

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FIRST DAY'S PROCEEDINGS

**Thirty-Third Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Sunday, November 6, 2005

The Senate was called to order at 5:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Duplessis	Marionneau
Adley	Dupre	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Total - 35		

ABSENT

Ellington	Hollis	McPherson
Total - 3		

The President of the Senate announced there were 35 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Robert Jackson, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Morning Hour

**Petitions, Memorials and
Communications**

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

**State of Louisiana
Secretary of State**

November 1, 2005

To the Honorable President of the Senate and the Members of the Louisiana State Senate

Ladies and Gentlemen:

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 ending no later than 6:00 o'clock p.m. on Tuesday, the 22nd day of November, 2005.

Sincerely
AL ATER

**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, 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 seventeen calendar days, beginning at 5:00 o'clock p.m. on the sixth day of November, 2005, and ending no later than 6:00 o'clock p.m. on the twenty-second 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**

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 sixth 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.

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| <p>ITEM NO. 5 To legislate relative to state building or construction codes and the creation of a code commission.</p> | | |
| <p>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.</p> | | |
| <p>ITEM NO. 7 To legislate to suspend state sales taxes statewide for one day in December 2005.</p> | | |
| <p>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.</p> | | |
| <p>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.</p> | | |
| <p>ITEM NO. 10 To legislate as to electronic public access to information on disaster recovery funding and contracting.</p> | | |
| <p>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.</p> | | |
| <p>ITEM NO. 12 To legislate relative to penalties for failure to register as a sex offender.</p> | | |
| <p>ITEM NO. 13 To legislate as to motor vehicles damaged as the result of a gubernatorially declared disaster or emergency.</p> | | |
| <p>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.</p> | | |
| <p>ITEM NO. 15 To legislate with respect to the manufacturing machinery and equipment sales tax exemption for hurricane damaged equipment.</p> | | |
| <p>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.</p> | | |
| <p>ITEM NO. 17 To legislate with respect to limiting the state sales and use tax paid on natural gas and electricity.</p> | | |
| <p>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.</p> | | |
| <p>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</p> | | |
| | | <p>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.</p> |
| | <p>ITEM NO. 20</p> | <p>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.</p> |
| | <p>ITEM NO. 21</p> | <p>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.</p> |
| | <p>ITEM NO. 22</p> | <p>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.</p> |
| | <p>ITEM NO. 23</p> | <p>To legislate to suspend for 2005 the submission of annual reports by each undersecretary as required by R.S. 36:8(B).</p> |
| | <p>ITEM NO. 24</p> | <p>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.</p> |
| | <p>ITEM NO. 25</p> | <p>To legislate to suspend the requirement for preparation of the continuation budget as required by R.S. 39:29 for Fiscal Year 2006-2007.</p> |
| | <p>ITEM NO. 26</p> | <p>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.</p> |
| | <p>ITEM NO. 27</p> | <p>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.</p> |
| | <p>ITEM NO. 28</p> | <p>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.</p> |
| | <p>ITEM NO. 29</p> | <p>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.</p> |

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| 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. 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. 31 | To provide incentives for members of the Louisiana State Employees Retirement System to retire from state service. | 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. 32 | To legislate relative to the Unfair Trade Practices and Consumer Protection Law. | 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. 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. 45 | To legislate relative to the requirement that the Vital Records Registrar serve as the local registrar for Orleans Parish. |
| ITEM NO. 34 | To legislate as to the unauthorized practice of law and to provide for penalties. | 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. 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. 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. 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. 48 | To legislate relative to amount of time in which an oyster lessee is required to pay lease rentals. |
| 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. 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. 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. 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 <i>et seq.</i> 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. 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. 51 | To legislate relative to suspension of the performance of obligations due to the cause of impracticability or an excessively onerous burden. |
| 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. 52 | To legislate relative to removal and preservation of lessee property by the lessor 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. 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. |
| | | 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 set my hand officially and caused to be affixed the Great Seal 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

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 1 BY SENATOR BAJOIE

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed to notify the House of Representatives that the Senate is now duly convened and organized and prepared to transact such business as may be brought before it.

