

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

**TENTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Wednesday, November 16, 2005

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

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

Durand	Martiny	White
Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	Wright
Total - 105		
	ABSENT	

Total - 0

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

**Prayer**

Prayer was offered by Rep. Tucker.

**Pledge of Allegiance**

Rep. Hopkins 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. Harris, the reading of the Journal was dispensed with.

On motion of Rep. Fannin, the Journal of November 15, 2005, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**SENATE BILLS**

November 16, 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. 3

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

Rep. Lancaster asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just received from the Senate with a view of advancing same, which were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 3—**

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

To amend and reenact R.S. 24:513(A)(5)(a) and 514(E) and (F), all relative to audit reports and financial statements of certain

governmental entities; to provide for an extension of time relative to the completion of audit reports and financial statements in the event of certain disasters or emergencies; to provide for effectiveness provisions; and to provide for related matters.

Read by title.

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

November 16, 2005

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

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

House Concurrent Resolution No. 47  
Returned without amendments

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**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. 49—**  
BY REPRESENTATIVE BALDONE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive the 3.7 billion dollars that the Federal Emergency Management Agency (FEMA) estimates that Louisiana owes FEMA for hurricane relief.

Read by title.

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

Ordered to the Senate.

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 16—**  
BY SENATOR SHEPHERD  
A CONCURRENT RESOLUTION

To urge and request the various privately or publicly owned public utilities throughout the state, who are licensed and regulated by any department or agency of the state, to delay the collection of their monthly residential public utilities user fees that are due for payment in December, 2005, for those individuals residing in an area of the state that has been designated as either a Hurricane Katrina FEMA Individual Assistance Area or a Hurricane Rita FEMA Individual Assistance Area.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 18—**  
BY SENATOR SHEPHERD  
A CONCURRENT RESOLUTION

To direct the secretary of state to establish a toll-free telephone line and advertise nationally for displaced Louisiana citizens to receive information related to the election process, including but not limited to, locating their voting place.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATOR B. GAUTREUX  
A CONCURRENT RESOLUTION

To commend Hornets' owner George Shinn for his resolve that the team will remain in New Orleans and his pledge to aid revitalization efforts.

Read by title.

On motion of Rep. Dartez, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 24—**  
BY SENATOR SHEPHERD  
A CONCURRENT RESOLUTION

To urge and request the secretary of state to make all absentee ballots more reader friendly.

Read by title.

On motion of Rep. Harris, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 26—**  
BY SENATOR ADLEY  
A CONCURRENT RESOLUTION

To memorialize Congress to require that the Federal Emergency Management Agency include all parishes in Louisiana as a "disaster area" to allow the residents and businesses to qualify for federal disaster assistance, including assistance with certain insurance deductibles, for damages caused by hurricanes Katrina and Rita.

Read by title.

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

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

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. 4—**  
BY SENATORS SCHEDLER AND DUPRE  
AN ACT

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

Read by title.

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

**SENATE BILL NO. 49—**

BY SENATORS DUPLESSIS AND SCHEDLER AND REPRESENTATIVE CRANE AND SENATORS BARHAM, BOASSO, CAIN, CHAISSON, DARDENNE, DUPRE, ELLINGTON, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HOLLIS, LENTINI, MCPHERSON, MICHOT, MOUNT, QUINN, ROMERO, SMITH, THEUNISSEN AND ULLO

**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), 3973(2)(b)(v)(cc), 3983(A)(1)(g), and 3997(A)(1)(c), relative to the Recovery School District; to provide for the transference of certain schools to the district; to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration of the transfer and to provide for the continuation of the transfer; to require the recovery district to report to the state board and to provide for the contents of that report; to provide relative to the Recovery School District; to subject the administration of the 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 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 transference of such funds and for a limitation on the transference of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; provides for the eligibility of a student to attend school operated under the jurisdiction of the Recovery School District; provides for the obligations of the recovery district in providing services to students; to expand the definition of type 5 charters to include charters involving certain schools transferred to the recovery district; to provide standards for the consideration of type 5 charter proposals; to prohibit members of certain school boards from also being members of the governing or management boards of certain Type 5 charter schools; to authorize the governing authority of a charter school to enter into collective bargaining for the employees; to prohibit certain local school boards from considering or acting on type 1 charter 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.

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

**SENATE BILL NO. 52—**

BY SENATORS MURRAY AND CHAISSON  
**AN ACT**

To enact R.S. 29:725.1, relative to the issuance of cease and desist orders by the attorney general during an emergency or disaster; to provide for the power of the attorney general to issue cease and desist orders during a state of emergency or disaster in the absence of the regular administration of justice; to provide for proper venue to request a hearing; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 89—**

BY SENATOR JONES

**AN ACT**

To enact R.S. 18:401.3, relative to holding certain elections; to provide for elections impaired as a result of a gubernatorially declared disaster or emergency; to provide for procedures for voter registration, early voting, absentee voting by mail, and election day voting; to provide for compliance with the Voting Rights Act of 1965; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 27—**

BY SENATORS DUPRE, ADLEY, AMEDEE, BAJIOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

**A JOINT RESOLUTION**

Proposing to amend Article VII, Sections 10.2 and 10.5(B) and (C) of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to deposits and uses of the fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the fund, and for the uses of such federal revenues; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Called from the calendar.

Read by title.

**Motion**

Rep. Baldone moved that Senate Bill No. 27 be designated as a duplicate of House Bill No. 139.

Which motion was agreed to.

Rep. Alario moved that Senate Bill No. 27 be amended to conform with House Bill No. 139 and sent up the following floor amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 27 by Senator Dupre (Duplicate of House Bill No. 139)

**AMENDMENT NO. 1**

On page 1, line 2, after "Sections" insert "10(D)(2)(e)," and after "10.2" insert a comma ","

**AMENDMENT NO. 2**

On page 1, line 8, after "revenues;" delete "and to specify an election" and insert "to provide"

**AMENDMENT NO. 3**

On page 1, delete line 9 in its entirety and insert "proposed amendment to the electors; and to provide for related matters."

**AMENDMENT NO. 4**

On page 1, line 13, after "Sections" insert "10(D)(2)(e)," and after "10.2" insert a comma ","

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## AMENDMENT NO. 5

On page 1, between lines 13 and 14, insert the following:

"§10. Expenditure of State Funds

Section 10.

\* \* \*

(D) Appropriations.

\* \* \*

(2) Except as otherwise provided in this constitution, the appropriation or allocation of any money designated in the official forecast as nonrecurring shall be made only for the following purposes:

\* \* \*

(e) Providing for allocation or appropriation for deposit into the ~~Wetlands Conservation Coastal Protection and Restoration Fund~~ established in Article VII, Section 10.2 of this constitution.

\* \* \*

## AMENDMENT NO. 6

On page 1, line 16, delete "Effective July 1, 1990, there" and insert "There"

## AMENDMENT NO. 7

On page 4, line 2, delete "protection, including" and insert "wetlands."

