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, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Dumico, Daniel, Dartez, DeWitt, Doerge, Dorsey, Dove, Downs


ABSENT

Total - 105

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

Prayer

Prayer was offered by Rep. McDonald.

Pledge of Allegiance

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

Reading of the Journal

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

On motion of Rep. Bruce, the Journal of November 9, 2005, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

SENATE BILLS

November 10, 2005

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

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 1

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Cravins, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 1—

BY SENATORS AMEDEE, CHAISSON, FONTENOT, N. GAUTREAUX, SCHIEDLER, ADLEY, BAIOLE, BARMAN, BOASSO, BROOME, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE LAMBERT

AN ACT

To amend and reenact R.S. 15:542(A), (C)(2) and (F) and 545(A) and to enact R.S. 15:542(A)(4), relative to registration of sex offenders; to provide for enhanced penalties for failure to register as a sex offender; to provide for registration of offenders housed in emergency housing; to provide for re-
registration of sex offenders under certain circumstances; to provide for the police chief or police department to send written notices; and to provide for related matters.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 34—**
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION
To memorialize the United States Congress and the Louisiana congressional delegation to direct the United States Army Corps of Engineers not to engage in dredging activities on the Mississippi River Gulf Outlet and to begin the necessary process to return the waterway to wetlands marsh status.

Read by title.

On motion of Rep. Odinet, and under a suspension of the rules, the above resolution was referred to the Committee on Transportation, Highways and Public Works, under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 35—**
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION
To urge and request the motion picture industry to locate more productions in Louisiana to help ease the hardships faced due to Hurricanes Katrina and Rita and speed the recovery of Louisiana's economy.

Read by title.

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

Ordered to the Senate.

**Introduction of House Bills and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 149—**
BY REPRESENTATIVE GRAY
AN ACT
To enact R.S. 39:94(C)(4) and (D), relative to the Budget Stabilization Fund; to provide for appropriations from the fund following certain declarations of disaster or emergency; to provide for deposits into the fund; to provide with respect to limitation of the fund balance; 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. 152—**
BY REPRESENTATIVES ALARIO AND SALTER
A JOINT RESOLUTION
Proposing to amend Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for the balance of monies in the fund; to provide for deposits into the fund; to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 153—**
BY REPRESENTATIVE HUNTER
A JOINT RESOLUTION
Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for the balance in the fund and for appropriation from the fund for certain fiscal years; to provide for an effective date; 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 Appropriations.

**HOUSE BILL NO. 154—**
BY REPRESENTATIVE HUNTER
A JOINT RESOLUTION
Proposing to add Article VII, Section 10.3(C)(5) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for the balance in the fund and for appropriation from the fund for certain fiscal years; to provide for an effective date; 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 Appropriations.

**HOUSE BILL NO. 155—**
BY REPRESENTATIVE M. POWELL
A JOINT RESOLUTION
Proposing to add Article VII, Section 10.13 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Deficit Reduction Fund in the state treasury; to provide for the deposit of monies into the fund; to provide for the use of monies in the fund; to provide submission of the proposed amendment to the electors and provide a ballot proposition; and to provide for related matters.

Read by title.

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

**Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 11—**

**BY SENATOR SMITH**

A CONCURRENT RESOLUTION

To urge and request the Honorable Kathleen Babineaux Blanco, Governor, to appoint members to fill expired terms which exist on the Board of Supervisors of Community and Technical Colleges.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 14—**

**BY SENATOR ADLEY**

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA), American Red Cross, the Salvation Army, and other entities to realign their districts to conform to each other in order to provide easier access by the public, and a more rapid response to national disasters.

Read by title.

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

**House Bills and Joint Resolutions on Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**HOUSE BILL NO. 134—**

**BY REPRESENTATIVE HUNTER**

A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, to provide that for purposes of qualifying for and holding office, a person shall not be considered to have vacated his domicile or residence if he was involuntarily displaced from his place of residence or domicile by the effects of a gubernatorially declared state of emergency; to provide for submission of the proposed amendment to the electors; 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. 137—**

**BY REPRESENTATIVE ALARIO**

AN ACT

To amend and reenact R.S. 49:213.7(B)(3) and (E)(7), and to repeal Act 300 of the 2005 Regular Session, 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; and to provide for related matters.

Read by title.

**Motion**

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

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 10—**

**BY SENATORS NEVERS AND MURRAY**

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.

Read by title.

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

**SENATE BILL NO. 68—**

**BY SENATORS CHAISSON AND AMEDEE**

AN ACT

To enact R.S. 29:732.1, relative to the crime of conducting business without required licenses and permits; to provide for exceptions; 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 Administration of Criminal Justice.

**House and House Concurrent Resolutions Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

**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.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered engrossed and passed to its third reading.
HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION
To urge and request the Department of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to establish a plan to be implemented in times of emergency with regard to convicted sex offenders who are on supervised probation or parole.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Administration of Criminal Justice to Original House Concurrent Resolution No. 25 by Representative Dorsey

AMENDMENT NO. 1
On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2
On page 2, at the beginning of line 22, change "direct" to "urge and request"

AMENDMENT NO. 3
On page 2, between lines 25 and 26, insert the following:
"BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Public Safety and Corrections to promulgate such rules on or before June 1, 2006."

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

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 148 (Substitute for House Bill No. 64 by Representative Hammet)—
BY REPRESENTATIVE ARNOLD
AN ACT
To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, 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; to provide for filing dates of tax rolls for certain tax years; 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.

Rep. Odinet moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Frith Morrish
Alario Gallot Odinet
Alexander Geymann Pierre
Ansardi Glover Pinac
Arnold Gray Pitre
Badon Greene Powell, M.
Baldone Guillory, E. Powell, T.
Barrow Guillory, M. Quezaire
Baudoin Hammett Rich mond
Bay on Harris Ritchie
Beard Heaton Robideaux
Brower Hebert Romero
Bruce Hill Scalise
Bruneau Honey Schneider
Burns Hopkins Smiley
Burrell Hunter Smith, G.
Carter, K. Jackson Smith, J.D.–50th
Carter, R. Jefferson Smith, J.H.–8th
Cazayoux Johns Smith, J.R.–30th
Cra n Johns St. Germain
Cravins Katz Strain
Crowe Kennard Thompson
Curtis Kenney Toomy
Damico Kleckley Townsend
Daniel LaBruz zo T rahan
DeWitt LaFleur Triche
Doerge LaFonta Tucker
Dorsey Lambert Waddell
Dove Lancaster Walker
Downs Marchand Walsworth
Erdey Martiny White
Fannin McDon ald Winston
Farrar McVea Wooton
Faucheux Montgomery Wright
Total - 102

NAYS

Total - 0
ABSENT
Dartez  Durand  Morrell
Total - 3

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Odinet moved to reconsider the vote by which the above
bill was finally passed, and, on his own motion, the motion to
reconsider was laid on the table.

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.

Rep. Crane moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Faucheux  Pierre
Alario  Frith  Pinac
Alexander  Gallot  Pitre
Ansardi  Geymann  Powell, M.
Arnold  Glover  Powell, T.
Badon  Gray  Quezaire
Baldone  Greene  Richmond
Barrow  Guillary, E.  Ritchie
Baudoin  Guillery, M.  Robideaux
Baylor  Harris  Romero
Beard  Heaton  Scalise
Bowler  Hill  Schneider
Bruce  Honey  Smiley
Bruneau  Hopkins  Smith, G.
Burns  Hunter  Smith, J.D.--50th
Carter, K.  Hutter  Smith, J.H.--8th
Carter, R.  Jackson  Smith, J.R.--30th
Cazayoux  Jefferson  St. Germain
Crane  Johns  Strain
Cravins  Katz  Thompson
Crowe  Kennard  Toomy
Damico  Kenney  Townsend
Daniel  Kleckley  Trahan
DeWitt  LaBruzzo  Triche
Doerge  LaFleur  Tucker
Dorsay  Lambert  Waddell
Dove  Martiny  Walker
Downs  McDonald  Walsworth
Durand  McVea  White
Easley  Montgomery  Winston
Fannin  Morrish  Wooton
Farrar  Odinet  Wright

Total - 96

NAYS

Curtis  LaFonta  Marchand
Total - 3

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Crane moved to reconsider the vote by which the above
bill was finally passed, and, on his own motion, the motion to
reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Curtis, LaFonta, and Marchand, and
under a suspension of the rules, the above roll call was corrected to
reflect them as voting nay.