On motion of Senator Bajoie, the resolution was read by title and adopted.

In compliance with the resolution the President of the Senate appointed the following committee:

Senators Fontenot, B. Gautreaux, Dupre, Broome, Jackson and Shepherd.

SENATE RESOLUTION NO. 2 BY SENATOR BAJOIE

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed to act with such a committee as the House of Representatives may appoint to notify the Governor that the Legislature is now duly convened and organized and prepared to receive such communication as he may desire to lay before it.

On motion of Senator Bajoie, the resolution was read by title and adopted.

In compliance with the resolution the President of the Senate appointed the following committee:

Senators Ullo, Kostelka, Cheek, Fields and Chaisson.

Reports of Committees

The committee appointed to notify the Governor that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

The committee appointed to notify the House of Representatives that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

Committee from the House of Representatives

A committee from the House of Representatives appeared before the Bar of the Senate and informed the Senate that the House of Representatives was organized and ready to proceed with business.

Messages from the Secretary of State

The following messages from the Secretary of State were received and read as follows:

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 was declared elected by the people to the office set above her name:

State Senator Julie Quinn 6th Senatorial District

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

Motion

Senator Boasso moved that Ms. Quinn's qualifications be accepted.

PRESENT

- Mr. President Duplessis Marionneaux
Adley Dupre Michot
Amedee Fields Mount
Bajoie Fontenot Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Romero
Broome Jackson Schedler
Cain Jones Shepherd
Chaisson Kostelka Smith
Cheek Lentini Theunissen
Dardenne Malone Ullo
Total - 33

ABSENT

- Cravins Heitmeier McPherson
Ellington Hollis
Total - 5

The chair declared Ms. Quinn's qualifications were accepted by the Senate.

Motion

Senator Boasso moved that Ms. Quinn should be administered the Oath of Office.

Administering the Oath of Office

The oath prescribed by Article X, Section 30 of the Constitution was administered by the Honorable Glenn Koepp, Secretary of the Senate to the following hereinafter named Senator-elect: Ms. Quinn.

Introduction of Senate Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 1— BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Bajoie moved to adopt the Senate Concurrent Resolution.

November 6, 2005

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mount
Adley	Fontenot	Murray
Amedee	Gautreaux N	Nevers
Bajoie	Jackson	Quinn
Barham	Jones	Romero
Boasso	Kostelka	Schedler
Cain	Lentini	Shepherd
Chaisson	Malone	Smith
Dardenne	Marionneaux	Theunissen
Duplessis	Michot	Ullo
Total - 30		

NAYS

Total - 0

ABSENT

Broome	Dupre	Heitmeier
Cheek	Ellington	Hollis
Cravins	Gautreaux B	McPherson
Total - 9		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Prefiled Senate Bills and Joint Resolutions to be Referred

The following prefiled Senate Bills and Joint Resolutions were read by title and referred to committees.

SENATE BILL NO. 1— BY SENATORS AMEDEE AND CHAISSON AN ACT

To amend and reenact R.S. 15:542(F), relative to registration of sex offenders; to provide for enhanced penalties for failure to register as a sex offender; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

SENATE BILL NO. 2— BY SENATOR NEVERS AN ACT

To enact R.S. 23:1474(J), relative to unemployment compensation; to provide with respect to the maximum amount of wages on which contribution rates are assessed; to suspend the application of reductions in weekly benefit amounts payable to claimants; to provide for the state unemployment trust fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 3— BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON AN ACT

To amend and reenact R.S. 24:513(A)(5)(a) and 514(E) and (F), all relative to audit reports and financial statements of certain governmental entities; to provide for an extension of time relative to the completion of audit reports and financial

statements in the event of certain disasters or emergencies; to provide for effectiveness provisions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 4— BY SENATOR SCHEDLER AN ACT

To amend and reenact R.S. 39:1410.60(A), relative to certain governmental entities; to provide for an extension of time for preparation of certain financial documents in the event of a gubernatorial declared disaster or emergency; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 5— BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON AN ACT