## AMENDMENT NO. 8

On page 4, delete lines 7 and 8 in their entirety

## AMENDMENT NO. 9

On page 5, line 13, after "ballot" delete the remainder of the line and insert "on November 7, 2006."

## AMENDMENT NO. 10

On page 5, line 24, delete "relative to" and delete line 25 in its entirety and on line 26, delete "deposits required by the constitution," and insert "that"

## AMENDMENT NO. 11

On page 5, line 28, delete "by the treasurer"

## AMENDMENT NO. 12

On page 6, line 3, after "Sections" insert "10(D)(2)(e)," and after "10.2" insert a comma ","

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

### **Motion**

On motion of Rep. Baldone, the above bill, as amended, was referred to the Legislative Bureau.

## **SENATE BILL NO. 71—**

BY SENATORS DUPRE, AMEDEE, BAJOIE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JONES, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO

### **AN ACT**

To amend and reenact R.S. 49:213.1, 213.2, 213.3, 213.4, 213.5, 213.6, 213.7, 214.11, 214.12(A)(1) and 214.13, and to enact R.S. 49:213.11, relative to coastal protection, conservation,

restoration and management; to authorize and provide for the development and implementation of a comprehensive coastal protection plan; to provide powers, duties, terms, procedures, definitions, conditions, and requirements; to provide relative to hurricane protection and coastal restoration; to provide relative to enforcement; to provide relative to certain authorities, commissions, and departments; to change the name of the Wetlands Conservation and Restoration Authority to the Coastal Protection and Restoration Authority and set forth its powers, duties and members; to change the name of the Governor's Advisory Commission on Coastal Restoration and Conservation to the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation and set forth its powers, duties, and members; and to provide for related matters.

Called from the calendar.

Read by title.

### **Motion**

Rep. Baldone moved that Senate Bill No. 71 be designated as a duplicate of House Bill No. 141.

Which motion was agreed to.

Rep. Baldone moved that Senate Bill No. 71 be amended to conform with House Bill No. 141 and sent up the following floor amendments:

### **HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 71 by Senator Dupre (Duplicate of House Bill No. 141)

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 49:213.1" delete the comma "," and delete the remainder of the line and insert "through 213.8, 214.3(1), 214.11,"

#### AMENDMENT NO. 2

On page 1, line 3, after "214.12(A)(1)" insert a comma "," and after "R.S. 49:213.11," insert "and to repeal Act No. 300 of the 2005 Regular Session of the Louisiana Legislature,"

#### AMENDMENT NO. 3

On page 1, line 11, after "duties" insert a comma "," and after "members;" insert "to change the name of the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund and to provide relative to deposits and expenditures of the fund;"

#### AMENDMENT NO. 4

On page 1, line 16, after "R.S. 49:213.1" delete the comma "," and delete the remainder of the line and insert "through 213.8, 214.3(1), 214.11,"

#### AMENDMENT NO. 5

On page 1, line 17, after "214.12(A)(1)" insert a comma ","

#### AMENDMENT NO. 6

On page 2, line 14, after "energy" insert a comma ","

#### AMENDMENT NO. 7

On page 2, at the end of line 18, delete "the" and insert "a single agency with"

AMENDMENT NO. 8

On page 2, line 11, change "hurricanes" to "Hurricanes"

AMENDMENT NO. 9

On page 3, line 1, delete "recognizing" and insert "that recognizes"

AMENDMENT NO. 10

On page 3, at the beginning of line 3, after "plan" delete the comma ","

AMENDMENT NO. 11

On page 3, at the end of line 4, delete "Comprehensive" and insert "Further, comprehensive"

AMENDMENT NO. 12

On page 3, line 5, change "recognizing" to "that recognizes"

AMENDMENT NO. 13

On page 3, line 6, after "duties of" delete "levee districts and" and after "subdivisions" insert "including levee districts"

AMENDMENT NO. 14

On page 3, line 28, after "plan" delete "in" and insert "with"

AMENDMENT NO. 15

On page 4, line 4, after "placed" delete "in" and insert "with"

AMENDMENT NO. 16

On page 4, line 6, after "maximize" insert "the effectiveness of" and after "protection" and before the comma "," insert "efforts"

AMENDMENT NO. 17

On page 4, line 7, after "Development" delete the comma ","

AMENDMENT NO. 18

On page 4, line 8, after "activities" delete the comma ","

AMENDMENT NO. 19

On page 4, at the end of line 9, after "agencies" delete the comma "," and delete "levee" and at the beginning of line 10, delete "districts."

AMENDMENT NO. 20

On page 4, line 10, after "subdivisions" delete the period "." and insert a comma "," and "including levee districts."

AMENDMENT NO. 21

On page 4, line 14, after "plan" and before "annually" insert "submitted"

AMENDMENT NO. 22

On page 4, at the beginning of line 15, delete "submitted" and after "Part" delete "and" and insert "including"

AMENDMENT NO. 23

On page 4, line 21, insert a comma "," after "policies"

AMENDMENT NO. 24

On page 4, line 22, after "protection or coastal" delete the comma "," and delete "or coastal wetland."

AMENDMENT NO. 25

On page 5, line 15, delete the comma "," after "wetlands" and after "reefs" delete "and" and insert a comma "," and "including"

AMENDMENT NO. 26

On page 5, line 16, delete the comma "," after "include" and delete the comma "," after "limited to"

AMENDMENT NO. 27

On page 5, line 19, insert a comma "," after "operations"

AMENDMENT NO. 28

On page 6, line 2, delete "law." and insert "R.S. 49:213.5"

AMENDMENT NO. 29

On page 6, line 11, delete the comma "," after "law"

AMENDMENT NO. 30

On page 6, line 16, after "policy" insert "implementation"

AMENDMENT NO. 31

On page 6, line 17, insert a comma "," after "conservation" and after "area" insert "of the state" and after "through" delete "the"

AMENDMENT NO. 32

On page 6, line 18, after "programs and" insert "by"

AMENDMENT NO. 33

On page 6, at the beginning of line 19, delete "those" and change "requiring" to "which require"

AMENDMENT NO. 34

On page 6, line 19, after "which" and before "significantly" insert "could" and at the end of the line delete "such" and insert "protection, conservation, and restoration"

AMENDMENT NO. 35

On page 6, line 22, delete "report" and insert "make reports on." and after "oversight" change "of" to "for"

AMENDMENT NO. 36

On page 6, line 24, after "agencies." delete "levee districts." and after "subdivisions." insert "including levee districts."

AMENDMENT NO. 37

On page 6, line 25, after "The" delete "coastal protection"

AMENDMENT NO. 38

On page 6, line 26, insert a comma "," after "conservation"

AMENDMENT NO. 39

On page 6, line 28, after "projects" and before the comma "," insert "and programs"

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### AMENDMENT NO. 40

On page 7, line 1, after "developed" delete "and" and insert "as the annual implementation of the comprehensive master plan and shall be"

### AMENDMENT NO. 41

On page 7, line 2, delete "this Part." and insert "R.S. 49:213.6."

