### Morning Hour

**ROLL CALL**

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

<table>
<thead>
<tr>
<th>PRESENT</th>
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<tr>
<td>Mr. Speaker Faucheux</td>
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<tr>
<td>Alario Frith</td>
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<tr>
<td>Alexander Gallot</td>
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<td>Ansardi Geymann</td>
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<td>Arnold Glover</td>
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<td>Barrow Guillory, E.</td>
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<td>Baudoin Guillory, M.</td>
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<td>Bowler Heaton</td>
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<td>Bruce Hebert</td>
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<td>Bruneau Hill</td>
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<td>Burrell Hopkins</td>
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<td>Carter, K. Hunter</td>
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<td>Carter, R. Hutter</td>
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<td>Cazayoux Jackson</td>
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<td>Crane Jefferson</td>
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<td>Cravins Johns</td>
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<td>Crowe Katz</td>
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<td>Curtis Kennard</td>
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<td>Dumico Kenney</td>
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<td>Daniel Kleykley</td>
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<td>Dartez LaBruzze</td>
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<td>DeWitt LaFleur</td>
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<td>Doerge LaFonta</td>
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<td>Dorsey Lambert</td>
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<td>Dove Lancaster</td>
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<td>Downs Marchand</td>
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<tr>
<th>ABSENT</th>
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<tr>
<td>Durand Martiny</td>
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<td>Erdey McDonald</td>
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<td>Fannin McVea</td>
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<tr>
<td>Farrar Montgomery</td>
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</tbody>
</table>

Total - 105

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

### Prayer

Prayer was offered by Rep. Katz.

### Pledge of Allegiance

Rep. Waddell 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. Trahan, the reading of the Journal was dispensed with.

On motion of Rep. Pierre, the Journal of November 11, 2005, was adopted.

### Petitions, Memorials and Communications

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

#### Privileged Report of the Legislative Bureau

December 27, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

- Senate Bill No. 8
  - Reported without amendments.
- Senate Bill No. 10
  - Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

#### Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Bruneau asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

**SENATE BILL NO. 8—**

**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 without amendments by the Legislative Bureau.

On motion of Rep. Bruneau, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.
SENATE BILL NO. 10—
BY SENATORS NEVERS AND MURRAY
AN ACT
To enact R.S. 23:1474(J), relative to unemployment compensation; to provide for the maximum amount of wages on which contributions 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.

Reported with amendments by the Committee on Labor and Industrial Relations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Engrossed Senate Bill No. 10 by Senator Nevers

AMENDMENT NO. 1
On page 1, line 15, after "effective" delete the remainder of the line and insert in lieu thereof "on January 1, 2006."

AMENDMENT NO. 2
On page 1, delete lines 16 and 17 in their entirety

AMENDMENT NO. 3
On page 2, delete lines 1 and 2 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVES SCALISE AND SCHNEIDER
A CONCURRENT RESOLUTION
To urge and request that the governor include within the call of the 2006 First Extraordinary Session an item to authorize legislation to protect the inherent rights of citizens recognized under the constitutions of Louisiana and the United States and to rectify the denial of these rights in the wake of Hurricane Katrina.

Read by title.

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

House Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 48—
BY SENATOR MURRAY
AN ACT
To enact R.S. 22:696, relative to insurance coverage for property damage due to flooding; to require that itemized coverage limits be disclosed to the insured; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 66—
BY SENATORS CHAISSON, AMEDEE AND MURRAY
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 preemption of conflicting provisions of law; 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 with respect to the maximum amount of wages on which contributions are assessed; 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 the presumption 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.

Motion

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

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. 148 (Substitute for House Bill No. 64 by Representative Hammett)—
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 deadlines for payment of ad valorem taxes for certain tax years; 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 Montgomery
Alario Frith Morrell
Alexander Gallot Morrish
Arnold Geymann Odinet
Badon Glover Pierre
Baldone Gray Pinac
Barrow Greene Pitre
Baudoin Guilyory, E. Powell, M.
Bayor Guilyory, M. Powell, T.
Beard Hammett Quezaire
Bowler Harris Richmond
Bruce Heaton Ritchie
Bruneau Hebert Robideaux
Burns Hill Romero
Burrell Honey Scalise
Carter, K. Hopkins Schneider
Carter, R. Hunter Smiley
Carayoux Hutter Smith, G.
Crane Jackson Smith, J.D.–50th
Cravins Jefferson Smith, J.H.–8th
Crowe Johns St. Germain
Curtis Katz Strain
Damico Kennard Thompson
Daniel Kenney Toomy
Dartez Kleckley Townsend
DeWitt LaBrazzo Trahan
Doerge LaFleur Triche
Dorsey LaFonta Tucker
Dove Lambert Waddell
Downs Lancaster Walsworth
Durand Marchand White
Erdey Martin Woods
Fannin McDonald Wooton
Farrar McVea Wright
Total - 102

NAYS

Mr. Speaker Faucheux Morrell
Alario Frith Morrish
Alexander Gallot Odinet
Arnold Glover Pierre
Badon Gray Pinac
Baldone Greene Pitre
Baudoin Guilyory, E. Powell, M.
Baylor Guilyory, M. Powell, T.
Beard Hammett Quezaire
Bowler Harris Richmond
Bruce Heaton Ritchie
Bruneau Hebert Robideaux
Burns Hill Romero
Burrell Honey Scalise
Carter, K. Hopkins Schneider
Carter, R. Hunter Smiley
Carayoux Hutter Smith, G.
Crane Jackson Smith, J.D.–50th
Cravins Jefferson Smith, J.H.–8th
Crowe Johns St. Germain
Curtis Katz Strain
Damico Kennard Thompson
Daniel Kenney Toomy
Dartez Kleckley Townsend
DeWitt LaBrazzo Trahan
Doerge LaFleur Triche
Dorsey LaFonta Tucker
Dove Lambert Waddell
Downs Lancaster Walsworth
Durand Marchand White
Erdey Martin Woods
Fannin McDonald Wooton
Farrar McVea Wright
Total - 0

ABSENT

Ansardi Smith, J.R.–30th Walker
Total - 3

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.

Suspension of the Rules

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

HOUSE BILL NO. 31—
BY REPRESENTATIVE HEBERT
AN ACT
To enact R.S. 51:1425, relative to contracts awarded for disaster recovery work; to limit a portion of the amount of a contract that may be retained by the contractor if disaster recovery work under the contract is subcontracted to another person; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 135—
BY REPRESENTATIVE PINAC
AN ACT
To enact R.S. 6:121.6, relative to the powers of the commissioner of the Office of Financial Institutions; to authorize the commissioner to waive, suspend, or delay compliance of certain statutes relating to certain nondepository institutions regulated by the commissioner; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Engrossed House Bill No. 135 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 4, after "statutes" and before "relating" insert "during certain emergencies"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Faucheux Montgomery
Alario Frith Morrell
Alexander Gallot Morrish
Arnold Geymann Odinet
Badon Glover Pierre
Baldone Gray Pinac
Barrow Greene Pitre
Baudoin Guilyory, E. Powell, M.
Bayor Guilyory, M. Powell, T.
Beard Hammett Quezaire
Bowler Harris Richmond
Bruce Heaton Ritchie
Bruneau Hebert Robideaux
Burns Hill Romero
Burrell Honey Scalise
Carter, K. Hopkins Schneider
Carter, R. Hunter Smiley
Carayoux Hutter Smith, G.
Crane Jackson Smith, J.D.–50th
Cravins Jefferson Smith, J.H.–8th
Crowe Johns St. Germain
Curtis Katz Strain
Damico Kennard Thompson
Daniel Kenney Toomy
Dartez Kleckley Townsend
DeWitt LaBrazzo Trahan
Doerge LaFleur Triche
Dorsey LaFonta Tucker
Dove Lambert Waddell
Downs Lancaster Walsworth
Durand Marchand White
Erdey Martin Woods
Fannin McDonald Wooton
Farrar McVea Wright
Total - 102
The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Pinac 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.

Notice of Intention to Call
Pursuant to House Rule No. 8.26(A), Rep. Jefferson gave notice of her intention to call House Bill No. 75 from the calendar for future action.

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. 40—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION
To urge and request the Environmental Protection Agency (EPA) to conduct a comprehensive study of the sediment and the air and water quality in Orleans Parish and other parishes affected by Hurricane Katrina.

Read by title.

On motion of Rep. LaFonta, 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. 162—
BY REPRESENTATIVES HUNTER, GLOVER, E. GUILLORY, JACKSON, GRAY, AND JEFFERSON
AN ACT
To appropriate funds and to make and otherwise provide for certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

Read by title.

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

Reports of Committees
The following reports of committees were received and read:

Report of the Committee on Appropriations
November 13, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on November 12, 2005, I am directed by your Committee on Appropriations to submit the following report:

House Concurrent Resolution No. 17, by Alario
Reported favorably. (14-0) (Duplicate of SCR 12)

House Bill No. 83, by Alario
Reported favorably. (14-0) (Regular)

House Bill No. 140, by Alario
Reported favorably. (14-0) (Regular)

Senate Concurrent Resolution No. 12, by Heitmeier
Reported favorably. (14-0)

JOHN ALARIO
Chairman

Report of the Committee on Education
November 13, 2005

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 15, by Ullo
Reported favorably. (8-1)

CARL CRANE
Chairman

Suspension of the Rules
On motion of Rep. Alario, 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. 17—
BY REPRESENTATIVES ALARIO AND SALTER AND SENATORS
HEITMEIER AND HINES
A CONCURRENT RESOLUTION
To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2005-2006 and to authorize the appropriation of such amounts.

Read by title.

Reported favorably by the Committee on Appropriations.

Motion

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

Suspension of the Rules

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

Senate Concurrent Resolutions Reported by Committee

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR HEITMEIER
A CONCURRENT RESOLUTION
To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2005-2006 and to authorize the appropriation of such amounts.

Read by title.

Reported favorably by the Committee on Appropriations.

On motion of Rep. Alario, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR ULLO AND REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION
To provide for legislative approval of adjustments adopted by the State Board of Elementary and Secondary Education on November 9, 2005 to the Minimum Foundation Program formula for Fiscal Year 2005-06 previously developed and adopted by the state board on June 16, 2005 and approved by the Legislature as Senate Concurrent Resolution No. 125 of the 2005 Regular Legislative Session.

Read by title.

Reported favorably by the Committee on Appropriations.

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Toomy, the rules were suspended to permit the Committee on Judiciary to report House Bill No. 161 which was not listed on the committee meeting notice pursuant to House Rule No. 14.24.

Report of the Committee on Judiciary

November 13, 2005

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on November 11, 2005, I am directed by your Committee on Judiciary to submit the following report:

House Bill No. 4, by Toomy
Reported favorably. (10-0-1) (Regular)

House Bill No. 127, by Martiny
Reported with amendments. (13-0-1) (Regular)

House Bill No. 161, by Carter, K.
Reported favorably. (8-0-1) (Regular)

Senate Concurrent Resolution No. 14, by Adley
Reported favorably. (8-0-1)

JOSEPH F. TOOMY
Chairman

Suspension of the Rules

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

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

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.
Reported favorably by the Committee on Judiciary.

On motion of Rep. Toomy, the resolution was ordered passed to its third reading.

Suspension of the Rules

On motion of Rep. Toomy, 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. 4—
BY REPRESENTATIVE TOOMY
AN ACT
To enact R.S. 13:5, relative to each of the clerks of court throughout the state and the recorder of mortgages and the register of conveyances for the parish of Orleans; to authorize the establishment of an ancillary office during times of declared state of emergency or disaster; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 127—
BY REPRESENTATIVE MARTINY
AN ACT
To amend and reenact R.S. 15:824(B)(1)(b) and to enact R.S. 15:713, relative to medical care of prisoners; to provide for the payment of costs of medical care of prisoners in certain circumstances; and to provide for related matters.

Read by title.
Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 127 by Representative Martiny

AMENDMENT NO. 1
On page 1, line 9, after “contrary,” delete the remainder of the line and insert in lieu thereof “whenever circumstances, as provided herein, require a sheriff to transfer inmates to or from a parish prison or jail to a hospital or medical center, the state shall be responsible for and shall reimburse the appropriate authority for medical care incurred to attend such prisoners, including the payment of all costs when hospitalization is required, when”

AMENDMENT NO. 2
On page 1, delete line 10 in its entirety

AMENDMENT NO. 3
On page 1, at the beginning of line 11, delete "health of the inmate requires hospitalization, and"

AMENDMENT NO. 4
On page 1, line 15, after “prison” and before the period “;” insert “where the inmate was incarcerated”

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 161—
BY REPRESENTATIVE K. CARTER
AN ACT
To enact R.S. 51:1422, relative to cease and desist orders of the attorney general; to provide for authorization for the attorney general to issue a cease and desist order to stop a charter school from operating under specified circumstances; and to provide for related matters.

Read by title.
Reported favorably by the Committee on Judiciary.

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

Under the rules, placed on the regular calendar.

Report of the Committee on Appropriations

November 13, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 156, by Alario
Reported with amendments. (12-0) (Regular)

JOHN ALARIO
Chairman

Suspension of the Rules

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

Senate Concurrent Resolution No. 15
Suspension of the Rules

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

House Bill Nos. 27 and 160
House Resolution No. 9

Adjournment

On motion of Rep. Kenney, at 6:02 P.M., the House agreed to adjourn until Monday, November 14, 2005, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Monday, November 14, 2005.

ALFRED W. SPEER
Clerk of the House