To enact R.S. 29:738, relative to the Louisiana Homeland Security and Emergency Assistance and Disaster Act; to empower the chief executive officer of any local political subdivision, city, parish, or other local public school systems, or any incorporated municipality to take certain action during a time of emergency; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 6— BY SENATOR JONES AN ACT

To enact R.S. 18:115(F)(2)(d), relative to the registration of voters; to provide for the authority of a voter who has registered by mail who has not previously voted in the parish in which he is registered during certain emergencies; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 7— BY SENATOR JONES AN ACT

To enact R.S. 18:401.3, relative to the creation and conduct of an emergency election plan; to provide for a written emergency election plan; to provide for procedures for voter registration, early voting, absentee voting by mail and election day voting; to provide for compliance with the Voting Rights Act of 1965; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 8— BY SENATOR MURRAY 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.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 9—
BY SENATOR QUINN

A JOINT RESOLUTION

Proposing to add Article VII, Section 18(G)(5) and Section 20(A)(10) of the Constitution of Louisiana, relative to ad valorem property tax; to provide a procedure for the retention of the homestead exemption and the special assessment level if the homestead is damaged or destroyed in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 10—
BY SENATOR NEVERS

AN ACT

To enact R.S. 23:1474(J), relative to unemployment compensation; to provide with respect to the maximum amount of wages on which contribution rates are assessed; to suspend the application of reductions in weekly benefit amounts payable to claimants; to provide for the state unemployment trust fund; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 11—
BY SENATOR QUINN

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 property tax; to provide for the manner and procedure of assessment of property and the collection of ad valorem taxes in the circumstance where property subject to such taxation has been damaged or destroyed; to provide for the continuation of the homestead exemption and special assessments where the homestead has been destroyed or is uninhabitable; to provide for procedures for such retention and assessments; to provide for review and appeals; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 12—

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

AN ACT

To amend and reenact R.S. 47:331(P)(2) and to enact R.S. 47:302(T), 321(J), and 331(R), relative to limiting the state sales and use tax paid on natural gas and electric power or energy; to phase-in the effectiveness of the exemptions for natural gas and electric power or energy transactions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

November 6, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

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

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Motion

Senator Bajoie moved that the Senate proceed to the House of Representatives to meet in Joint Session.

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 Joint Session

ROLL CALL

The Senate was called to order by the President of the Senate with the following Senators present:

PRESENT

Mr. President	Duplessis	Marionneaux
Adley	Dupre	Michot
Amedee	Fields	Mount
Bajoie	Fontenet	Murray

November 6, 2005

Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 36	ABSENT	
Ellington	Hollis	McPherson
Total - 3		

The President of the Senate announced there were 36 Senators present and a quorum.

**Senate Business Resumed
After Joint Session**

**Introduction of Senate Bills
and Joint Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 13—

BY SENATOR DARDENNE

AN ACT

To reduce certain appropriations contained in Act 16 of the 2005 Regular Session of the Legislature of Louisiana relative to urban development, rural development, and aid to local governmental entities; to provide for effectiveness provisions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

SENATE BILL NO. 14—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:1978, relative to ad valorem property tax; to provide 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; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 15—

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

AN ACT

To enact R.S. 42:1114(D) and 1114.1(A)(1)(c), relative to the Code of Governmental Ethics; to require that all elected or appointed officials report all funds received from, or which is to be reimbursed by, the federal government as a result of work performed in connection with a proclamation of a state of emergency; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 16—

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

AN ACT

To enact R.S. 22:658(E), relative to settlement monies on claims arising under homeowners insurance policies; to require placement of monies into interest-bearing accounts with the interest payable to the homeowner; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Insurance.