### AMENDMENT NO. 42

On page 7, line 14, after "to the" delete the remainder of the line and delete line 15 in its entirety and insert "House Committee on Natural Resources and the Senate Committee on Natural Resources the"

### AMENDMENT NO. 43

On page 7, line 16, change "plan" to "plans"

### AMENDMENT NO. 44

On page 7, line 20, delete "annual" and change "plan" to "plans" and at the end of the line, delete "on"

### AMENDMENT NO. 45

On page 7, delete line 21 in its entirety and insert "and prior to"

### AMENDMENT NO. 46

On page 7, line 22, after "of the" delete "annual" and change "plan," to "plans," and at the end of the line, delete "annual" and change "plan," to "plans."

### AMENDMENT NO. 47

On page 8, line 1 delete "(a)"

### AMENDMENT NO. 48

On page 8, line 2, delete the comma "," after "management"

### AMENDMENT NO. 49

On page 8, line 3, after "fund" insert "for coastal wetlands conservation and restoration"

### AMENDMENT NO. 50

On page 8, line 4, after "any" insert "such" and after "project" delete the remainder of the line

### AMENDMENT NO. 51

On page 8, line 5, delete "and restoration; and (b)" and insert "and"

### AMENDMENT NO. 52

On page 8, line 6, after "Development" insert a comma "," and "in conjunction with political subdivisions."

### AMENDMENT NO. 53

On page 8, line 7, after "fund" delete the remainder of the line and on line 8, delete "or project pertaining to" and insert "for"

### AMENDMENT NO. 54

On page 8, line 8, after "protection" delete the comma "," and delete the remainder of the line and delete line 9 in its entirety and insert "and shall implement any such program or project."

### AMENDMENT NO. 55

On page 8, between lines 9 and 10, insert the following:

"~~(4)~~ (5) Be authorized to delegate any of its powers, duties, and functions to the executive assistant."

### AMENDMENT NO. 56

On page 8, line 10, delete "(5) Authorize the development of" and insert "(6) Develop"

### AMENDMENT NO. 57

On page 8, line 11, delete "the taking of" and insert "take"

### AMENDMENT NO. 58

On page 8, delete line 12 in its entirety and insert "including political subdivisions, to enforce compliance with"

### AMENDMENT NO. 59

On page 8, at the end of line 13, after "actions" insert "may"

### AMENDMENT NO. 60

On page 8, line 14, delete the comma "," after "include" and delete the comma "," after "limited to"

### AMENDMENT NO. 61

On page 8, at the end of line 16, insert a comma "," after "relief" and delete lines 18 and 19 in their entirety

### AMENDMENT NO. 62

On page 9, line 27, change "the" to "this"

### AMENDMENT NO. 63

On page 11, line 6, delete "seek to" and insert "would"

### AMENDMENT NO. 64

On page 11, line 8, delete "such" and delete "insofar as they are"

### AMENDMENT NO. 65

On page 11, lines 24, 25, 26, 27, and 28, change "their designee." to "his designee."

### AMENDMENT NO. 66

On page 12, lines 1, 2, 4, and 5, change "their designee." to "his designee."

### AMENDMENT NO. 67

On page 12, delete lines 6 through 8 in their entirety, and on line 9, delete "in three zones" and insert the following:

"(10) Three members selected from among and by the presidents of the twelve levee districts in the Louisiana coastal zone grouped in three regions"

### AMENDMENT NO. 68

On page 12, line 11, after "Levee District," insert "North Lafourche Conservation, Levee and Drainage District."

AMENDMENT NO. 69

On page 12, line 14, after "and" insert "the"

AMENDMENT NO. 70

On page 12, delete lines 15 and 16 in their entirety and insert "The member from each region shall"

AMENDMENT NO. 71

On page 12, line 18, after "by the" insert "executive board of directors of the"

AMENDMENT NO. 72

On page 12, line 19, after "from" at the beginning of the line delete the remainder of the line and insert "the governing authorities of parishes located in the coastal zone in which there are no levee districts. One member shall be from a parish"

AMENDMENT NO. 73

On page 12, line 20, after "one member" insert "shall be"

AMENDMENT NO. 74

On page 12, line 21, delete "Both" and insert "The two"

AMENDMENT NO. 75

On page 12, lines 23, 25, 26, 27, 28, and 29, change "their designee." to "his designee."

AMENDMENT NO. 76

On page 13, lines 2, 3, and 4, change "their designee." to "his designee."

AMENDMENT NO. 77

On page 13, between lines 8 and 9, insert the following:

"B. Any member of the authority who represents a political subdivision shall recuse himself from deliberations and from voting on any matter concerning the taking of action against that political subdivision for lack of compliance with the plan."

AMENDMENT NO. 78

On page 13, line 10, delete "A member of the" and delete lines 11 through 13 in their entirety

AMENDMENT NO. 79

On page 13, at the end of line 14, change "plan;" to "plans:"

AMENDMENT NO. 80

On page 13, line 17, after "develop" insert "a comprehensive master plan for coastal protection and"

AMENDMENT NO. 81

On page 13, line 18, insert a comma "," after "conserving"

AMENDMENT NO. 82

On page 13, line 25, change "R.S. 49:213.6(D)." to "Paragraph (2) of this Subsection and Subsection D of this Section." and after "The" insert "comprehensive master plan and the"

AMENDMENT NO. 83

On page 13, line 26, after "include" delete "funding" and after "for" insert "funding of"

AMENDMENT NO. 84

On page 13, line 28, delete "annually" and delete "such plan" and insert "the plans"

AMENDMENT NO. 85

On page 14, line 5, change "plan" to "plans"

AMENDMENT NO. 86

On page 14, line 7, insert a comma "," after "districts"

AMENDMENT NO. 87

On page 14, line 21, change "plan" to "plans"

AMENDMENT NO. 88

On page 14, line 22, delete "annual" and insert "comprehensive"

AMENDMENT NO. 89

On page 14, line 23, delete "short" and insert "short-term"

AMENDMENT NO. 90

On page 14, line 24, insert a comma "," after "management"

AMENDMENT NO. 91

On page 15, line 4, after "the" and before "plan" insert "comprehensive master"

AMENDMENT NO. 92

On page 15, line 5, insert a comma "," after "engineering"

AMENDMENT NO. 93

On page 15, line 11, change "annual" to "comprehensive"

AMENDMENT NO. 94

On page 15, line 24, after "(1)" delete "The" and insert "After adoption by the authority, the comprehensive master plan shall be submitted to the House Committee on Natural Resources and the Senate Committee on Natural Resources for approval. In addition, the"

AMENDMENT NO. 95

On page 15, at the end of line 24, delete "natural" and delete line 25 in its entirety and insert "House Committee on Natural Resources and the Senate Committee on Natural Resources"

AMENDMENT NO. 96

On page 15, line 26, delete "legislature" and at the end of the line insert a period "." and delete lines 27 through 29 in their entirety

AMENDMENT NO. 97

On page 16, delete line 1 in its entirety and on line 2, change "works" to "The" and delete "approve or disapprove of the" and insert "take action on the annual"

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## AMENDMENT NO. 98

On page 16, line 4, change "(b)" to "(2)" and after "disapproves" change "the" to "a"

## AMENDMENT NO. 99

On page 16, line 7, after "the plan." delete the remainder of the line and delete lines 8 through 17 in their entirety

## AMENDMENT NO. 100

On page 16, line 18, after "(3)" delete "(a)" and after "disapprove" delete "of"

## AMENDMENT NO. 101

On page 16, at the end of line 19 delete "provided" and delete lines 20 through 24 in their entirety and insert a period "."

## AMENDMENT NO. 102

On page 16, line 25, delete "(c)" and after "disapproves" delete "of"

## AMENDMENT NO. 103

On page 16, line 29, after "(4)" insert "If the legislature approves the comprehensive master plan, or if the legislature fails to approve the comprehensive master plan within sixty days after the plan is submitted, the authority shall implement the plan as submitted."

## AMENDMENT NO. 104

On page 17, line 1, after "disapprove the" insert "annual" and change "June" to "July" and at the end of the line after "plan" and before the period "." insert "as submitted"

## AMENDMENT NO. 105

On page 17, line 4, change "and/or" to "or" and at the end of the line delete "the" and insert "a"

## AMENDMENT NO. 106

On page 17, line 8, after "Any" insert "such"

## AMENDMENT NO. 107

On page 17, line 9, after "specified in" delete the remainder of the line and insert "Subsections B and C of this Section."

## AMENDMENT NO. 108

On page 17, delete line 13 in its entirety and insert "protect and restore Louisiana's coastal area, there shall be is hereby established in"

## AMENDMENT NO. 109

On page 17, line 14, delete "on the effective date of this Subpart"

## AMENDMENT NO. 110

On page 17, line 19, after "excluding" insert "federal revenues received as provided in Subsection C of this Section and"

## AMENDMENT NO. 111

On page 18, at the end of line 7, change "Subsections" to "Subsection" and on line 8, delete "B(1)" and insert "Paragraph (B)(1)"

## AMENDMENT NO. 112

On page 18, line 9, change "Fund" to "fund"

## AMENDMENT NO. 113

On page 18, line 11, delete "Subsections A and B(1)" and insert "Subsection A and Paragraph (B)(1)"

## AMENDMENT NO. 114

On page 18, line 20, after "C." delete the remainder of the line and delete line 21 in its entirety and insert the following:

"(1) Subject to Article VII, Sections 9(B) and 10.1 of the state constitution, in each fiscal year, the federal revenues that are received by the state generated from Outer Continental Shelf oil and gas activity and eligible, as provided by federal law, to be used for the purposes provided in this Subsection shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund.

"(2) Such federal revenues shall be used only for the purposes of coastal wetlands conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetlands losses."

## AMENDMENT NO. 115

On page 18, line 26, after "which" insert a comma "," and "exclusive of federal revenues received as provided for in Subsection C of this Section."

## AMENDMENT NO. 116

On page 19, line 10, delete "vegetated"

## AMENDMENT NO. 117

On page 19, between lines 19 and 20, insert the following:

"(7) For coastal wetlands conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetlands losses."

## AMENDMENT NO. 118

On page 19, between lines 23 and 24, insert the following:

"§213.8. Private property and public rights

Recognizing that a substantial majority of the coastal wetlands in Louisiana are privately owned, it is anticipated that a significant portion of the projects funded through the ~~Wetlands Conservation~~ Coastal Protection and Restoration Fund either will occur on or in some manner affect private property. No rights whatsoever shall be created in the public, whether such rights be in the nature of ownership, servitude, or use, with respect to any private lands or waters utilized, enhanced, created, or otherwise affected by activities of any governmental agency, local, state, or federal, or any person contracting with same for the performance of any activities, funded in whole or in part, by expenditures from the ~~Wetlands Conservation~~ Coastal Protection and Restoration Fund or expenditures of federal funds. In the event legal proceedings are instituted by any person seeking recognition of a right of ownership, servitude, or use in or over private property solely on the basis of the expenditure of funds from the ~~Wetlands Conservation~~ Coastal Protection and Restoration Fund, the state shall indemnify and hold harmless the owner of such property for any cost, expense, or loss related to such proceeding, including court costs and attorney fees."

AMENDMENT NO. 119

On page 19, after line 29, insert the following:

"§214.3. Definitions

As used in this Subpart, the following terms shall have the meaning ascribed to them below:

(1) "Plan" means the ~~coastal vegetated wetlands conservation and restoration~~ annual coastal protection plan provided for in R.S. 49:213.6.

\* \* \*

AMENDMENT NO. 120

On page 20, line 7, after "restoration" insert "efforts"

AMENDMENT NO. 121

On page 22, line 18, after "by the" delete the remainder of the line and on line 19, after "Louisiana" insert "Levee Board Association"

AMENDMENT NO. 122

On page 22, line 20, change "Coastal Zone." to "coastal zone." and delete the remainder of the line and delete lines 21 through 24 in their entirety

AMENDMENT NO. 123

On page 22, delete lines 27 through 29 in their entirety and on page 23, delete line 1 in its entirety

AMENDMENT NO. 124

On page 23, between lines 28 and 29, insert the following:

"Section 2. Act No. 300 of the 2005 Regular Session of the Louisiana Legislature is hereby repealed in its entirety."

AMENDMENT NO. 125

On page 23, at the beginning of line 29, change "Section 2." to "Section 3."

AMENDMENT NO. 126

On page 24, at the end of line 1, insert the following:

"However, in the event that neither Senate Bill No. 27 nor House Bill No. 139 of the 2005 First Extraordinary Session passes the legislature or the proposed amendment to the Louisiana Constitution contained in the provisions of said Senate Bill No. 27 or House Bill No. 139 fails to receive the favorable vote of the electors, the name of the Coastal Protection and Restoration Authority provided for in this Act shall revert to the Wetlands Conservation and Restoration Authority; and the name of the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation provided for in this Act shall revert to the Governor's Advisory Commission on Coastal Restoration and Conservation; and the Coastal Protection and Restoration Fund provided for in this Act shall revert to the Wetlands Conservation and Restoration Fund; and the annual coastal protection plan provided for in this Act shall revert to the Wetlands Conservation and Restoration Plan, and the Law Institute is hereby directed to make the necessary technical changes to statutory law to reflect the appropriate names as provided herein."

AMENDMENT NO. 127

On page 24, at the beginning of line 2, change "Section 3." to "Section 4."

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

**Motion**

On motion of Rep. Baldone, the above bill, as amended, was referred to the Legislative Bureau.

**Suspension of the Rules**

On motion of Rep. Pierre, the rules were suspended in order to take up and consider Reports of Committees at this time.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Natural Resources**

November 16, 2005

To the Speaker and Members of the House of Representatives:

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

House Bill No. 141, by Alario  
Reported with amendments. (8-0-1) (Regular)

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

WILFRED PIERRE  
Chairman

**Suspension of the Rules**

On motion of Rep. Pierre, the rules were suspended in order to take up and consider Senate Concurrent Resolutions 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. 8—  
BY SENATOR ADLEY****A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**Suspension of the Rules**

On motion of Rep. Pierre, 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:

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## HOUSE BILL NO. 141— BY REPRESENTATIVE ALARIO

### AN ACT

To amend and reenact R.S. 49:213.1 through 213.8, 214.3(1), 214.11, 214.12(A)(1), and 214.13, relative to coastal protection, conservation, restoration, and management; to authorize and provide for the development and implementation of a comprehensive coastal protection plan; to provide powers, duties, terms, procedures, definitions, conditions, and requirements; to provide relative to hurricane protection and coastal restoration; to provide relative to enforcement; to provide relative to certain authorities, commissions, and departments; to change the name of the Wetlands Conservation and Restoration Authority to the Coastal Protection and Restoration Authority and to set forth its powers, duties, and members; to change the name of the Governor's Advisory Commission on Coastal Restoration and Conservation and to the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation and to set forth its powers, duties, and members; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 141 by Representative Alario

#### AMENDMENT NO. 1

On page 1, line 3, after "214.13" and insert "to enact R.S. 49:213.11, and to repeal Act No. 300 of the 2005 Regular Session of the Louisiana Legislature,"

#### AMENDMENT NO. 2

On page 1, line 10, after "members;" insert "to change the name of the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund to provide relative to deposits and expenditures of the fund;"

#### AMENDMENT NO. 3

On page 1, line 17, after "reenacted" insert "and R.S. 49:213.11 is hereby enacted"

#### AMENDMENT NO. 4

On page 3, line 5, after "subdivisions" insert a comma "," and "including levee districts."

#### AMENDMENT NO. 5

On page 3, line 8, after "wetlands" insert "and barrier shorelines or reefs"

#### AMENDMENT NO. 6

On page 4, line 9, after "subdivisions" change the period "." to a comma "," and add "including levee districts."

#### AMENDMENT NO. 7

On page 4, between lines 18 and 19, insert the following:

"(4) Coastal protection means plans, projects, policies, and programs intended to provide hurricane protection or coastal conservation or restoration."

#### AMENDMENT NO. 8

On page 4, line 19, change "(4)" to "(5)" and after "the conservation" insert a comma "," and "protection, enhancement."

#### AMENDMENT NO. 9

On page 4, line 21, between "wetlands" and "through" insert "and barrier shorelines or reefs"

#### AMENDMENT NO. 10

On page 4, line 27, change "(5)" to "(6)"

#### AMENDMENT NO. 11

On page 5, line 1, change "(6)" to "(7)"

#### AMENDMENT NO. 12

On page 5, line 3, change "(7)" to "(8)"

#### AMENDMENT NO. 13

On page 5, line 5, change "(8)" to "(9)" and after "plan" insert "or comprehensive master coastal protection plan"

#### AMENDMENT NO. 14

On page 5, line 6, after "protection and" delete the remainder of the line and insert in lieu thereof "the protection, conservation, restoration, and enhancement of coastal wetlands and barrier shorelines or reefs, including"

#### AMENDMENT NO. 15

On page 5, line 11, change "(9)" to "(10)"

#### AMENDMENT NO. 16

On page 5, line 13, change "(10)" to "(11)"

#### AMENDMENT NO. 17

On page 6, line 23, after "subdivisions," insert "including levee districts."

#### AMENDMENT NO. 18

On page 6, line 26, after "restoration projects" and before the comma "," insert "and programs"

#### AMENDMENT NO. 19

On page 6, line 28, after "developed" delete "and" and insert "as the annual implementation of the comprehensive master plan and shall be"

#### AMENDMENT NO. 20

On page 7, at the end of line 10, delete "annual" and on line 11, and change "plan" to "plans"

#### AMENDMENT NO. 21

On page 7, lines 12 and 13, delete "annual" and change "plan" to "plans"

#### AMENDMENT NO. 22

On page 7, line 15, delete "Approve" and insert in lieu thereof "Have the right and the authority to approve"

AMENDMENT NO. 23

On page 11, delete lines 20 through 24 in their entirety and insert in lieu thereof the following:

"(10) Three members selected from among and by the presidents of the twelve levee districts in the Louisiana coastal zone grouped in three regions as follows: Region 1 - Pontchartrain Levee District, Orleans Levee District, and East Jefferson Levee District. Region 2 - Atchafalaya Levee District, Lafourche Basin Levee District, North Lafourche Conservation, Levee and Drainage District, Terrebonne Levee and Conservation District, and South Lafourche Levee District. Region 3 - Lake Borgne Basin Levee District, West Jefferson Levee District, Grand Isle Independent Levee District, and the Plaquemines Parish Government. The member from each region shall serve as a member of the authority for a term of one year.

(11) Two members selected by the executive board of directors of the Police Jury Association of Louisiana from the governing authorities of parishes located in the coastal zone in which there are no levee districts. One member shall be from a parish west of the Atchafalaya River and one member shall be from a parish east of the Atchafalaya River. The two members shall not reside in the same parish."

AMENDMENT NO. 24

On page 11, after line 28, add the following:

"(14) The chairman of the Senate Natural Resources Committee or his designee.

(15) The chairman of the House Natural Resources Committee or his designee.

(16) The chairman of the Senate Transportation, Highways, and Public Works Committee or his designee.

(17) The chairman of the House Transportation Committee or his designee.

(18) A senator who represents a portion of the coastal area, appointed by the president of the Senate.

(19) A representative who represents a portion of the coastal area, appointed by the speaker of the House.

B. Any member of the authority who represents a political subdivision shall recuse himself from deliberations and from voting on any matter concerning the taking of action against that political subdivision for lack of compliance with the plan."

AMENDMENT NO. 25

On page 12, line 1, change "B." to "C."

AMENDMENT NO. 26

On page 12, at the end of line 3, change "plan" to "plans"

AMENDMENT NO. 27

On page 12, line 6, after "develop" insert "a comprehensive master plan for coastal protection and"

AMENDMENT NO. 28

On page 12, line 13, change "plan" to "plans"

AMENDMENT NO. 29

On page 12, line 14, after "provided in " insert "Paragraph (2) of this Subsection and" and after "The" insert "comprehensive master plan and the"

AMENDMENT NO. 30

On page 12, line 17, delete "annually" and change "such plan" to "the plans"

AMENDMENT NO. 31

On page 12, line 23, change "plan" to "plans"

AMENDMENT NO. 32

On page 12, line 25, after "authorities" insert a comma "," and "levee districts."

AMENDMENT NO. 33

On page 13, line 12, change "plan" to "plans"

AMENDMENT NO. 34

On page 13, line 13, change "annual" to "comprehensive"

AMENDMENT NO. 35

On page 13, line 23, after "the" insert "comprehensive master"

AMENDMENT NO. 36

On page 14, line 1, after "the" change "annual" to "comprehensive"

AMENDMENT NO. 37

On page 14, line 14, after "(1)" delete "The" and insert "After adoption by the authority, the comprehensive master plan shall be submitted to the House Committee on Natural Resources and the Senate Committee on Natural Resources for approval. In addition, the"

AMENDMENT NO. 38

On page 14, line 20, after "the" insert "annual"

AMENDMENT NO. 39

On page 14, line 22, after "disapproves" change "the plan" to "a plan"

AMENDMENT NO. 40

On page 15, lines 5 and 12, change "the plan" to "a plan"

AMENDMENT NO. 41

On page 15, line 15, after "(4)" insert "If the legislature approves the comprehensive master plan, or if the legislature fails to approve the comprehensive master plan within sixty days after the plan is submitted, the authority shall implement the plan as submitted." and after "approves the" insert "annual"

AMENDMENT NO. 42

On page 15, line 16, after "disapprove the" insert "annual"

AMENDMENT NO. 43

On page 15, lines 19, change "the plan" to "a plan"

AMENDMENT NO. 44

On page 15, line 23, after "Any" insert "such"

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## AMENDMENT NO. 45

On page 15, line 28, delete "conserve and restore Louisiana's" and on line 29, delete "coastal vegetated wetlands" and insert in lieu thereof "protect and restore Louisiana's coastal area"

## AMENDMENT NO. 46

On page 16, line 6, after "excluding" insert "federal revenues received as provided in Subsection C of this Section and"

## AMENDMENT NO. 47

On page 17, delete lines 7 and 8, and insert the following:

"C. The treasurer shall deposit in and credit to the fund the amount of mineral revenues as provided for herein: (1) Subject to Article VII, Sections 9(B) and 10.1 of the state constitution, in each fiscal year, the federal revenues that are received by the state generated from Outer Continental Shelf oil and gas activity and eligible, as provided by federal law, to be used for the purposes provided in this Subsection shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund.

(2) Such federal revenues shall be used only for the purposes of coastal wetlands conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetlands losses."

## AMENDMENT NO. 48

On page 17, line 13, after "which" insert a comma "," and "exclusive of federal revenues received as provided for in Subsection C of this Section."

## AMENDMENT NO. 49

On page 18, between lines 7 and 8, insert the following:

"(7) For coastal wetlands conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetlands losses."

## AMENDMENT NO. 50

On page 18, after line 28, add the following:

"§213.11. Legal representation of the authority; attorney general

The attorney general or his designee, who shall be a full-time assistant attorney general, shall be the legal advisor to the authority, shall counsel and advise the authority, and shall represent the authority in all legal proceedings.

\* \* \*

## AMENDMENT NO. 51

On page 22, after line 29, add the following:

"Section 2. Act No. 300 of the 2005 Regular Session of the Louisiana Legislature is hereby repealed in its entirety."

## AMENDMENT NO. 52

On page 23, line 1, change "Section 2." to "Section 3."

## AMENDMENT NO. 53

On page 23, at the end of line 2, add the following:

"However, in the event that neither Senate Bill No. 27 nor House Bill No. 139 of the 2005 First Extraordinary Session passes the legislature or the proposed amendment to the Louisiana Constitution contained in the provisions of said Senate Bill No. 27 or House Bill No. 139 fails to receive the favorable vote of the electors, the name of the

Coastal Protection and Restoration Authority provided for in this Act shall revert to the Wetlands Conservation and Restoration Authority; and the name of the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation provided for in this Act shall revert to the Governor's Advisory Commission on Coastal Restoration and Conservation; and the Coastal Protection and Restoration Fund provided for in this Act shall revert to the Wetlands Conservation and Restoration Fund; and the annual coastal protection plan provided for in this Act shall revert to the Wetlands Conservation and Restoration Plan, and the law institute is hereby directed to make the necessary technical changes to statutory law to reflect the appropriate names as provided herein."

## AMENDMENT NO. 54

On page 23, line 3, change "Section 3." to "Section 4."

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

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

Under the rules, placed on the regular calendar.

## **House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

### **HOUSE RESOLUTION NO. 1—**

BY REPRESENTATIVE HEBERT

#### **A RESOLUTION**

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

Read by title.

### **Motion**

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

### **HOUSE CONCURRENT RESOLUTION NO. 34—**

BY REPRESENTATIVES ODINET, DORSEY, FANNIN, M. GUILLORY, HUTTER, KATZ, QUEZAIRE, SALTER, SMILEY, AND ST. GERMAIN

#### **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, the resolution was adopted.

Ordered to the Senate.

### **HOUSE CONCURRENT RESOLUTION NO. 36—**

BY REPRESENTATIVES JEFFERSON, DORSEY, FANNIN, M. GUILLORY, HUTTER, KATZ, QUEZAIRE, AND ST. GERMAIN

#### **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.

On motion of Rep. Jefferson, the resolution was adopted.

Ordered to 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**

**Suspension of the Rules**

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

**HOUSE BILL NO. 59—**  
BY REPRESENTATIVE JEFFERSON  
AN ACT

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

Called from the calendar.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jefferson to Engrossed House Bill No. 59 by Representative Jefferson

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 18:115(F)(2)(d)" delete "and 425(A)(4)," and insert a comma "," and insert "425(A)(4), and 1314(F),"

**AMENDMENT NO. 2**

On page 1, line 7, after "authorize commissioners" insert "and absentee by mail and early voting commissioners"

**AMENDMENT NO. 3**

On page 1, line 11, after "R.S. 18:115(F)(2)(d)" delete "and 425(A)(4)" and insert a comma "," and insert "425(A)(4), and 1314(F)"

**AMENDMENT NO. 4**

On page 3, between lines 19 and 20, insert the following:

"§1314. Absentee by mail and early voting commissioners

\* \* \*

H. For an election held within one year following the date of the issuance of any gubernatorial proclamation declaring a state of emergency, if a parish board of election supervisors determines that there is a parishwide shortage of absentee by mail and early voting

commissioners because a significant number of absentee by mail and early voting commissioners have been temporarily displaced due to such emergency, the board may submit a written request to the secretary of state for additional absentee by mail and early voting commissioners from other parishes in the same manner as provided in R.S. 18:425(A)(4). Approval, selection, training, and reimbursement of expenses of such absentee by mail and early voting commissioners shall also be in the same manner as provided in R.S. 18:425(A)(4).

\* \* \*

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jefferson to Engrossed House Bill No. 59 by Representative Jefferson

**AMENDMENT NO. 1**

On page 2, line 10, after "registered to vote" delete the remainder of the line and on line 11, delete "September 24, 2005," and insert "on or after October 5, 2004 but prior to September 25, 2005."

Rep. Jefferson moved the adoption of the amendments.

Rep. Bruneau objected.

By a vote of 68 yeas and 29 nays, the amendments were adopted.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Scalise to Engrossed House Bill No. 59 by Representative Jefferson

**AMENDMENT NO. 1**

On page 1, line 6, after "of such provisions;" and before "to provide relative to" insert "to require the registrar to verify that such person has not registered in another jurisdiction;"

**AMENDMENT NO. 2**

On page 2, line 13, after "parish of residence," and before "and that" insert "that he is not registered to vote in another jurisdiction as provided in Item (iii) of this Subparagraph."

**AMENDMENT NO. 3**

On page 2, between lines 21 and 22, insert the following:

"(iii) When a person has submitted an application to vote absentee by mail pursuant to this Subparagraph, the registrar shall, prior to sending the absentee by mail ballot, contact the appropriate election official in the jurisdiction where the applicant has requested for his absentee by mail ballot to be sent, to verify that the person has not registered to vote in that jurisdiction or, if such jurisdiction has a statewide voter registration database, state. If the registrar finds that the person has registered in that jurisdiction or state, the person shall not be permitted to vote absentee by mail and the registrar shall proceed in accordance with the applicable provisions of Part V of this Chapter."

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On motion of Rep. Scalise, the amendments were withdrawn. Rep. Jefferson moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Dorsey, LaFleur, Alario, Fauchoux, Marchand, Arnold, Frith, Morrell, Badon, Gallot, Pierre, Baldone, Glover, Pinac, Barrow, Gray, Quezaire, Baylor, Guillory, E., Richmond, Bruce, Guillory, M., Ritchie, Burrell, Hammett, Romero, Carter, R., Harris, Smith, G., Cazayoux, Hebert, Smith, J.D.-50th, Cravins, Honey, St. Germain, Curtis, Hunter, Townsend, Darte, Jackson, Wright, DeWitt, Jefferson. Total - 44

NAYS

Table with 3 columns of names: Alexander, Hill, Powell, T., Ansardi, Hopkins, Robideaux, Beard, Hutter, Scalise, Bowler, Johns, Schneider, Bruneau, Katz, Smiley, Crane, Kennard, Smith, J.H.-8th, Crowe, Kenney, Strain, Damico, Kleckley, Thompson, Daniel, Lambert, Toomy, Doerge, Lancaster, Trahan, Dove, Martiny, Triche, Downs, McDonald, Waddell, Erdey, McVea, Walker, Fannin, Montgomery, Walsworth, Farrar, Morrish, White, Geymann, Odinet, Winston, Greene, Pitre, Wooton, Heaton, Powell, M. Total - 53

ABSENT

Table with 3 columns of names: Baudoin, Durand, Smith, J.R.-30th, Burns, LaBruzzo, Tucker, Carter, K., LaFonta. Total - 8

The Chair declared the above bill failed to pass.

Rep. Bruneau moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 36— BY REPRESENTATIVES LAFLEUR, CAZAYOUX, AND THOMPSON AN ACT

To enact Subpart I of Part II-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.31 and 100.32, relative to state funds; to establish the Restoration Fund as a special fund in the state treasury; to provide for accounts within the fund; to provide for the deposit of monies into the fund; to provide for appropriation and use of monies in the fund; to provide for limitations on appropriations;

to require the development of an annual prioritized program for projects and expenditures recommended for funding through appropriations from the fund; to authorize the Joint Legislative Committee on the Budget to provide by resolution for the content and schedule for submission and consideration of the program; to provide for the consideration, amendment, and approval of such program by the Joint Legislative Committee on the Budget; to authorize rulemaking; and to provide for related matters.

Read by title.

Rep. LaFleur moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Frith, Odinet, Alario, Gallot, Pierre, Alexander, Geymann, Pinac, Ansardi, Glover, Pitre, Arnold, Gray, Powell, M., Badon, Greene, Powell, T., Baldone, Guillory, E., Quezaire, Barrow, Guillory, M., Richmond, Baylor, Hammett, Ritchie, 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, Jackson, Smith, J.R.-30th, Crane, Jefferson, St. Germain, Cravins, Johns, Strain, Crowe, Katz, Thompson, Curtis, Kennard, Toomy, Damico, Kenney, Townsend, Daniel, Kleckley, Trahan, Darte, LaFleur, Triche, DeWitt, LaFonta, Tucker, Doerge, Lambert, Waddell, Dorsey, Lancaster, Walker, Dove, Marchand, Walsworth, Downs, Martiny, White, Durand, McDonald, Winston, Erdey, McVea, Wooton, Fannin, Montgomery, Wright, Farrar, Morrell, Fauchoux, Morrish. Total - 103

NAYS

Total - 0

ABSENT

Table with 2 columns of names: Baudoin, LaBruzzo. Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFleur 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. 101—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To amend and reenact R.S. 51:3084(11), relative to the Louisiana Community Development Financial Institution Act; to define low-income community to include areas affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Engrossed House Bill No. 101 by Representative Richmond

**AMENDMENT NO. 1**

On page 1, line 14, after "(b)" and before "community" delete "Any" and insert "For purposes of tax credits taken against income and corporation franchise taxes, any"

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

Rep. Richmond 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	Odinot
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
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	
Faucheux	Morrell	
Total - 103		

**NAYS**

Total - 0

**ABSENT**

Beard Tucker  
Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond 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. 115—**

BY REPRESENTATIVE BAYLOR AND SENATOR FIELDS  
AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, Act No. 40 of the 1989 Regular Session of the Legislature, and Act No. 864 of the 2003 Regular Session of the Legislature and R.S. 33:2711.9(B)(3) and to repeal R.S. 33:4574.1(A)(1)(d), 4574.1.1(E), 4574.9(C)(1)(d), 4574.12(D)(1)(d), 4574.13(C)(1)(d), and 4575.3(20)(d), relative to hotel occupancy taxes; to delete the exemption of certain rooms from hotel occupancy tax in certain parishes; and to provide for related matters.

Read by title.

Rep. Baylor moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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Dorsey	Marchand	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	Wright
Total - 99		

NAYS

Total - 0

ABSENT

Heaton	LaBruzzo	Scalise
Hebert	LaFonta	Schneider
Total - 6		

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. Baylor 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. 145—

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

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for appropriations from the fund following certain declarations of disaster or emergency; to provide for an effective date; and to provide for related matters.

Read by title.

## Motion

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

## HOUSE BILL NO. 146—

BY REPRESENTATIVES ALARIO, SALTER, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.3(C)(3) of the Constitution of Louisiana, relative to the Budget Stabilization Fund; to provide for appropriations from the fund following certain declarations of disaster or emergency; 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.

## Motion

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

## HOUSE BILL NO. 158—

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

To enact R.S. 39:1367(E)(2)(b)(iii), relative to state debt; to exclude from the definition of net state tax supported debt certain bonds or notes issued by the state to provide relief from the natural catastrophe caused by Hurricanes Katrina and Rita; and to provide for related matters.

Read by title.

## Motion

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

## Suspension of the Rules

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

## HOUSE BILL NO. 75—

BY REPRESENTATIVE JEFFERSON  
AN ACT

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

Called from the calendar.

Read by title.

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

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jefferson to Engrossed House Bill No. 75 by Representative Jefferson

### AMENDMENT NO. 1

On page 1, line 13, after "In" delete "accordance with" and insert "furtherance of"

### AMENDMENT NO. 2

On page 1, line 15, after "investments" insert "in Louisiana Community Development Financial Institutions"

### AMENDMENT NO. 3

On page 1, line 19, after "exceed" delete "ten percent of the bank's capital" and insert "the maximum amount allowed by federal law for investments in Community Development Financial Institutions."

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

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

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th

Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	Wright
Farrar	Morrish	
Total - 101		

NAYS

Total - 0

ABSENT

Ansardi	Hebert
Geymann	Martiny
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Senate Bills and Joint Resolutions on Third Reading and Final Passage**

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

**Regular Calendar**

**SENATE BILL NO. 1—**

BY SENATORS AMEDEE, CHAISSON, FONTENOT, N. GAUTREAUX, SCHEDLER, ADLEY, BAJIOIE, BARHAM, 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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Cravins to Reengrossed Senate Bill No. 1 by Senator Amedee

**AMENDMENT NO. 1**

Delete the set of Conforming Amendments proposed by Representative Cravins and adopted by the House of Representatives on November 14, 2005.

**AMENDMENT NO. 2**

On page 1, line 2, after "545(A)" delete the remainder of the line and at the beginning of line 3, delete "15:542(A)(4)"

**AMENDMENT NO. 4**

On page 1, line 5, after "housing;" delete the remainder of the line and insert in lieu thereof "to provide that penalties for failure to register shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residences in certain circumstances;"

**AMENDMENT NO. 5**

On page 1, delete line 6 in its entirety and at the beginning of line 7, delete "department to send written notices;" and insert in lieu thereof "to provide with respect to the duty of law enforcement officials to forward registration information to the Louisiana Bureau of Criminal Identification and Information;"

**AMENDMENT NO. 6**

On page 1, line 10, after "reenacted" and before "to" delete "and R.S. 15:542(A)(4) is hereby enacted"

**AMENDMENT NO. 7**

On page 2, line 4, change "(2)" to "(2)(a)"

**AMENDMENT NO. 8**

On page 2, line 6, after "enters" delete the remainder of the line and insert in lieu thereof "an emergency shelter" and on line 7, delete "other emergency housing facility"

**AMENDMENT NO. 9**

On page 2, line 8, change "management" to "manager or director" and change "facility" to "shelter"

**AMENDMENT NO. 10**

On page 2, between lines 10 and 11, insert the following:

"(b) For purposes of this Subsection, "emergency shelter" includes the use of any facility, building or structure operated by a nonprofit, tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, which provides the basic necessities of life, including but not limited to water, food, and shelter, to persons who are displaced from their homes due to a man-made or natural emergency or disaster."

**AMENDMENT NO. 11**

On page 2, delete lines 11 through 13 in their entirety and insert in lieu thereof:

"(3) The manager or director of the emergency shelter shall make a reasonable effort to notify the chief law enforcement officer of the parish or municipality in which the shelter is located of the presence of the sex offender in the emergency shelter. No person associated with a nonprofit organization, which operates an emergency shelter shall be liable for any injury or claim arising out of the failure of the manager or operator to communicate the presence of a sex offender in the shelter to the appropriate law enforcement official."

**AMENDMENT NO. 12**

On page 2, delete lines 14 through 23 in their entirety

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## AMENDMENT NO. 13

On page 2, line 28, after "parish," and before "the" insert "or is temporarily displaced from his residence and establishes any temporary residence for a period of not less than ten consecutive days following the issuance of an evacuation order or declaration of emergency issued by the governor or the local governing authority in accordance with law"

## AMENDMENT NO. 14

On page 3, at the beginning of line 9, after "parish," and before "the" insert "or is temporarily displaced from his residence and establishes any temporary residence for a period of not less than ten consecutive days following the issuance of an evacuation order or declaration of emergency issued by the governor or the local governing authority in accordance with law"

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

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

Total - 104

#### NAYS

Total - 0

#### ABSENT

Hebert  
Total - 1

The Chair declared the above bill was finally passed.

Rep. Cravins 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.

### Petitions, Memorials and Communications

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

### Message from the Senate

#### HOUSE CONCURRENT RESOLUTIONS

November 16, 2005

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

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

House Concurrent Resolution No. 34  
Returned without amendments

House Concurrent Resolution No. 36  
Returned without amendments

House Concurrent Resolution No. 45  
Returned with amendments

House Concurrent Resolution No. 48  
Returned without amendments

House Concurrent Resolution No. 49  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate

#### ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

November 16, 2005

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

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

Senate Concurrent Resolution No. 28

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

### 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. 11—**  
BY REPRESENTATIVE TUCKER

A RESOLUTION

To commend the Leukemia and Lymphoma Society for addressing the needs and services of blood cancer patients who have been displaced from devastated portions of the state.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 50—**  
BY REPRESENTATIVE BALDONE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive the debt of Louisiana's local governments resulting from seven hundred fifty million dollars in loans made available to them as disaster relief.

Read by title.

On motion of Rep. Baldone, 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. 167—**  
BY REPRESENTATIVE GRAY

AN ACT

To enact R.S. 51:1425, relative to unfair trade practices; to provide that unfair residential rent increases in hurricane-devastated areas is an unfair trade practice; to provide for the attorney general to promulgate rules; to provide for remedies; and to provide for related matters.

Read by title.

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on  
Administration of Criminal Justice**

November 16, 2005

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 39, by Scalise  
Reported favorably. (9-0)

Senate Bill No. 68, by Chaisson  
Reported with amendments. (9-0) (Regular)

DANIEL MARTINY  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Suspension of the Rules**

On motion of Rep. Martiny, 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. 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.

Reported favorably by the Committee on Administration of Criminal Justice.

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

**Privileged Report of the Legislative Bureau**

November 16, 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. 27  
Reported without amendments.

Senate Bill No. 68  
Reported without amendments.

Senate Bill No. 71  
Reported with amendments.

Respectfully submitted,

CHARLES MCDONALD  
Chairman

**Privileged Report of the Committee on Enrollment**

November 16, 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 Resolutions have been properly enrolled:

**HOUSE RESOLUTION NO. 10—**  
BY REPRESENTATIVE HONEY  
A RESOLUTION

To commend Reverend Gardner C. Taylor and to welcome him to Louisiana.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

November 16, 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 Bills have been properly enrolled:

**HOUSE BILL NO. 84 (Duplicate of Senate Bill No. 65)—**  
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.

**HOUSE BILL NO. 94 (Duplicate of Senate Bill No. 32)—**  
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.

**HOUSE BILL NO. 95 (Duplicate of Senate Bill No. 33)—**  
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.

**HOUSE BILL NO. 96 (Duplicte of Senate Bill No. 31)—**  
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.

Respectfully submitted,

DONALD RAY KENNARD  
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

**Suspension of the Rules**

On motion of Rep. Pinac, the rules were suspended to permit the Committee on Commerce to meet upon adjournment on Wednesday, November 16, 2005, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill No. 167

**Suspension of the Rules**

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

Senate Bill No. 52

**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):

Senate Bill Nos. 3 and 89

Senate Concurrent Resolution No. 18

**Adjournment**

On motion of Rep. Kenney, at 4:05 P.M., the House agreed to adjourn until Thursday, November 17, 2005, at 11:00 A.M.

The Speaker of the House declared the House adjourned until 11:00 A.M., Thursday, November 17, 2005.

ALFRED W. SPEER  
Clerk of the House