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.

Rep. Crane moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Faucheux  Odinet
Alario  Frith  Pierre
Ansardi  Geymann  Pinac
Badon  Glover  Pitre
Barrow  Guillary, E.  Powell, M.
Barrow  Guillery, M.  Powell, T.
Baudoin  Guilly, E.  Quezaire
Baudoin  Guillery, M.  Ritchie
Beard  Harris  Richmon
Beard  Heaton  Robideaux
Bowler  Hill  Romero
Bower  Hebert  Scalise
Burrell  Honey  Schneider
Carter, K.  Hopkins  Smiley
Carter, K.  Hopkins  Smith, G.
Cazayoux  Jefferson  Smith, J.D.--50th
Crane  Johns  St. Germain
Damico  Kenney  Strain
Daniel  Kleckley  Trahan
DeWitt  LaBruzzo  Triche
Doerge  LaFleur  Tucker
Dorsay  Lambert  Waddell
Dove  Martiny  Walker
Downs  McDonald  Walsworth
Durand  McVea  Walsworth
Erley  Montgomery  White
Fannin  Morrish  Winston
Farrar  Odinet  Wright

Total - 96

NAYS

Curtis  LaFonta  Marchand
Total - 3
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On joint motion of Reps. Curtis, LaFonta, and Marchand, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 21**

**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.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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Burns  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Cravins  
Crowe  
Damico  
Dartez  
DeWitt  
Doerge  
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Dove  
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Erdey  
Fannin  
Farrar  
Curtis  
LaFonta  
Daniel  
Morrell  
Crawfis  
Craws  
Crane  
Crazayoux  
Dacoe  
Dartez  
DeWitt  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Total - 98  
NAYS  
Curtis  
LaFonta  
Total - 3  
ABSENT  
Daniel  
Morrell  
Total - 4  

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

**Suspension of the Rules**

On joint motion of Reps. Curtis, LaFonta, and Marchand, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

**HOUSE BILL NO. 26—**

BY REPRESENTATIVES CRAVINS, BRUCE, AND JANE SMITH 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.

**Motion**

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

**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.

Rep. Crane moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker  
Alario  
Alexander  
Ansardi  
Arnold  
Baldone  
Baudoin  
Baylor  
Beard  
Bruce  
Bruneau  
Burns  
Burrell  
Carter, K.  
Carter, R.  
Cazayoux  
Crane  
Cravins  
Crowe  
Damico  
Dartez  
DeWitt  
Doerge  
Dorsey  
Dove  
Downs  
Durand  
Erdey  
Fannin  
Farrar  
Faucheux  
Total - 89  

**NAYS**

Badon  
Barrow  
Baylor  
Burrell  
Carter, K.  
Total - 14  

**ABSENT**

Harris  
Morrell  
Total - 2  

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.
Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 34—
BY REPRESENTATIVES ALARIO, HAMMETT, ODINET, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, AND TOWNSEND

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.

Rep. Arnold sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Arnold to Engrossed House Bill No. 34 by Representative Alario

AMENDMENT NO. 1
On page 2, line 23, after "filing an" and before "affidavit" insert "annual".

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

Rep. Arnold moved the final passage of the bill, as amended.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker    Frith       Morrish
Alario          Gallot      Odinet
Alexander      Geymann     Pierre
Ansardi        Glover      Pinac
Arnold         Gray        Pire
Badon          Greene      Powell, M.
Baldone        Guillory, E. Powell, T.
Barrow         Guillory, M. Quezaire
Baudoin        Hammett     Richmond
Baylor         Harris      Ritchie
Bowler         Heaton      Robideaux
Bruce          Hebert      Romero
Bruneau        Hill        Schneider
Burns          Honey       Smiley
Burrell        Hopkins     Smith, G.
Carter, K.     Hunter      Smith, J.D.—50th
Carter, R.     Hutter      Smith, J.H.—8th
Cazayoux      Jefferson    Smith, J.R.—30th
Crane          Johns       St. Germain
Cravins        Kennard     Strain
Crowe          Kenney      Thompson
Curtis         Kleckley    Toomy
Damico         LaBruzio    Townsend
Dartez         LaFleur     Trahan
DeWitt         LaFonta     Tichte
Doerge         Lambert     Tucker
Dorsey         Lancaster   Waddell
Dove           Marchand   Walker
Downs          Martiny

Erdey           McDonald    White
Fannin          McVea       Winston
Farrar          Montgomery  Wooton
Faucheux        Morrell     Wright

NAYS

Daniel         Katz        Walsworth
Jackson        Walsworth

ABSENT

Beard           Durand

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 35—
BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, KENNEY, ODINET, AND TOWNSEND 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 2006 in Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker    Faucheux    Morrell
Alario          Frith       Morrell
Alexander      Gallot      Morish
Ansardi        Geymann     Odinet
Arnold         Glover      Pierre
Badon          Gray        Pinac
Baldone        Greene      Pire
Barrow         Guillory, E. Ritchie
Baudoin        Guillory, M. Robideaux
Baylor         Hammett     Quezaire
Beard          Harris      Richmond
Bowler         Heaton      Ritchie
Bruce          Hebert      Romero
Bruneau        Hill        Schneider
Burns          Honey       Smiley
Burrell        Hopkins     Smith, G.
Carter, K.     Hunter      Smith, J.D.—50th
Carter, R.     Hutter      Smith, J.H.—8th
Cazayoux      Jefferson    Smith, J.R.—30th
Crane          Johns       Strain
Cravins        Kennard     Thompson
Crowe          Kenney      Toomy
Curtis         Kleckley    Wooton
Damico         LaBruzio    Wright
Dove           Marchand   Townsend
Downs          Martiny

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 44—
BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND
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.

The roll was called with the following result:

YEAS

Mr. Speaker Frith Morrish
Alario Gallot Odinet
Alexander Geymann Pierre
Ansardi Glover Pinac
Arnold Gray Pitre
Badon Greene Powell, M.
Baldone Guillory, E. Powell, T.
Barrow Guillory, M. Quezaire
Baudoin Hammett Richmond
Baylor Harris Ritchie
Beard Heaton Robideaux
Bowler Hebert Romero
Bruce Hill Scalise
Bruneau Honey Schneider
Burns Hopkins Smiley
Burrell Hunter Smith, G.
Carter, K. Jackson Smith, J.D.–50th
Carter, R. Jackson Smith, J.H.–8th
Cayazoux Jefferson Smith, J.R.–30th
Crane Johns St. German
Cravins Katz Strain
Curtis Kenward Thompson
Dumico Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBruzoo Trahan
DeWitt LaFleur Triche
Doerge LaFonta Tucker
Dorsey Lambert Waddell
Downs Marchand White
Durand Martiny Walsworth
Erdey McDonald Wooton
Fannin McVea Wright
Farrar Montgomery Morrell
Faucheux Total - 103
NAYS
Total - 0
ABSENT

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 46—
BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, FAUCHEUX, HEATON, HILL, HONEY, KENNEY, ODINET, AND TOWNSEND
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.