SENATE BILL NO. 17—

BY SENATOR JONES

AN ACT

To enact R.S. 40:600.6(A)(27) and Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31, relative to relief following the natural catastrophe caused by Hurricanes Katrina and Rita; to create the Louisiana Housing Fund for Victims of Hurricanes Katrina and Rita; to provide for use of the fund to assist low-income and displaced individuals and families in need of housing relief following the natural catastrophe caused by Hurricanes Katrina and Rita; to provide for deposit of certain monies into the fund; to provide for authority to incur debt, issue bonds, and administer the fund; to provide for coordination with the Louisiana Recovery Authority; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 18—

BY SENATOR MOUNT

A JOINT RESOLUTION

Proposing to add Article VII, Section 18(G)(5) and Section 20(A)(10) of the Constitution of Louisiana, relative to ad valorem property tax; to provide a procedure for the retention of the homestead exemption and the special assessment level if the homestead is damaged or destroyed in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 19—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), the introductory paragraph of 2171(A), 2180(A)(1)(a) and 2180.1(A), and to enact R.S. 47:1997(C) relative to ad valorem property tax procedures; to provide with respect to deadlines in Title 47 of the Louisiana Revised Statutes of 1950 as to assessments and tax collections for property; to provide with respect to such deadlines for property damaged by natural disasters in 2005; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 20—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:2106 and to enact R.S. 47:1703(E), relative to ad valorem property tax on damaged property; to provide for continuation of the homestead exemption where the

owner is unable to occupy the homestead due to a disaster or emergency; to provide for the postponement and later collection of such taxes in parishes affected by disasters and other calamities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 21—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:1978, 1993(D), and 2101(A), relative to ad valorem property tax; 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; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 22—
BY SENATOR JONES

AN ACT

To amend and reenact the introductory paragraph of R.S. 38:2212(A)(1)(d) and to enact R.S. 38:2212(A)(1)(d)(iv), relative to letting contracts for public works; to provide for certain contract limits for public works as a result of a gubernatorially declared disaster or emergency; to provide for certain qualifications of contractors; to provide for certain goals relative to contract awards; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 23—
BY SENATOR JONES

AN ACT

To amend and reenact the introductory paragraph of R.S. 38:2212(A)(1)(d) and to enact R.S. 38:2212(A)(1)(d)(iv), relative to letting contracts for public works; to provide for certain contract limits for public works as a result of a gubernatorially declared disaster or emergency; to provide for certain qualifications of contractors; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 24—
BY SENATOR JONES

AN ACT

To amend and reenact the introductory paragraph of R.S. 38:2212(A)(1)(d) and to enact R.S. 38:2212(A)(1)(d)(iv), relative to letting contracts for public works; to provide for certain contract limits for public works as a result of a gubernatorially declared disaster or emergency; to provide for a study for evidence of past discrimination in certain construction industries against women or minority contractors, subcontractors, or employment practices; to provide for recommendations to dismantle, eradicate, and remedy any findings of past discrimination; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 25—
BY SENATOR ADLEY

AN ACT

To enact R.S. 22:667.1, relative to insurers offering property insurance; to prohibit application of specific deductibles on damage claims except under certain circumstances; to provide for retroactive application; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 26—
BY SENATOR ADLEY

AN ACT

To enact R.S. 22:667.1, relative to insurers providing coverage for flood or wind damage; to prohibit application of certain special deductibles on claims for damages under certain circumstances; to provide for application of the prohibition; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 27—
BY SENATOR DUPRE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.2 of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to deposits and uses of the fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the fund, and for the uses of such federal revenues; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 28—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 49:213.7(A)(1) and (2)(introductory paragraph), (B)(1) and (2) (introductory paragraph), (C), (D), (E)(introductory paragraph) and (F), and to enact R.S. 49:213.7(B)(3) and (E)(7), relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to certain federal revenues to be credited and deposited to the fund; to provide relative to certain fund uses; to repeal Act 300 of the 2005 Regular Session; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 29—
BY SENATORS N. GAUTREAUX AND CHAISSON AND REPRESENTATIVE CRAVINS

AN ACT

To amend and reenact R.S. 15:542(C)(2) 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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 30—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO

AN ACT

To amend and reenact the introductory paragraph of R.S. 42:851(E)(1) 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.

The bill was read by title; lies over under the rules.

