income tax credits; to provide tax credits for hotel expenses incurred by taxpayers displaced after Hurricane Katrina or Rita; 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. 80—**

BY REPRESENTATIVE LABRUZZO

AN ACT

To enact R.S. 22:1471.1, relative to homeowner insurance policies; to provide for loss of use; to provide for comparable dwelling; to provide for fair market rental value; to provide for applicability; 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. 81—**

BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 39:1034.1, relative to the Board of Liquidation, City Debt, for the city of New Orleans; to prohibit increases in millage rates for the year 2006, under certain circumstances and the collection of taxes based upon such millage rates; 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. 82—**

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 47:301(10)(aa), relative to the state sales and use tax; to exclude natural gas and electric power or energy from the tax; 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. 83—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

AN ACT

To appropriate funds out of the Budget Stabilization Fund of the state of Louisiana for Fiscal Year 2005-2006 for deposit into the General Fund of the state of Louisiana; 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 Appropriations.

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

AN ACT

To suspend and otherwise make of no effect certain provisions of law relating to the comprehensive annual financial report and the narrative report of the state for the fiscal year ending June 30, 2005, and to provide for an extension of certain deadlines for completion and distribution; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 85—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 22:1471.1, relative to deductibles on property insurance; to provide for limits; to provide for homeowners' insurance; 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. 86—**

BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR LENTINI

AN ACT

To enact R.S. 29:732(E), relative to price gouging; to include the lease of immovable property in the crime of price gouging during certain emergencies; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 87—**

BY REPRESENTATIVES LAMBERT, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

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.

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

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES GALLOT AND ANSARDI AND SENATOR LENTINI

AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor in certain emergency periods; to provide for the right of the lessor to enter leased property to make

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necessary repairs; to provide for the removal and disposal of property; to provide for the duty of the lessor to preserve unsalvageable property; to provide for the payment of storage costs and the lessor's privilege; to provide for the taking of an inventory of the property; to provide for a presumption of intent to abandon the leased premises; to provide for notice to the lessee; to provide for definitions; to provide for applicability; to provide for retroactive effect; to provide for termination of provisions; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 89—

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To enact Subpart J of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.25, relative to state funds; to establish the Disaster Recovery Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to dedicate monies in the fund for capital outlay projects related to disaster recovery; 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 Appropriations.

### HOUSE BILL NO. 90—

BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR LENTINI

AN ACT

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.

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

### HOUSE BILL NO. 91—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 40:2109(G), relative to minimum standards for licensure of hospitals; to provide the Department of Health and Hospitals the authority to promulgate rules for hospitals; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### 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 the effect of judgments of divorce; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 93—

BY REPRESENTATIVES SCALISE, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 17:10.5(A)(1), (B), (C)(1)(a) and (2)(a)(iii) and (b)(i), and (D); to provide for the transfer of certain public elementary and secondary schools to the jurisdiction of the Recovery School District; to provide guidelines and conditions for such transfers; to provide definitions; to provide relative to the reorganization and operation of such transferred schools; to provide exceptions; to provide an effective date; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 94—

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2006-2007, certain provisions of law relating to the submission of budget requests by state agencies and submission of the executive budget and supporting document by the governor to the legislature and to provide for an extension of certain deadlines for submission; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 95—

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2004-2005, the preparation of an annual report by an undersecretary with respect to activities of his office as provided in R.S. 36:8(B); and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 96—

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER

AN ACT

To suspend and otherwise make of no effect, for purposes of Fiscal Year 2006-2007, the preparation of the continuation budget by the division of administration budget office as required by R.S. 39:29(A)(2); and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 97—**

BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 42:851(E)(1)( introductory paragraph) and to enact R.S. 42:851 (D)(4), relative to Office of Group Benefits programs; to prohibit any reduction in the minimum state contribution for premium payments for certain employees affected by Hurricanes Katrina and Rita under certain circumstances; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 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.

Read by title.

**Motion**

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

**HOUSE BILL NO. 99—**

BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 42:1114.3, relative to disclosure of certain contracts; to require elected officials and appointed state officials to disclose information to the Board of Ethics regarding the receipt of certain things of value related to certain contracts and subcontracts; to provide for the content of such disclosure; to provide for penalties; 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. 100—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 18:115(F)(2)(d), relative to voting absentee by mail; to provide for persons displaced by a gubernatorially declared state of emergency who have registered to vote by mail to vote absentee by mail; to provide for documentation; to provide for the effectiveness of such provisions; 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. 101—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 51:3084(11), relative to the Louisiana Community Development Financial Institution Act; to define low-income community to include areas affected by Hurricanes Katrina and Rita; 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. 102—**

BY REPRESENTATIVE HUTTER  
AN ACT

To amend and reenact R.S. 47:1978 and to enact R.S. 47:1989.2 and 1992.1, relative to ad valorem taxation; to provide for the listing and assessing of property damaged by public calamity or disaster; to provide for review of appeals by the Louisiana Tax Commission of property assessed as a result of a public calamity or disaster; to provide relative to the inspection of assessment lists compiled as a result of a public calamity or disaster; to provide relative to notification and review of assessments by board of review as a result of such listing; 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. 103—**

BY REPRESENTATIVES HUTTER AND ODINET  
AN ACT

To enact Part I-A of Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950 as amended, to be comprised of R.S. 42:815, relative to group insurance programs; to provide for temporary eligibility and coverage of provisions for certain employees, board members, and retirees of the St. Bernard Parish School Board in insurance programs sponsored by the Office of Group Benefits; to provide for waiver of payment of certain premiums for a certain time period; 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 Appropriations.

**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.

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

**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. 3—**

BY REPRESENTATIVE CROWE  
A RESOLUTION

To commend Cleco Corporation and its subcontractors for their outstanding work in St. Tammany Parish following Hurricane Katrina.

Read by title.

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

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### HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE CROWE

#### A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 17—

BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS HEITMEIER AND HINES

#### A CONCURRENT RESOLUTION

To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2005-2006 and to authorize the appropriation of such amounts.

Read by title.

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

### HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVES BURNS AND STRAIN

#### A CONCURRENT RESOLUTION

To commend Friends of the Frontline for their dedication to the police officers and firefighters impacted by Hurricane Katrina.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVE GRAY

#### 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.

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOE, 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.

December 9, 2005December 9, 2005

Read by title.

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

Ordered to the Senate.

### HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOE, 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.

Read by title.

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

Ordered to the Senate.

### 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.

Read by title.

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

Ordered to the Senate.

## Suspension of the Rules

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

House Bill No. 76

## Suspension of the Rules

On motion of Rep. Quezaire, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 12 and 14

## Adjournment

On motion of Rep. Kenney, at 7:00 P.M., the House agreed to adjourn until Monday, November 7, 2005, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Monday, November 7, 2005.

ALFRED W. SPEER  
Clerk of the House