The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrish
Alario Frith Odinet
Alexander Gallot Pierre
Ansardi Geymann Pinac
Arnold Gray Pitre
Badon Greene Powell, M.
Baldone Guillory, E. Powell, T.
Barrow Guillory, M. Quezaire
Baudoin Hammett Richmond
Baylor Harris Ritchie
Beard Heaton Robideaux
Bowler Hebert Romero
Bruce Hill Scalise
Bruneau Honey Schneider
Burns Hopkins Smiley
Burrell Hunter Smith, G.
Carter, K. Jackson Smith, J.D.–50th
Carter, R. Jackson Smith, J.H.–8th
Cayazoux Jefferson Smith, J.R.–30th
Crane Johns St. German
Cravins Katz Strain
Curtis Kenward Thompson
Dumico Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBruzoo Trahan
DeWitt LaFleur Triche
Doerge LaFonta Tucker
Dorsey Lambert Waddell
Downs Marchand White
Durand Martiny Walsworth
Erdey McDonald Wooton
Fannin McVea Wright
Farrar Montgomery Morrell
Faucheux Total - 103
NAYS
Total - 0
ABSENT

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Arnold to Engrossed House Bill No. 46 by Representative Hammett

AMENDMENT NO. 1
On page 1, line 15, after "an" and before "affidavit" insert "annual"

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

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrish
Alario Frith Odinet
Alexander Gallot Pierre
Ansardi Geymann Pinac
Arnold Gray Pitre
Badon Greene Powell, M.
Baldone Guillory, E. Powell, T.
Barrow Guillory, M. Quezaire
Baudoin Hammett Richmon
Baylor Harris Ritchie
Beard Heaton Robideaux
Bowler Hebert Romero
Bruce Hill Scalise
Bruneau Honey Schneider
Burns Hopkins Smiley
Burrell Hunter Smith, G.
Carter, K. Jackson Smith, J.D.–50th
Carter, R. Jackson Smith, J.H.–8th
Cayazoux Jefferson Smith, J.R.–30th
Crane Johns St. German
Cravins Katz Strain
Curtis Kenward Thompson
Dumico Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBruzoo Trahan
Beard  Harris  Robideaux
Bowler  Heaton  Romero
Bruce  Hebert  Scalise
Bruneau  Hill  Schneider
Burns  Honey  Smiley
Burrell  Hopkins  Smith, G.
Carter, K.  Hunter  Smith, J.D.–50th
Carter, R.  Hutter  Smith, J.H.–8th
Cazayoux  Jefferson  Smith, J.R.–30th
Crane  Johns  St. Germain
Cravins  Kennard  Strain
Crowe  Kenney  Thompson
Curtis  Kleckley  Toomy
Damico  LaBruzzo  Townsend
Dartez  LaFleur  Triche
DeWitt  LaFonta  Triche
Doerge  Lambert  Tucker
Dorsey  Lancaster  Waddell
Dove  Marchand  Walker
Downs  Martiny  Walsworth
Durand  McDonald  White
Erdey  McVea  Winston
Fannin  Montgomery  Wooton
Farrar  Morrell  Wright

Total - 102
NAYS

Daniel  Jackson  Katz
Total - 3
ABSENT

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Rep. Martiny sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

AMENDMENT NO. 1
On page 1, line 2, after "enact" delete the remainder of the line and insert "R.S. 4:147.1, relative to live horse racing; to"

AMENDMENT NO. 2
On page 1, line 7, after "occurrence;" and before "and" insert "to provide for definitions;"

AMENDMENT NO. 3
On page 1, line 9, change "R.S. 27:354.1" to "R.S. 4:147.1"

AMENDMENT NO. 4
On page 1, delete line 10, and insert the following: "§147.1. Commission; purse supplements; additional or substitute races and race days; force majeure"

AMENDMENT NO. 5
On page 1, line 11, after "Section," delete the remainder of the line and delete line 12 in its entirety and insert in lieu thereof: "eligible facility has the same meaning as that term defined in R.S. 27:353(4)."

AMENDMENT NO. 6
On page 2, line 3, after "operations" and before "at" insert "and those other monies received which are dedicated by law to purses"

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

Rep. Martiny moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker  Gallot  Morrish
Alario  Glover  Odinet
Ansardi  Gray  Pierre
Arnold  Guillory, E.  Pinac
Badon  Guillory, M.  Pitre
Baldone  Hammett  Powell, T.
Barrow  Harris  Quezette
Baylor  Heaton  Richmond
Bowler  Hebert  Ritchie
Bruce  Hill  Robideaux
Brunreau  Honey  Romero
Burns  Hopkins  Smiley
Burrell  Hunter  Smith, G.
Cazayoux  Hutter  Smith, J.D.–50th
Cravins  Jackson  Smith, J.H.–8th
Curtis  Johns  St. Germain
Damico  Kleckley  Strain
Dartez  LaFleur  Townsend
DeWitt  LaFonta  Triche
Doerge  Lambert  Walker
Dorsey  Lancaster  Winston
Dove  Marchand  Wooton
Durand  Martiny  Wooton
Faucheux  Montgomery  Wooton
Frith  Morrell

Total - 77
NAYS

Alexander  Geymann  Schneider
Baudoin  Katz  Thompson
Beard  Kennard  Tucker
Carter, K.  Kenney  Waddell
Crane  LaBruzzo  Walsworth
Crowe  McDonald  White
Erdey  McVea  Wright
Fannin  Powell, M.
Farrar  Scalise

Total - 25
The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On joint motion of Reps. Erdey, LaBruzzo, and Thompson, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

HOUSE BILL NO. 65—

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, GALLOT, E. GUILLORY, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATORS FIELDS, MCPHERSON, AND MURRAY

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 2005 and for tax year 2006 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.

Rep. Arnold sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 65 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 26, after "before the" delete the remainder of the line and insert "thirtieth day of April"

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

Rep. Arnold moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frith Morrish Schneider
Alario Gallot Hopkins Smiley
Alexander Geymann Hunter Smith, G.
Ansardi Glover LaFleur Smith, J.D.–50th
Arnold Gray LaFonta Smith, J.H.–8th
Badon Pitre Smith, J.R.–30th
Baldone Powell, M. St. Germain
Baldone Powell, T. Strain
Barrow Quezeaire Thompson
Baudoin Richmon Toomy
Baylor Richey Townsend
Beard Robideaux Toomy
Bowler Romero Townsend
Bruce Scalise Trahan
Bruneau Tuck Triche
Burns Uhland Walker
Burrell Hunter Waddell
Carter, K. Hutter Waller
Carter, R. Jackson Walworth
Cayoux Jefferson White
Crane Johns Winston
Cravins Katz Wooton
Crowe Kennard Wright
Curtis Kenney
Damico Kleckley
Dartez LaBruzzo
DeWitt LaFleur Triche
Doerge LaFonta
Dorsey Lambert Walker
Dove Lancaster Wall
Downs Marchand Waller
Durand Martiny White
Erdey McDonald
Fannin McVea
Farrar Montgomery
Faucheux Morrell
Total - 103

NAYS

Total - 0

ABSENT

Daniel Tucker
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Alario gave notice of his intention to call House Bill No. 67 from the calendar for future action.

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.
Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Alario gave notice of his intention to call House Bill No. 68 from the calendar for future action.

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 for 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.

Rep. Cravins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representativedes Cravins and Martiny to Engrossed House Bill No. 73 by Representative Martiny

AMENDMENT NO. 1

On page 7, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

"A. Upon motion by the district attorney and after a contradictory hearing, the court may summon jurors from the host jurisdiction. The district attorney must show that the interests of justice are served by the approval of such motion."

Rep. Cravins moved the adoption of the amendments.


By a vote of 100 yeas and 2 nays, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker.......................................................... Fannin
Alario ............................................................. Farrar
Alexander ......................................................... Faucheux
Ansardi ............................................................. Gallot
Arnold ............................................................. Geymann
Badon ............................................................. Glover
Baldone ............................................................. Gray
Barrow ............................................................. Greene
Baudoin ............................................................. Guillory, E.
Baylor ............................................................. Guillory, M.
Beard ............................................................. Hammett
Bowler ............................................................. Harris
Bruce ............................................................. Heaton
Bruneau ............................................................. Hebert
Burns ............................................................. Hill
Crawins ............................................................. Jackson
Crowe ............................................................. Katz
Damico ............................................................. Kennard
Dartez ............................................................. Kenney
DeWitt ............................................................. Kleckley
Doerge ............................................................. LaBruzzo
Dorsey ............................................................. LaFleur
Dove ............................................................. Lambert
Downs ............................................................. Lancaster
Durand ............................................................. Martin
Erdey ............................................................. McDonald

Total - 96

NAYS

Curtis ............................................................. Morrell
LaFonta ............................................................ Quezaire
Marchand ......................................................... Richmond

Total - 8

ABSENT

Fricht

Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.
Rep. Martiny sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Martiny to Engrossed House Bill No. 78 by Representative Martiny

**AMENDMENT NO. 1**

On page 1, line 2, after "353(4)" and before "relative" delete "and 354," and insert "354, and 361(B)(4)(a)(i) and (ii) and to enact R.S. 4:147.2,"

**AMENDMENT NO. 2**

On page 1, line 10, after "R.S. 27:353(4)" and before "are" delete "and 354" and insert "354, and 361(B)(4)(a)(i) and (ii)"

**AMENDMENT NO. 3**

On page 2, at the end of line 14, delete the ",," and insert a period "."

**AMENDMENT NO. 4**

On page 2, delete lines 15 through 19 in their entirety and insert the following:

"*          *          *
§361. Conduct of slot machine gaming; temporary conduct
*          *          *

B. As a condition of licensing and to maintain continued authority for the conduct of slot machine gaming at the licensed eligible facility, the owner of the licensed eligible facility shall:

*          *          *

(4) Contribute to the support of pari-mutuel wagering facilities in the state at large and the horse breeding industry by paying annually from the annual net slot machine proceeds received from slot machine gaming operations at the licensed eligible facility as provided in this Paragraph:

(a) The licensed eligible facility shall pay a fixed percentage of fifteen percent of the annual net slot machine proceeds received from slot machine gaming operations at the licensed eligible facility to supplement purses as follows:

(i) Seventy percent to supplement purses for thoroughbred races at that facility or any facility licensed by the Louisiana State Racing Commission to conduct additional or substitute races or race days as authorized by R.S. 4:147.1, thirty percent of which shall be for Louisiana-bred thoroughbred horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association in accordance with law.

(ii) Thirty percent to supplement purses for quarter horse races at that facility or any facility licensed by the Louisiana State Racing Commission to conduct additional or substitute races or race days as authorized by R.S. 4:147.1, sixty percent of which shall be for Louisiana-bred quarter horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association in accordance with law.

*          *          *

Section 2. R.S. 4:147.2 is hereby enacted to read as follows:

§147.2. Additional powers of commission; force majeure

The powers of the commission shall include but not be limited to the discretion to approve the conduct of less than eighty days within a consecutive twenty-week period or a different consecutive or nonconsecutive period, whenever an eligible facility is prevented from live racing as a result of a natural disaster, an act of God, force majeure, a catastrophe, or such other occurrence over which the licensee has no control.

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

Rep. Martiny moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker Frith Morrell
Alario Gallot Morrish
Ansardi Glover Onotin
Arnold Gray Pierre
Badon Guillory, E. Quezaire
Baldone Guillory, M. Richmond
Barrow Hammitt Ritchie
Baylor Harris Robideaux
Bowler Heathon Romero
Bruce Hebert Smith, G.
Bruneau Honey Smith, J.D.–50th
Burrell Hopkins Smith, J.R.–30th
Cazayoux Hunter St. Germain
Crane Hutter Strain
Cravins Jefferson Toomy
Damico Johns Townsend
Dartez Kennard Trahan
DeWitt LaFleur Triche
Doerge Lancaster Walker
Dorsey Martiny Winston
Durand McVea Wooton
Faucheux Montgomery
Total - 65

**NAYS**

Alexander Greene Powell, T.
Baudoin Hill Scalise
Beard Jackson Schneider
Burns Katz Smiley
Carter, K. Kenney Smith, J.H.–8th
Carter, R. Kleckley Thompson
Crowe LaBruzio Tucker
Curtis LaFonta Waddell
Daniel Lambert Walsworth
Dove Marchand White
Erdey McDonald Wright
Fannin Pitre
Farrar Powell, M.
Total - 37

**ABSENT**

Downs Geymann Pinac
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.
Suspension of the Rules

On motion of Rep. Elicie Guillory, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

HOUSE BILL NO. 81—
BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, ODINET, TOWNSEND, AND TUCKER
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.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrell
Alario Frith Morrish
Alexander Gallot Odinet
Ansardi Geymann Pierre
Arnold Glover Pinac
Badon Gray Pitre
Baldone Greene Powell, M.
Barrow Guillory, E. Powell, T.
Baudoin Guillory, M. Quezaire
Bayor 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 Townsend
Cravins Johns Smith, J.R.–30th
Crowe Katz Strain
Curtis Kennard Thompson
Damicco Kenney Toomy
Daniel Kleckley Townsend
Dartez LaBryzzo 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

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 84 by Representative Alario

AMENDMENT NO. 1

On page 1, line 7, change "The provisions" to "For purposes of the comprehensive annual financial report for the fiscal year ending June 30, 2005, only, the provisions"

AMENDMENT NO. 2

On page 1, line 13, change "The provisions" to "For purposes of the narrative report explaining the financial condition and the operations of the state for the fiscal year covered by the comprehensive annual financial report for the fiscal year ending June 30, 2005, only, the provisions"

AMENDMENT NO. 3

On page 1, delete lines 15 and 16, and insert "the narrative report are suspended and of no"

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

Rep. Alario moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrell
Alario Frith Morrish
Alexander Gallot Odinet
Ansardi Geymann Pierre
Arnold Glover Pinac
Badon Gray Pitre
Baldone Greene Powell, M.
Barrow Guillory, E. Powell, T.
Baudoin Guillory, M. Quezaire
Bayor 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

Total - 105
Cazayoux Jackson Smith, J.H.–8th
Crane Jefferson Smith, J.R.–30th
Cravins Johns St. Germain
Crowe Katz Strain
Curtis Kenney Toomy
Damico 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
NAYS
Total - 0
ABSENT

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.
Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 93—
BY REPRESENTATIVES SCALISE, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITTRE, M. POWELL, T. 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) and to enact R.S. 17:3973(2)(b)(v)(cc); 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 relative to the membership of governing or management boards of certain Recovery School District charter schools; to provide limitations; to provide an effective date; and to provide for related matters.

Read by title.

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

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. Scalise gave notice of his intention to call House Bill No. 93 from the calendar for future action.

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.

Rep. Alario moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS
Mr. Speaker Faucheux Morrell
Alario Frith Morrish
Alexander Gallot Odinet
Alexander Gallot Odinet
Ansardi Geymann Pierre
Arnold Glover Pinac
Badon Gray Pitre
Baldone Greene Powell, M.
Barrow Guillory, E. Powell, T.
Baudoin Guillory, M. Quezaire
Bayor Hammett Richmond
Beard Harris Ritchie
Bowler Heath Robideaux
Bruce Herbert 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
Crayins Johns St. Germain
Crowe Katz Strain
Curtis Kenney Toomy
Damico Kenney Townsend
Dorsey Lambert Waddell
Dove Lancaster Walker
Downs Marchand Walsworth
Durand Martiny White
Erdey McDonald Winston
Fannin McVea Wooton
Farrar Montgomery Wright
Total - 105
NAYS
Total - 0
ABSENT

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.
Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.
Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Speaker</td>
<td>Frith</td>
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<td>Alario</td>
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<td>Alexander</td>
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<td>Guillory, E.</td>
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<td>Farrar</td>
<td>Montgomery</td>
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<tr>
<td>Faucheux</td>
<td>Morrell</td>
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</table>

Total - 104 NAYS

Total - 0 NAYS

Absent

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Alario moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Speaker</td>
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<td>Fannin</td>
<td>McVeA</td>
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<tr>
<td>Farrar</td>
<td>Montgomery</td>
</tr>
</tbody>
</table>

Total - 104 NAYS

Total - 0 NAYS

Absent

Walsworth

Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials, and communications were received and read:
Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

November 10, 2005

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

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

Senate Concurrent Resolution Nos. 5 and 19

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

November 10, 2005

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 5 and 19

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

House Bills and Joint Resolutions on
Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 121—
BY REPRESENTATIVE CRANE AND SENATOR DUPLESSIS
AN ACT
To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), 3973(2)(b)(v)(aa), and 3983(A)(1)(g), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration and continuation of the transfer; to require the recovery district to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to prohibit members of certain school boards from also being members of the governing or management boards of certain Type 5 charter schools; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Crane gave notice of his intention to call House Bill No. 121 from the calendar for future action.

HOUSE BILL NO. 132 (Substitute for House Bill No. 12 by Representatives Quezaire and Salter)—
BY REPRESENTATIVES QUEZAIRe AND SALTER AN ACT
To enact R.S. 48:250.4, 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 under certain circumstances; and to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Ansardi, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

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 retroactive application; and to provide for related matters.

Called from the calendar.

Read by title.
Rep. Ansardi sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 90 by Representative Ansardi

**AMENDMENT NO. 1**

On page 1, line 5, after "periods" and before the semicolon ";" insert "and/or extension; provide relative to the extension of prescription and peremptive periods and other legal deadlines".

**AMENDMENT NO. 2**

On page 1, line 5, after "provide" and before "ratification" change "for the" to "relative to the".

**AMENDMENT NO. 3**

On page 1, line 6, after the semicolon ";" delete the remainder of the line and at the beginning of line 7, delete "to provide for termination;"

**AMENDMENT NO. 4**

On page 2, at the end of line 4, insert "Therefore, this Chapter shall be liberally construed to effect its purposes;"

**AMENDMENT NO. 5**

On page 2, at the end of line 6, after "confirmed" and before the period "." insert "subject to the provisions of R.S. 9:2552 through 2554;"

**AMENDMENT NO. 6**

On page 2, line 7, after "Suspension" and before the semicolon ";" change "of prescription" to "and extension of prescription and peremption;"

**AMENDMENT NO. 7**

On page 2, line 8, after "A." and before "All" insert "(1)"

**AMENDMENT NO. 8**

On page 2, line 9, after "periods" and before "subject" change "are" to "shall be;"

**AMENDMENT NO. 9**

On page 2, line 9, after "suspension" and before "during" insert "and/or extension;"

**AMENDMENT NO. 10**

On page 2, line 10, change "until" to "through" and after "suspension" and before "of" insert "and/or extension;"

**AMENDMENT NO. 11**

On page 2, line 11, after "periods" and before "limited" change "is" to "shall be;"

**AMENDMENT NO. 12**

On page 2, line 12, change "until" to "through;"

**AMENDMENT NO. 13**

On page 2, line 13, after "suspension" and before "shall" insert "and/or extension;"

**AMENDMENT NO. 14**

On page 2, line 14, change "was suspended" to "would have expired" and change "until" to "through;"

**AMENDMENT NO. 15**

On page 2, between lines 15 and 16, insert the following:

"(2) Provisions applicable within the jurisdiction of certain courts. Notwithstanding the provisions provided in Paragraph (1) of this Subsection, as to a district court or justice of the peace court within the parishes of Cameron, St. Bernard, or Plaquemines, a party who is domiciled within the jurisdiction of such courts, or whose cause of action arose within or an attorney who is domiciled in or has motion for declaratory judgment. The party seeking the suspension and/or extension shall bear the burden of proving by clear and convincing evidence that, the motion was filed at the earliest time practicable and but for the catastrophic effects of Hurricane Katrina or Rita, the action would have been timely filed. If the court grants the motion, the prescription or peremptive period shall be suspended or extended for a period not to exceed thirty days from the date of the granting of the motion. However, in no case shall the court suspend and/or extend the prescription or peremptive period beyond June 1, 2006;"

**AMENDMENT NO. 16**

On page 2, delete lines 20 through 23 and insert the following:

"§2553. Suspension of legal deadlines; extension of legal deadlines; contradictory hearing

A. All deadlines in legal proceedings, which were suspended by Executive Orders KBB 2005-32, 48, and 67, shall be subject to a limited suspension and/or extension during the time period of November 25, 2005, through January 3, 2006; however, the suspension and/or extension of these deadlines shall be limited and shall only apply if these deadlines would have otherwise accrued or lapsed during the time period of November 25, 2005, through January 3, 2006. This limited suspension and/or extension shall terminate on January 3, 2006, and any deadline in legal proceedings which would have expired during the time period of November 25, 2005, through January 3, 2006, shall accrue or lapse on January 4, 2006.

B. Notwithstanding the provisions of Subsection A and to the extent that deadlines in legal proceedings were not suspended by Executive Orders KBB 2005-48 and 67, if a deadline in a legal proceeding accrued or lapsed during the time period of October 25, 2005, through November 25, 2005, a party shall have the right to seek an extension or suspension of that deadline by contradictory hearing. The party seeking the extension shall bear the burden of proving that either the party or his attorney was adversely affected by Hurricane Katrina or Rita and but for the catastrophic effects of Hurricane Katrina or Rita, the legal deadline would have been timely met. For good cause shown, the court shall extend the deadline in the legal proceeding, but in no instance shall the extension be later than January 3, 2006;"

$2554. Applicability

Notwithstanding any other provision of law, R.S. 9:2552 and 2553, shall not apply to landlord-tenant disputes, evictions proceedings, and lease disputes regarding immovable property, provided the proceedings are carried out in accordance with Executive Order KBB 2005-67; §2555-2565 (Reserved).
Section 2. (A) The provisions of this Act shall preempt and supersede but not repeal any conflicting provision of the Civil Code or any other provision of law to the extent that such provision conflicts with the provisions of this Act.

(B) However, notwithstanding the provisions of Paragraph A of this Section, nothing contained in this Act shall be construed as to invalidate, supersede, or modify the provisions of House Bill No. 92 of this 2005 First Extraordinary Session if it is subsequently enacted into law.

Section 3. The Louisiana State Law Institute is hereby directed to redesignate and renumber the provisions of this Act as follows:

A. The provisions of this Act shall be redesignated as Part IV of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, and shall be renumbered sequentially, beginning with R.S. 9:5821.

B. Part IV of Code Title XXIV of Title 9 of the Louisiana Revised Statutes of 1950, as created by the provisions of this Act, shall be entitled "Suspension or Extension of Prescription, Peremption, and other legal deadlines during Hurricanes Katrina and Rita."

AMENDMENT NO. 17
On page 2, at the beginning of line 24, change "Section 2." to "Section 4."

AMENDMENT NO. 18
On page 2, at the beginning of line 26, change "Section 3." to "Section 6."

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

Rep. Robert Carter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative R. Carter to Engrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1
On page 2, between lines 25 and 26, insert the following:

"Section 5. The Louisiana State Law Institute shall include as notes to this Act Executive Orders KBB 2005-32, 48, and 67."

AMENDMENT NO. 2
On page 2, at the beginning of line 26, change "Section 3." to "Section 4."

On motion of Rep. Robert Carter, the amendments were adopted.

Rep. Ansardi moved the final passage of the bill, as amended.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Morrish
Alario Frith Odelin
Alexander Gallot Pierre

NAYS

Total - 104

ABSENT

Kennard

Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ansardi moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 132 (Substitute for House Bill No. 12 by Representatives Quezaire and Salter)—

BY REPRESENTATIVES QUEZAIRE, SALTER, AND LAMBERT

AN ACT

To enact R.S. 48:250.4, 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 under certain circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Quezaire sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Quezaire to Engrossed House Bill No. 132 by Representative Quezaire
AMENDMENT NO. 1
On page 1, after line 14, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

Rep. Lambert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Lambert to Engrossed House Bill No. 132 by Representative Quezaire

AMENDMENT NO. 1
On page 1, line 5, after "circumstances;" insert "to provide for certain requirements;"

AMENDMENT NO. 2
On page 1, at the end of line 14, insert the following:

"In selecting a design-build entity for any project authorized by this Section, the department shall comply with the provisions of R.S. 48:250.3."

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

Rep. Daniel sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Daniel to Engrossed House Bill No. 132 by Representative Quezaire

AMENDMENT NO. 1
On page 1, line 10, after "Development," delete "with approval of" and insert "after review by"

Rep. Daniel moved the adoption of the amendments.

Rep. Quezaire objected.

By a vote of 35 yeas and 69 nays, the amendments were rejected.

Rep. Quezaire moved the final passage of the bill, as amended.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Fannin Morrell
Alario Farrar Morrish
Ansardi Gallot Odinet
Arnold Geymann Pierre
Badon Greene Pitre
Barrow Guillory, E. Powell, M.

NAYS
Alexander Gray Romero
Baldone Hebert Scalise
Beard Hopkins Schneider
Bowler Jackson Smiley
Bruneau Kenward Smith, J.H.–8th
Carter, K. LaBranco Truhan
Cazayoux LaFleur Triche
Crate LaFonta Waddell
Crowe Lancaster Walsworth
Daniel Marchand White
Fauchon Martiny Wright
Frith Montgomery
Glover Robideaux

Total - 66

ABSENT
Dartez Pinac

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Quezaire moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules
On joint motion of Reps. Baldone, Glover, Smiley, and White, and under a suspension of the rules, the above roll call was corrected to reflect them as voting nay.

Suspension of the Rules
On motion of Rep. Dartez, and under a suspension of the rules, the above roll call was corrected to reflect her as being absent.

Petitions, Memorials and Communications
The following petitions, memorials, and communications were received and read:

Message from the Senate
SENATE BILLS
November 10, 2005

To the Honorable Speaker and Members of the House of Representatives:
I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 8, 16, and 55

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to take up the bills contained in the message at this time.

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

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.

Read by title.

SENATE BILL NO. 16—
BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDEEN, HOLLIS, KOSTELKA, LENTINI, MALONE, MICCHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROW, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTIN, MCVEA, MORTON, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, 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 interesting-bearing accounts with the interest payable to the homeowner; and to provide for related matters.

Read by title.

SENATE BILL NO. 55—
BY SENATOR ADLEY
AN ACT
To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

Read by title.

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. 8—
BY REPRESENTATIVE GALLOT
A RESOLUTION
To express sincere and heartfelt condolences upon the death of Lula Leonard Dunn.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 36—
BY REPRESENTATIVE JEFFERSON
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to waive the nonfederal or local portion of any cost-sharing agreement for the funding of a levee reconstruction and improvement project.

Read by title.
Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Commerce
November 10, 2005
To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Commerce to submit the following report:

House Concurrent Resolution No. 12, by Bruneau
Reported favorably. (13-0)

House Concurrent Resolution No. 26, by Pinac
Reported favorably. (13-0)

House Bill No. 11, by Smiley
Reported with amendments. (15-0) (Regular)

House Bill No. 75, by Jefferson
Reported favorably. (17-0) (Regular)

GIL J. PINAC
Chairman

Report of the Committee on Education
November 10, 2005
To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Education to submit the following report:

House Bill No. 142, by Salter
Reported with amendments. (13-0) (Regular)

House Bill No. 143, by Salter
Reported with amendments. (12-0) (Regular)

CARL CRANE
Chairman

Report of the Committee on Health and Welfare
November 10, 2005
To the Speaker and Members of the House of Representatives:
I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 142, by Salter
Reported with amendments. (13-0) (Regular)

House Bill No. 143, by Salter
Reported with amendments. (12-0) (Regular)

SYDNIE MAE DURAND
Chairman
Report of the Committee on House and Governmental Affairs

November 10, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on November 9, 2005, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 2, by Lancaster
Reported favorably. (8-0)

House Concurrent Resolution No. 31, by Gray
Reported with amendments. (7-0)

House Bill No. 7, by Salter
Reported favorably. (8-0) (Regular)

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

House Bill No. 51, by Bruneau
Reported with amendments. (9-0) (Regular)

House Bill No. 59, by Jefferson
Reported with amendments. (5-4) (Regular)

CHALELS D. LANCASTER, JR.
Chairman

Report of the Committee on Insurance

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Insurance to submit the following report:

House Concurrent Resolution No. 4, by Hutter
Reported favorably. (10-0)

House Concurrent Resolution No. 23, by K. Carter
Reported favorably. (12-0)

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVES LANCASTER AND JEFFERSON
A CONCURRENT RESOLUTION

House Concurrent Resolution No. 15, by Schneider
Reported with amendments. (7-0)

House Concurrent Resolution No. 27, by Schneider
Reported favorably. (8-0)

M.P. "PETE" SCHNEIDER III
Chairman

Report of the Committee on Ways and Means

November 10, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 2, by Bruneau
Reported favorably. (12-0) (Regular)

House Bill No. 6, by Pinac
Reported with amendments. (12-0) (Regular)

House Bill No. 42, by Hammett
Reported with amendments. (12-0) (Regular)

House Bill No. 45, by Hammett
Reported favorably. (12-0) (Regular)

House Bill No. 131, by Salter
Reported favorably. (12-0) (Regular)

BRYANT O. HAMMETT, JR.
Chairman

Suspension of the Rules

On motion of Rep. Dorsey, the rules were suspended in order to take up and consider House and House Concurrent Resolutions reported by Committee at this time.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVES LANCASTER AND 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.

Reported favorably by the Committee on House and Governmental Affairs.

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

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.
Reported favorably by the Committee on Insurance.

On motion of Rep. Karen Carter, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVES K. CARTER, BOWLER, ERDEY, FAUCHEUX, HEBERT, GARY SMITH, AND TOOMY
A CONCURRENT RESOLUTION
To urge and request the Louisiana secretary of state to make every extraordinary effort and to work with other state and federal agencies to contact individuals displaced by Hurricanes Katrina and Rita in order to provide them information relative to their voting rights and how to register to vote and vote in upcoming elections.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Karen Carter, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES PINAC AND LAFONTA
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.

Reported favorably by the Committee on Commerce.

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

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

Read by title.

Reported favorably by the Committee on Retirement.

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

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on Retirement to Original House Concurrent Resolution No. 15 by Representative Schneider

AMENDMENT NO. 1
On page 1, at the end of line 6, delete the period "." and add "and to permit such distributions from tax-qualified plans."

AMENDMENT NO. 2
On page 3, at the end of line 2, delete the period "." and add "and to permit such distributions from tax-qualified plans."

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

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

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVES K. CARTER, ERDEY, FAUCHEUX, HARRIS, HEBERT, KLECKLEY, SCALISE, GARY SMITH, TOOMY, AND WALSWORTH
A CONCURRENT RESOLUTION
To memorialize the United States Congress to increase the coverage limit for a single-family structure under the National Flood Insurance Program from two hundred fifty thousand dollars to five hundred thousand dollars.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Karen Carter, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 28—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION
To strongly urge and request the Louisiana secretary of state to make every extraordinary effort and to work with other state and federal agencies to contact individuals displaced by Hurricanes Katrina and Rita in order to provide them information relative to their voting rights and how to register to vote and vote in upcoming elections.

Read by title.

Reported favorably by the Committee on Retirement.

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

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION
To strongly urge and request the Louisiana secretary of state to make every extraordinary effort and to work with other state and federal agencies to contact individuals displaced by Hurricanes Katrina and Rita in order to provide them information relative to their voting rights and how to register to vote and vote in upcoming elections.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 31 by Representative Gray

AMENDMENT NO. 1
On page 1, line 18, after "national" and before "advertising" insert "public service"
AMENDMENT NO. 2
On page 1, line 18, after "implemented," and before "employing" insert "pro bono if possible."

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

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

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

House Bills and Joint Resolutions on Second Reading Reported by Committee

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

HOUSE BILL NO. 2—
BY REPRESENTATIVES BRUNEAU, PINAC, ALEXANDER, ARNOLD, BALDONE, BEARD, BOWLER, BURNS, CROWE, CURTIS, DARTZE, DOVE, DOWNS, ERDEY, FAUCHEUX, GEYMANN, GREENE, HILL, HONEY, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MONTGOMERY, MORRISH, PITE, M. POWELL, P. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WINSTON
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.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 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.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 6—
BY REPRESENTATIVE PINAC
AN ACT
To enact R.S. 51:1927.1(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.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 6 by Representative Pinac

AMENDMENT NO. 1
On page 1, delete line 2, and insert the following:

"To enact R.S. 51:1927.1(D), relative to time limits to make certain investments"

AMENDMENT NO. 2
On page 1, delete line 7, and insert the following:

"Section 1. R.S. 51:1927.1(D) is hereby enacted to read as follows:"

AMENDMENT NO. 3
On page 1, delete lines 8 through 15 in their entirety.

AMENDMENT NO. 4
On page 2, at the end of line 2, after "to" and before the period "." delete "December 31, 2005" and insert "March 31, 2006"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 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.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.
HOUSE BILL NO. 9—
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, ALARIO, DEWITT, DORSEY, HAMMETT, LANCASTER, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT
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.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 9 by Representative LaFleur

AMENDMENT NO. 1
On page 1, at the end of line 9, after "elected official" insert "or appointed state official"

AMENDMENT NO. 2
On page 1, delete line 10 and insert "who derives, whether directly, through his spouse, or through a legal entity in which such official or his spouse"

AMENDMENT NO. 3
On page 1, line 13, delete "elected official" and insert "official or his spouse"

AMENDMENT NO. 4
On page 1, at the beginning of line 16, after "(1)" insert "(a)"

AMENDMENT NO. 5
On page 1, line 16, after "elected" and before "official" insert "or appointed"

AMENDMENT NO. 6
On page 1, between lines 17 and 18, insert the following:

"(b) If the thing of economic value is derived through the spouse or through a legal entity in which the spouse has an ownership interest, the name and address of such person."

AMENDMENT NO. 7
On page 1, line 19, delete "elected official's" and insert "official's or spouse's"

AMENDMENT NO. 8
On page 1, line 20, delete "elected official" and insert "official or spouse"

AMENDMENT NO. 9
On page 2, line 5, delete "elected official" and insert "official or spouse"

AMENDMENT NO. 10
On page 2, line 7, after "elected" and before "official" insert "or appointed"

AMENDMENT NO. 11
On page 2, line 13, after "elected" and before "official" insert "or appointed"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 11—
BY REPRESENTATIVES SMILEY, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, FRITH, GREYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRIZOUZ, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCAHISE, SCHNEIDER, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADSWORTH, WHITE, AND WINSTON AND SENATORS BARHAM, BOASSO, CAIN, DARDAKNE, HOLLS, KOSTELKA, LENTINI, MALONE, MITCH, 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 dismantling or crushing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Original House Bill No. 11 by Representative Smiley

**AMENDMENT NO. 1**

On page 1, at the beginning of line 6, insert "dismantling or"

**AMENDMENT NO. 2**

On page 3, line 28, after "shall be" insert "dismantled, sold for parts, and" and delete line 29 in its entirety

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

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

Under the rules, placed on the regular calendar.

**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.

Reported favorably by the Committee on Retirement.

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

Under the rules, placed on the regular calendar.

**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.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 18 by Representative Hutter

**AMENDMENT NO. 1**

On page 2, line 5, after "ending on" and before "2006," change "December 31," to "June 30."

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

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

Under the rules, placed on the regular calendar.

**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 certain 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.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 42 by Representative Hammett

**AMENDMENT NO. 1**

On page 1, change the lead authors from "HAMMETT AND PINAC" to "MONTGOMERY AND ARNOLD"

**AMENDMENT NO. 2**

On page 1, line 5, between "from" and "selling" insert "certain"

**AMENDMENT NO. 3**

On page 1, line 15, delete "December 10" and insert "December 9, 10, and 11"

**AMENDMENT NO. 4**

On page 2, line 3, delete "December 10" and insert "December 9, 10, and 11"

**AMENDMENT NO. 5**

On page 2, line 11, delete "December 10" and insert "December 9, 10, and 11"

**AMENDMENT NO. 6**

On page 2, line 14, delete "10" and insert "9, 10, and 11"

**AMENDMENT NO. 7**

On page 2, line 15, delete "December 10" and insert "December 9, 10, and 11"

**AMENDMENT NO. 8**

On page 2, line 19, delete "December 10" and insert "December 11"
AMENDMENT NO. 9
On page 2, line 20, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 10
On page 2, line 21, delete "December 10" and insert "December 11"

AMENDMENT NO. 11
On page 2, line 24, delete "December 10" and insert "December 11"

AMENDMENT NO. 12
On page 2, line 25, delete "December 10" and insert "December 9, 10, and 11"

AMENDMENT NO. 13
On page 3, line 4, delete "December 10" and insert "December 11"

AMENDMENT NO. 14
On page 3, between lines 9 and 10, insert the following:
"H. Participation by dealers in the 2005 Louisiana sales tax holiday is optional, provided that any dealer who chooses to participate must allow the exemption provided by the Act on all eligible sales of tangible personal property to all eligible non-business customers."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 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.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 51—
BY REPRESENTATIVES BRUNEAU, ALEXANDER, BEARD, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUSZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MERRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHER, TUCKER, WADE, WADSWORTH, WHITE, AND WINSTON AND SENATORS CAIN, BARHAM, BOASSO, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHIEDER, 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 certain officials to disclose certain information to the Board of Ethics 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.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 51 by Representative Bruneau

AMENDMENT NO. 1
On page 1, line 3, after "subcontracts;" delete the remainder of the line and delete line 4 and insert the following:
"to require certain officials to disclose certain information to the Board of Ethics regarding certain contracts"

AMENDMENT NO. 2
On page 1, delete lines 10 through 12 and insert the following:
"A. Except as provided in Subsection B of this Section, each elected official or appointed state official who derives, whether directly, through his spouse, or through a legal entity in which such official or his spouse owns ten percent or more, any thing of economic value through any"

AMENDMENT NO. 3
On page 1, line 14, delete "immediate family member" and insert "his spouse"

AMENDMENT NO. 4
On page 2, delete lines 3 through 7 and insert the following:
"(1)(a) The name and address of the elected or appointed official and the office held by such person.
(b) If the thing of economic value is derived through the spouse or through a legal entity in which the spouse has an ownership interest, the name and address of such person."

AMENDMENT NO. 5
On page 2, line 9, delete "immediate family member’s" and insert "spouse’s"

AMENDMENT NO. 6
On page 2, line 9, delete "immediate family member’s" and insert "spouse’s"

AMENDMENT NO. 7
On page 2, line 16, delete "immediate family member" and insert "spouse"

AMENDMENT NO. 8
On page 2, line 17, delete "six months," and insert "calendar year,"

AMENDMENT NO. 9
On page 2, between lines 17 and 18, insert the following:
"B. No elected or appointed official shall be required to disclose the receipt of any thing of economic value pursuant to this Section when the value of the thing of economic value is two thousand five
On page 2, delete line 18 and insert the following:

"C. Each elected or appointed official subject to the"

AMENDMENT NO. 11

On page 2, delete line 24 and at the beginning of line 25, delete "family member" and insert the following:

"spouse for the previous calendar year, the official"

AMENDMENT NO. 12

On page 3, delete lines 1 through 14 and insert the following:

"D.(1) After filing the initial disclosure statement, the elected or appointed official shall file the disclosure statements required by this Section with the Board of Ethics no later than February fifteenth each year and shall include such information for the previous calendar year.

(2) An elected or appointed official subject to the provisions of this Section shall be required to file the annual disclosure statements required by this Section until a disclosure statement is filed after the completion of the contract or subcontract subject to disclosure or the person filing the disclosure statements is no longer an elected or appointed official, whichever occurs first.

(3) Disclosure statements shall not be required for the receipt of things of economic value pursuant to contracts or subcontracts entered into prior to an elected or appointed official taking office; however, no such contract or subcontract shall be renewed after the official takes office."

AMENDMENT NO. 13

On page 3, at the beginning of line 17, change "D.(1)" to "E.(1)"

AMENDMENT NO. 14

On page 3, at the beginning of line 26, change "E." to "F."

AMENDMENT NO. 15

On page 3, line 26, after "through" and before "of this" change "D" to "E"

AMENDMENT NO. 16

On page 3, delete line 29 and on page 4, delete line 1 and insert the following:

"or appointed official, spouse of an elected or appointed official, or legal entity in which such a person owns ten percent or more shall"

AMENDMENT NO. 17

On page 4, line 3, delete "immediate family member" and insert "his spouse"

AMENDMENT NO. 18

On page 4, between lines 5 and 6, insert the following:

"(d)(i) The Legislature of Louisiana recognizes that due to a recent common disaster and state of emergency in our state, an unprecedented number of persons have been temporarily displaced from their parishes of residence for an indefinite period of time. Because the right to vote is a right that is essential to the effective operation of a democratic government, the legislature finds that the
state has a compelling interest in securing the right to vote for any person temporarily displaced by a disaster or emergency who may experience greater difficulty exercising his right due to his displaced status. The legislature, therefore, enacts this Subparagraph, which shall apply to any person temporarily displaced from his parish of

AMENDMENT NO. 6
On page 1, line 20, after "state of emergency," and before "when he submits" insert "who registered to vote on or before September 24, 2005.

AMENDMENT NO. 7
On page 2, line 1, after "vote by mail" delete the remainder of the line and delete lines 2 and 3 and insert "an affidavit attesting that he is temporarily displaced from his parish of residence, that he is eligible to vote in his parish of residence, and that he expects to be out of his parish of registration during early voting and on election day. The provisions of this

AMENDMENT NO. 8
On page 2, line 4, after "following the" delete the remainder of the line and delete lines 5 through 10 and insert the following:

"effective date of this Item.

(ii) Upon expiration of Item (i) of this Subparagraph, any voter who has voted absentee by mail pursuant to this Subparagraph who has not voted during early voting or at the polls on election day shall not be considered to have previously voted in the parish in which he is registered for purposes of Paragraph (1) of this Subsection and shall be subject to the requirements of that Paragraph.

AMENDMENT NO. 9
On page 2, line 15, after "an election held" delete the remainder of the line and insert "within one year following the date of the issuance of any gubernatorial proclamation declaring a state

AMENDMENT NO. 10
On page 2, line 16, change "clerk of court" to "parish board of election supervisors"

AMENDMENT NO. 11
On page 2, line 18, change "clerk" to "board"

AMENDMENT NO. 12
On page 2, line 24, after "secretary of state" delete the remainder of the line and delete lines 25 through 29 and on page 3, delete lines 1 and 2 and insert the following:

"shall approve the request and notify the parish board of election supervisors of the affected parish. The board of the affected parish shall request the parish boards of election supervisors to submit lists of available commissioners by the fifteenth day prior to the election. The board of the affected parish shall select commissioners to serve in the affected parish from such lists based on availability, proximity, and to the extent possible, the requirements for representation based on recognized political party affiliation as provided for in 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 for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 63 by Representative Schneider

AMENDMENT NO. 1
On page 2, between lines 27 and 28, insert the following:

"(3) Each retirement system shall advise each individual receiving a Hurricane Katrina distribution pursuant to this Subpart of potential state and federal tax consequences.

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

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

Under the rules, placed on the regular calendar.

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, MORMISH, PITRE, M. POWELL, T. POWELL, SCALISE, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSORTH, 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 for related matters.

Report by title.

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 75—
BY REPRESENTATIVE JEFFERSON
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 for related matters.

Reported favorably by the Committee on Commerce.

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

Under the rules, placed on the regular calendar.

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

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 120 by Representative Schneider

**AMENDMENT NO. 1**

On page 2, between lines 22 and 23, insert the following:

"(3) Each retirement system shall advise each individual receiving a Hurricane Rita distribution pursuant to this Subpart of potential state and federal tax consequences."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 131—**

BY REPRESENTATIVES SALTER, DURAND, ALARIO, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To amend and reenact Section 5 of Act 182 of the 2005 Regular Session of the Legislature, relative to state fees; to provide for the effective date of the Healthcare Affordability Act; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 142—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 17:3048.6, relative to continuing eligibility requirements for Tuition Opportunity Program for Students' awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide for legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 142 by Representative Salter

**AMENDMENT NO. 1**

On page 2, line 11, after "Davis," and before "Terrebonne," insert "St. Mary."

On page 2, line 22, after "(viii)" and before "Lady" change "Out" to "Our" on motion of Rep. Crane, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 143—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 17:3048.6, relative to initial eligibility requirements for Tuition Opportunity Program for Students awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide for legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 143 by Representative Salter

**AMENDMENT NO. 1**

On page 2, line 17, after "Davis," and before "Terrebonne," insert "St. Mary."

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

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

Under the rules, placed on the regular calendar.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

November 10, 2005

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 4
and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Privileged Report of the Committee on Enrollment

November 10, 2005

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

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

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

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Suspension of the Rules

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

Senate Bill No. 10

Leave of Absence

Rep. Triche - 1/2 day

Adjournment

On motion of Rep. Kenney, at 7:50 P.M., the House agreed to adjourn until Friday, November 11, 2005, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Friday, November 11, 2005.

ALFRED W. SPEER
Clerk of the House