November 6, 2005

SENATE BILL NO. 31—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO
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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 32—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO
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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 33—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO
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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 34—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 47:293(3), relative to income tax of individuals; to provide that the Louisiana federal income tax deduction shall not be reduced by the amount of certain federal disaster relief tax credits; to define such credits; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 35—
BY SENATORS FONTENOT AND CHAISSON
AN ACT

To amend and reenact R.S. 15:542(A), relative to registration of sex offender; to provide for registration of sex offenders after a declaration of emergency; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 36—
BY SENATOR MICHOT
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, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 37—
BY 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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 38—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 47:331(P)(2), relative to the sales and use tax of the state and political subdivisions whose boundaries are coterminous with those of the state; to limit the sales tax paid on sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 39—
BY SENATOR MOUNT
AN ACT

To enact R.S. 47:305.54, relative to the sales and use tax of the state and political subdivisions whose boundaries are coterminous with those of the state; to provide that the state sales or use tax shall not apply to manufacturing machinery and equipment purchased, leased, or rented by manufacturers, or repair services or parts, for use in the repair or replacement of hurricane-damaged equipment; to provide for the applicability of certain definitions; to provide an effective date and termination date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 40—
BY SENATOR MOUNT
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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 41—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 47:609(A), relative to providing an exemption from the corporation franchise tax for extraordinary debt by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 42—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and R.S. 47:293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the Louisiana federal income tax deduction 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.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 43—
BY SENATOR FIELDS

AN ACT

To enact R.S. 38:2212(A)(1)(d)(iv), relative to letting contracts for public works; to provide with regard to the contract limit for public works provided 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; to provide with respect to certain preferences; to provide with respect to employment; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 44—
BY SENATOR HOLLIS

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, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 45—
BY SENATOR FIELDS

AN ACT

To enact Part VII of Chapter 8 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:450.11 through 450.14, relative to public employees; to provide for displaced public employees; to allow a displaced public employee to remain on the state payroll under certain circumstances; to provide a penalty for certain situations; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 46—
BY SENATOR CAIN

AN ACT

To enact R. S. 47:301(3)(j) and (13)(l), relative to the state sales and use tax; to provide for a limitation on the sales price and cost price of natural gas; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 47—
BY SENATOR B. GAUTREAU

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, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 48—
BY SENATOR MURRAY

AN ACT

To enact R.S. 22:696, relative to insurance coverage for property damage due to flooding; to require insurers to include coverage for damage to property due to flooding unless specifically rejected by the insured; to require that itemized coverage limits be disclosed to the insured; and to provide for related matters.

The bill was read by title; lies over under the rules.

Rules Suspended

Senator Smith asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of
Senate Concurrent Resolutions**

Senator Smith asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 2—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend and congratulate Richard M. "Mark" Newton upon the occasion of his retirement as assessor of Grant Parish.

The resolution was read by title. Senator Smith moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Broome	Jackson	Shepherd
Cain	Jones	Smith
Chaisson	Kostelka	Theunissen
Cheek	Lentini	Ullo
Cravins	Malone	
Dardenne	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Dupre	Hollis	Quinn
Ellington	McPherson	
Total - 5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To suspend provisions in the Louisiana Civil Code, the Louisiana Code of Civil Procedure, Chapter 10 of Title 23, Part XXI-A and Part XXIII of Chapter 5 of Title 40, Title 9, and Title 13, all of the Louisiana Revised Statutes of 1950, and any other provision of law which establishes deadlines in legal

November 6, 2005

proceedings, including liberative prescriptive and preemptive periods in all courts, administrative agencies, and boards for a specified period not to exceed sixty days after final adjournment of the 2006 Regular Session of the Legislature.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary A.

Messages from the President of the Senate

The following messages from the President of the Senate were received and read as follows:

DONALD E. HINES
President of the Senate
State of Louisiana

November 5, 2005

Louisiana State Senate
State Capitol
Baton Rouge, Louisiana

Members of the Senate:

The following appointments are submitted for the record:

Senator Diana Bajoie
Interim member, Senate Committee on Local and Municipal Affairs (09/26/05)

Senator Ann Duplessis
Interim member, Senate Committee on Insurance (09/12/05)

Senator Ed Murray
Interim member, Senate Committee on Insurance (09/12/05)
Interim member, Senate Committee on Local and Municipal Affairs (09/12/05)

Senator Julie Quinn
Senate Committee on Education (9/05/05)
Senate Committee on Insurance (9/05/05)
Senate Committee on Judiciary B (9/05/05)

Senator Tom Schedler
Interim member, Senate Committee on Insurance (09/12/05)

Senator Derrick Shepherd
Senate Committee on Local and Municipal Affairs (09/26/05)
Interim member, Senate Committee on Environmental Quality (10/12/05)
Interim member, Senate and Governmental Affairs Committee (10/06/05)

Sincerely,
DONALD E. HINES

DONALD E. HINES
President of the Senate
State of Louisiana

September 26, 2005

Louisiana State Senate
State Capitol
Baton Rouge, Louisiana

Members of the Senate:

Pursuant to Senate Rule 13.20, the Senate Select Committee on Disaster Planning, Crisis Management, Recovery and Long-term

Revitalization is created. The Executive Committee and Subcommittee appointments are submitted for the record:

Executive Committee

Senator Walter Boasso, Chair
Senator Ed Murray, Vice Chair
Senator Robert Adley
Senator Cleo Fields
Senator Butch Gautreaux
Senator Nick Gautreaux
Senator Ken Hollis
Senator Ben Nevers
Senator Tom Schedler
Senator Diana Bajoie, Ex-officio
Senator Francis Heitmeier, Ex-officio

Subcommittee on the Capital Area

Senator Rob Marionneaux, Chair
Senator Jody Amedee
Senator Sharon Broome
Senator Jay Dardenne
Senator Cleo Fields
Senator Clo Fontenot

Subcommittee on Central and North Louisiana

Senator Robert Adley, Chair
Senator Robert Barham
Senator Sherri Cheek
Senator Noble Ellington
Senator Lydia Jackson
Senator C. D. Jones
Senator Robert Kostelka
Senator Max Malone
Senator Joe McPherson
Senator Mike Smith

Subcommittee on Jefferson Parish

Senator Ken Hollis, Chair
Senator Art Lentini
Senator Julie Quinn
Senator Derrick Shepherd
Senator Chris Ullo

Subcommittee on the Northshore

Senator Tom Schedler, Chair
Senator Walter Boasso
Senator Ben Nevers
Senator Julie Quinn

Subcommittee on Orleans

Senator Diana Bajoie, Chair
Senator Ann Duplessis
Senator Francis Heitmeier
Senator Ed Murray
Senator Derrick Shepherd

Subcommittee on Plaquemines, St. Bernard and Grand Isle

Senator Walter Boasso, Chair
Senator Francis Heitmeier
Senator Chris Ullo

Subcommittee on South Louisiana

Senator Mike Michot, Chair
Senator Joel Chaisson
Senator Don Cravins
Senator Reggie Dupre
Senator Butch Gautreaux
Senator Craig Romero

Subcommittee on Southwest Louisiana (Rita)

Senator Nick Gautreaux, Chair
Senator James David Cain

Senator Willie Mount
Senator Jerry Theunissen

Sincerely,
DONALD E. HINES
President of the Senate

DONALD E. HINES
President of the Senate
State of Louisiana

September 16, 2005

Louisiana State Senate
State Capitol
Baton Rouge, Louisiana

Members of the Senate:

Pursuant to Senate Rule 13.20, the Senate Select Committee on Vocational and Technical Education is created and the appointments are submitted for the record:

Senator Don Cravins, Chair
Senator Nick Gautreaux, Vice Chair
Senator Robert Adley
Senator James David Cain
Senator Ben Nevers
Senator Craig Romero
Senator Mike Smith
Senator Jerry Theunissen

Sincerely,
DONALD E. HINES

Leaves of Absence

The following leaves of absence were asked for and granted:

Ellington	1 Day	Hollis	1 Day
McPherson	1 Day		

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, November 7, 2005, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, November 7, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk