The House of Representatives was called to order at 5:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

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<th>ABSENT</th>
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The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Dorsey.

Pledge of Allegiance

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

Reading of the Journal

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

On joint motion of Reps. Curtis, Glover, Honey, LaFonta, Marchand, and Richmond, and under a suspension of the rules, the Journal of November 17, 2005, was corrected to reflect them as being present.

On motion of Rep. Gary Smith, the Journal of November 17, 2005, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

November 18, 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 House Bills:

House Bill No. 3
Returned without amendments

House Bill No. 4
Returned with amendments

House Bill No. 6
Returned without amendments

House Bill No. 15
Returned without amendments

House Bill No. 19
Returned without amendments

House Bill No. 20
Returned without amendments

House Bill No. 21
Returned without amendments

House Bill No. 22
Returned without amendments
House Bill No. 27
Returned without amendments
House Bill No. 28
Returned without amendments
House Bill No. 33
Returned without amendments
House Bill No. 34
Returned with amendments
House Bill No. 35
Returned without amendments
House Bill No. 44
Returned with amendments
House Bill No. 45
Returned without amendments
House Bill No. 46
Returned with amendments
House Bill No. 56
Returned without amendments
House Bill No. 65
Returned with amendments
House Bill No. 73
Returned with amendments
House Bill No. 78
Returned without amendments
House Bill No. 88
Returned with amendments
House Bill No. 90
Returned with amendments
House Bill No. 92
Returned without amendments
House Bill No. 104
Returned without amendments
House Bill No. 127
Returned without amendments
House Bill No. 131
Returned without amendments
House Bill No. 132
Returned without amendments
House Bill No. 135
Returned without amendments
House Bill No. 142
Returned without amendments
House Bill No. 143
Returned without amendments
House Bill No. 148
Returned with amendments

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

November 18, 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. 26
Returned without amendments
House Concurrent Resolution No. 39
Returned without amendments
House Concurrent Resolution No. 41
Returned without amendments
House Concurrent Resolution No. 42
Returned without amendments
House Concurrent Resolution No. 43
Returned with amendments
House Concurrent Resolution No. 44
Returned without amendments
House Concurrent Resolution No. 52
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

November 18, 2005

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

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

Senate Concurrent Resolution Nos. 17, 32, 33, 34, 35, 36, and 37

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR SHEPHERD
A CONCURRENT RESOLUTION

To urge and request the various financial institutions throughout the state, who are licensed by the state to provide residential mortgage loans, to delay the collection of the monthly mortgage installment 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.

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

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATORS MICHOT AND N. GAUTREAUX
A CONCURRENT RESOLUTION
To urge and request the Department of Natural Resources and the Department of Transportation and Development in conjunction with other public and private entities to conduct a feasibility study on the construction of a coastal barrier and intracoastal highway.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR MCPHERSON
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to mandate that federal contracts awarded for reconstruction of the Gulf Coast region give a preference to local contractors and workers.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 34—
BY SENATOR B. GAUTREAUX
A CONCURRENT RESOLUTION
To commend Louisiana National Guard Brigadier General Hunt Downer for his outstanding efforts in performance of his duties and the accomplishment of his mission during and after Hurricane Katrina.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR MURRAY
A CONCURRENT RESOLUTION
To the Senate Committee on Judiciary C and the House Committee on the Administration of Criminal Justice to meet and function as a joint committee to study the practicality and feasibility of setting aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency.

Read by title.

Lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION
To create and provide with respect to the Joint Select Committee on Government Organization in the Metropolitan New Orleans Area.

Read by title.

Lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATOR HINES
A CONCURRENT RESOLUTION
To name the pavilion at the Bunkie Youth Center the Tom McWilliams Pavilion in honor of a man who was one of the youth center’s most valuable and dedicated employees.

Read by title.

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

Introduction of Resolutions, House and House Concurrent

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

HOUSE RESOLUTION NO. 13—
BY REPRESENTATIVE KENNARD
A RESOLUTION
To commend David Dellucci of Baton Rouge, outfielder with the Texas Rangers, for his holiday efforts on behalf of Louisiana’s displaced hurricane victims.

Read by title.

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

HOUSE RESOLUTION NO. 14—
BY REPRESENTATIVE TUCKER
A RESOLUTION
To urge and request the Board of Regents to study the need for and feasibility of merging Elaine P. Nunez Community College and Delgado Community College and to report study findings and recommendations in writing to the legislature by not later than March 1, 2006.

Read by title.

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

HOUSE RESOLUTION NO. 15—
BY REPRESENTATIVE HEBERT
A RESOLUTION
To urge and request the House Committee on Commerce to conduct a study of the awarding of Federal Emergency Management Agency contracts to out-of-state companies.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 16—
BY REPRESENTATIVE TUCKER
A RESOLUTION
To urge and request the Board of Regents to study the need for and feasibility of merging Southern University at New Orleans and the University of New Orleans and to report study findings and recommendations in writing to the legislature by not later than March 1, 2006.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION
To memorialize the United States Congress to take such actions as are necessary to amend the Robert T. Stafford Disaster Relief
and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 54**
**BY REPRESENTATIVE WALSWORTH**
A CONCURRENT RESOLUTION

To urge and request local governing authorities to provide that the local sales and use tax shall not apply to certain consumer purchases on the same dates as the sales tax holiday established by state law in the First Extraordinary Session of 2005.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 55**
**BY REPRESENTATIVES T. POWELL AND WOOTON**
A CONCURRENT RESOLUTION

To commend the workers of the state's developmental centers, to recognize the difficulty of recruiting and retaining direct care workers in today's competitive labor market, and to urge and request the office for citizens with developmental disabilities (OCDD) of the Louisiana Department of Health and Hospitals and the Louisiana Department of State Civil Service (Civil Service) to work cooperatively and with Metropolitan Developmental Center and Hammond Developmental Center to recruit and retain such workers as doing so is in the best interest of the residents of such centers.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 56**
**BY REPRESENTATIVE QUEZAIRE**
A CONCURRENT RESOLUTION

To urge and request the state and its political subdivisions to utilize Louisiana companies in their rebuilding, restoring, and renewing efforts matching skills with needs through the Hudson Initiative.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 57**
**BY REPRESENTATIVES JOHNS, FRITH, GEMANN, E. GUILLOY, HILL, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN**
A CONCURRENT RESOLUTION

To commend Adam McBride, director of the Port of Lake Charles, upon the joyous and historic occasion of becoming an American citizen.

Read by title.
Pursuant to a meeting held on November 17, 2005, I am directed by your Committee on House and Governmental Affairs to submit the following report:

Senate Concurrent Resolution No. 18, by Shepherd
Reported with amendments. (5-0)

Senate Bill No. 3, by Schedler
Reported favorably. (5-0) (Regular)

Senate Bill No. 89, by Jones
Reported with amendments. (5-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

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

**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. 51—**

**A CONCURRENT RESOLUTION**

To direct the commissioner of administration to freeze the awarding of contracts and the expenditure of State General Fund (Direct) appropriations contained in Act 26 of the 2005 Regular Session of the Legislature.

Read by title.

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 27—**

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to vote against the repealing of the "Byrd Amendment."

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 30—**

**A CONCURRENT RESOLUTION**

To memorialize Congress to adopt S520 and HR 1070, the Constitution Restoration Act of 2005, which will limit the jurisdiction of the federal courts and preserve the right to acknowledge God to the states and to the people and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God.

Read by title.

On motion of Rep. Wright, and under a suspension of the rules, the resolution was ordered passed to its third reading.

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

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

**HOUSE BILL NO. 168—**

**A JOINT RESOLUTION**

To enact provisions related to reducing the state budget by providing an incentive for employees to retire; to provide an alternative to involuntary workforce reduction and individual agency budget cuts; to provide additional options for public servants employed by agencies seeking to reduce their budgets; to provide for early payment of the unfunded accrued liability of the Louisiana State Employees’ Retirement System for long-term savings in interest which would otherwise be owed by the state; to provide for state payroll reduction through a retirement incentive program and elimination of vacated positions; to allow certain members of the system to retire under specified conditions; to provide with respect to retirement eligibility and benefit calculation; to provide for maximum budget reduction through restrictions on the replacement and reemployment of certain retirees; to provide for an effective date; and to provide for related matters.

Read by title.

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

**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. 18—**

**A JOINT RESOLUTION**

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

Read by title.

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

**SENATE BILL NO. 19—**

**A JOINT RESOLUTION**

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

Read by title.

On motion of Rep. Hammett, the bill was returned to the calendar.
SENATE BILL NO. 20—
BY SENATORS MOUNT AND MURRAY
AN ACT
To amend and reenact R.S. 47:2106 and to enact R.S. 47:1703(E), relative to ad valorem property tax on damaged property; to provide for continuation of the homestead exemption where the owner is unable to occupy the homestead due to a disaster or emergency; to provide for the postponement and later collection of such taxes in parishes affected by disasters and other calamities; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 38—
BY SENATORS MOUNT, CAIN, MURRAY AND NEVERS
AN ACT
To amend and reenact R.S. 47:331(P)(2), relative to the sales and use tax of the state and political subdivisions whose boundaries are coterminous with those of the state; to limit the sales tax paid on sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 39—
BY SENATORS MOUNT, MURRAY AND NEVERS
AN ACT
To enact R.S. 47:305.54, relative to the sales and use tax of the state and political subdivisions whose boundaries are coterminous with those of the state; to limit the sales tax paid on sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 42—
BY SENATORS MOUNT AND MURRAY
AN ACT
To amend and reenact R.S. 47:287.85(C)(2) and R.S. 47:293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the Louisiana federal income tax deduction shall not be reduced by the amount of certain federal disaster relief tax credits; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 44—
BY SENATOR HOLLIS
AN ACT
To enact R.S. 22:1407(J) and Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.39, and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for reduction of rates or discounts on insurance premiums for insureds who comply with the state uniform construction code; to provide for revocation authority and injunctive relief; to provide for agreements with other governmental entities; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for construction of industrial facilities; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshal; to repeal the current state uniform construction code; to provide for the creation of the Louisiana Building Codes Council; to provide for mandamus and injunctive relief; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; to provide for agreements with other governmental entities; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for construction of industrial facilities; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for a limitation on the sale price and cost price of natural gas and electricity for certain taxpayers; to provide for reduced rates or discounts on insurance premiums for insureds who comply with the state uniform construction code; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 54—
BY SENATORS ELLINGTON, NEVERS, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, JONES, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, QUINN, ROMERO, SHEPHERD, SMITH AND THEUNISSEN
AN ACT
To amend and reenact R.S. 47:331(P)(2) and to enact R.S. 47:331(J), relative to corporate franchise tax; to provide an exemption from the corporation franchise tax for extraordinary debt by corporations directly affected by hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

Read by title.

Motion
Under the rules, the above bill was referred to the Committee on Ways and Means.
SENATE BILL NO. 64—
BY SENATOR HINES
AN ACT
To provide for a special statewide election on the fifth Saturday in April of 2006 for the purpose of submitting constitutional amendments to the electors of the state; to provide for the conduct of such election; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 78—
BY SENATORS MOUNT AND MURRAY
AN ACT
To amend and reenact R.S. 47:1508(B)(1), relative to the furnishing of tax information to taxpayers; to authorize the Department of Revenue to release to taxpayers their income tax information; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 81—
BY SENATOR HINES
AN ACT
To enact R.S. 42:1114.3, relative to disclosure of certain contracts; to require certain elected officials and appointed state officials to disclose information to the Board of Ethics regarding the receipt of certain things of value related to certain contracts and subcontracts; to provide for the content of such disclosure; to provide for penalties; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 96—
BY SENATORS SHEPHERD, AMEDEE AND MARIONNEAUX
AN ACT
To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to certain consumer purchases of tangible personal property for non-business use on certain dates; to provide restrictions on the types and cost of purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

Read by title.

Motion
Rep. Hebert moved that Senate Bill No. 96 be designated as a duplicate of House Bill No. 42.

Which motion was agreed to.

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

SENATE BILL NO. 44—
BY SENATOR HOLLIS
AN ACT
To enact R.S. 22:1407(J) and Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.39, and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; to provide for agreements with other governmental entities; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for construction of industrial facilities; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshal; to repeal the current state uniform construction code; to provide for reduced rates or discounts on insurance premiums for insureds who comply with the state uniform construction code; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pinac moved that Senate Bill No. 44 be amended to conform with House Bill No. 76 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 44 by Senator Hollis (Duplicate of House Bill No. 76)

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 33:4773(D) and to" and after "enact" delete "R.S. 22:1407(J) and"

AMENDMENT NO. 2

On page 1, line 5, after "codes;" insert "to provide for scope of building codes;"

AMENDMENT NO. 3

On page 1, line 6, after "policy" delete "of codes" and insert "to provide for the creation and authority of the Louisiana State Uniform Construction Code Council;"

AMENDMENT NO. 4

On page 1, line 6, after "enforcement;" insert "to provide for agreements with other governmental entities or certified third-party providers;"

AMENDMENT NO. 5

On page 1, line 7, after "building" change "official;" to "officials;" and delete the remainder of the line and delete lines 8 and 9 in their entirety and on line 10, delete "agreements with other governmental entities;"

AMENDMENT NO. 6

On page 1, line 11, after "provisions;" insert "to provide for adoption of state uniform construction code;"
AMENDMENT NO. 7
On page 1, line 12, after "facilities;" insert "to provide for construction of farm or recreational structures; to provide for mandamus and injunctive relief;"

AMENDMENT NO. 8
On page 1, line 16, after "code;" delete the remainder of the line and delete line 17 in its entirety and insert "and to"

AMENDMENT NO. 9
On page 2, between lines 2 and 3, insert the following:
"Section 1. R.S. 33:4773(D) is hereby amended and reenacted to read as follows:

§4773. Scope of building codes
*          *          *
D. The performance of any enforcement procedure in connection with any building code shall be deemed to be a discretionary act and shall be subject to the provisions of R.S. 9:2798.4. In connection with the construction of any building, structure, or other improvement to immovable property, neither the performance of any enforcement procedure nor any provision of a building code shall constitute or be construed as a warranty or guarantee by an enforcement agency as to durability or fitness, or as a warranty or guarantee by an enforcement agency that said building, structure, or other improvement to immovable property or any material, equipment, or method or type of construction used therein is or will be free from defects, will perform in a particular manner, is fit for a particular purpose, or will last in any particular way.
*          *          *

AMENDMENT NO. 10
On page 2, line 3, change "Section 1." to "Section 2." and delete "R.S. 22:1407(J) and"

AMENDMENT NO. 11
On page 2, line 4, after "1730.39," change "are" to "is"

AMENDMENT NO. 12
On page 2, delete lines 6 through 12 in their entirety

AMENDMENT NO. 13
On page 2, line 20, insert a comma "." after "alteration"

AMENDMENT NO. 14
On page 2, line 23, insert a comma "." after "comfort" and after "security" delete "of" and insert "balanced with affordability for"

AMENDMENT NO. 15
On page 2, line 24, after "buildings," delete "balanced with affordability."

AMENDMENT NO. 16
On page 2, at the end of line 25, insert the following:
"The state uniform construction code will encourage the use of construction materials of the greatest durability, lower long-term costs, and provide greater storm resistance."

AMENDMENT NO. 17
On page 3, line 9, insert a comma "." after "reviewers"

AMENDMENT NO. 18
On page 3, at the end of line 11, insert a semicolon ";" and "immunity"

AMENDMENT NO. 19
On page 3, line 13, delete the period "." after "created" and insert "and shall consist of nineteen members."

AMENDMENT NO. 20
On page 3, line 15, after "qualifies," delete the remainder of the line and delete line 16 in its entirety and insert "No member of the council shall receive per diem or other compensation for their duties on the commission."

AMENDMENT NO. 21
On page 3, delete lines 17 through 29 in their entirety and on page 4, delete lines 1 through 16 in their entirety

AMENDMENT NO. 22
On page 4, line 17, change "shall" to "must"

AMENDMENT NO. 23
On page 4, at the end of line 20, insert a comma "," after "officials"

AMENDMENT NO. 24
On page 4, line 22, delete the period "." after "Code" and delete the remainder of the line and delete lines 23 through 25 in their entirety and insert the following:
"[Part XIV (Plumbing) of the State Sanitary Code]. Specifically, the council shall establish the requirements and process for the certification and continuing education of code enforcement officers, code enforcement inspectors, and building officials and determine if any amendments to the state uniform construction code are justified. If the council determines that an amendment is justified, it may enact such an amendment after a finding on the record that the modification provides a reasonable degree of public health, safety, and welfare. The council shall adopt rules in accordance with the Administrative Procedure Act in order to implement the provisions of this Part."

AMENDMENT NO. 25
On page 4, line 27, delete "consistent with" and insert "under the Administrative Procedure Act in order to implement the provisions of""

AMENDMENT NO. 26
On page 4, line 29, delete the period "." after "council" and insert "within fourteen days of such request."

AMENDMENT NO. 27
On page 5, line 2, after "meeting" delete the remainder of the line and on line 3, delete "quorum."

AMENDMENT NO. 28
On page 5, line 3, after "meeting" change "is" to "shall be" and delete "public. An" and insert "public and any"
AMENDMENT NO. 29
On page 5, at the end of line 5, delete the period “.” after “meeting” and insert “provided that a quorum is established prior to a vote. A majority of members of the council shall constitute a quorum.”

AMENDMENT NO. 30
On page 5, between lines 5 and 6, insert the following:

“E. The council and its members shall be immune from personal liability for actions taken in good faith in the discharge of their responsibilities. The state shall hold the council and its members harmless from all costs, damages, and attorney fees arising from claims and suits against them with respect to matters to which such immunity applies.”

AMENDMENT NO. 31
On page 5, line 8, change “only” to “the”

AMENDMENT NO. 32
On page 5, line 11, after “provisions of” delete the remainder of the line and insert “R.S. 51:972.21 et seq., as it relates to manufactured housing installation.”

AMENDMENT NO. 33
On page 5, between lines 11 and 12, insert the following:

“C. The provisions of this Part do not limit the authority of parishes or municipalities to enact and enforce stricter building codes as long as they do not diminish the requirements established in this Part.”

AMENDMENT NO. 34
On page 5, at the beginning of line 12, change “C.” to “D.”

AMENDMENT NO. 35
On page 5, line 15, after “guarantee by” delete “an” and insert “a governmental”

AMENDMENT NO. 36
On page 5, line 16, after “guarantee by” delete “an” and insert “a governmental”

AMENDMENT NO. 37
On page 5, line 19, change “matter.” to “manner.”

AMENDMENT NO. 38
On page 5, at the end of line 21, insert a semicolon “;” and “private agreements”

AMENDMENT NO. 39
On page 5, line 23, change “third party” to “third-party”

AMENDMENT NO. 40
On page 5, line 26, change “third party” to “third-party”

AMENDMENT NO. 41
On page 6, line 1, delete “A commercial or residential contractor” and insert “Commercial and residential contractors”

AMENDMENT NO. 42
On page 6, line 2, change “third party” to “third-party” and after “providers to” delete “inspect and” and insert “conduct plans review and inspections and”

AMENDMENT NO. 43
On page 6, line 3, change “third party” to “third-party” and change “must” to “shall”

AMENDMENT NO. 44
On page 6, at the beginning of line 4, after “Council” delete the remainder of the line and insert the following:

“for purposes of the emergency provisions of R.S. 0:1730.27. Thereafter, a third-party provider shall meet the requirements imposed by the council for certificates of registration. During the time period that the provisions of R.S. 40:1730.27 of this Part are in effect, every certified third-party provider doing business within the state shall notify the Department of Public Safety and Corrections of their intention to do business within the state and the department shall maintain a listing of the name of the provider and the name and location of the person or entity with whom the provider has contracted to provide enforcement services. Once the council meets for the first time, certified third-party providers shall notify the council of their intention to do business within the state and the council shall maintain a listing of all certified third-party providers.”

AMENDMENT NO. 45
On page 6, at the beginning of line 7, delete “A.” and at the end of the line change “council certified” to “council-certified”

AMENDMENT NO. 46
On page 6, line 9, delete “Section 1730.24” and insert “R.S. 40:1730.24”

AMENDMENT NO. 47
On page 6, line 10, change “council certified” to “council-certified” and after “official.” insert the following:

“A parish or municipality may use a certified building inspector in lieu of a certified building official for a period not to exceed four years from the date the state uniform construction code becomes effective in the parish or municipality.”

AMENDMENT NO. 48
On page 6, line 12, change “council certified” to “council-certified”

AMENDMENT NO. 49
On page 6, delete lines 15 through 19 in their entirety

AMENDMENT NO. 50
On page 6, line 23, delete “Section 1730.28” and insert “R.S. 40:1730.28”

AMENDMENT NO. 51
On page 6, line 25, delete “Section 1730.28” and insert “R.S. 40:1730.28”

AMENDMENT NO. 52
On page 7, line 6, after “A.” delete the remainder of the line, delete line 7 in its entirety, and on line 8, delete “shall enforce, on an emergency basis, all the” and insert “The”
AMENDMENT NO. 53
On page 7, line 10, after "modified in" delete the remainder of the line and insert the following:
"R.S. 40:1730.28(A)(3), and amending Section 301.2.1.1(2) to replace "Southern Building Code Congress International Standard for Hurricane Resistant Residential Construction (SSTD 10)" with the Guidelines for Hurricane Resistant Construction as published by the Institute for Business and Home Safety, 2005 shall apply to the parishes of Calcasieu, Cameron, Vermilion, Iberia, St. Tammany, Orleans, Jefferson, St. Bernard, Plaquemines, Terrebonne, and Lafourche."

AMENDMENT NO. 54
On page 7, line 17, delete "Section 1730.23" and insert "R.S. 40:1730.23 and 1730.24".

AMENDMENT NO. 55
On page 7, line 19, after "Section" delete "within ninety days of enactment of this Act," and insert "on the effective dates provided for in Subsection D of this Section."

AMENDMENT NO. 56
On page 7, between lines 21 and 22, insert the following:
"D. The provisions of this Section shall go into effect thirty days from the effective date of this Part for parishes and municipalities that have code enforcement procedures in place on the effective date of this Part. For those parishes and municipalities without code enforcement procedures, the provisions of this Section shall be applied no later than ninety days from the effective date of this Part."

AMENDMENT NO. 57
On page 7, line 25, delete "by reference"

AMENDMENT NO. 58
On page 7, line 27, delete "and the" and insert a comma "," and "not including Chapter 27-Electrical and Chapter 29-Plumbing Systems, the applicable"

AMENDMENT NO. 59
On page 7, at the beginning of line 28, after "code" insert "are included"

AMENDMENT NO. 60
On page 8, line 6, change "parts" to "Parts"

AMENDMENT NO. 61
On page 8, line 7, delete "TV-Energy Conservation."

AMENDMENT NO. 62
On page 8, line 14, after "and" and before "only" insert "shall"

AMENDMENT NO. 63
On page 8, between lines 15 and 16, insert the following:
"(a) Item 2, the Southern Building Code Congress International, Standard for Hurricane Resistant Residential Construction (SSTD 10), shall be replaced by the Institute for Business & Home Safety, Guidelines for Hurricane Resistant Construction, 2005."

AMENDMENT NO. 64
On page 8, at the beginning of line 16, change "(a)" to "(b)" and delete the parentheses before "Design" and after "Criteria."

AMENDMENT NO. 65
On page 8, at the beginning of line 17, change "(b)" to "(c)"

AMENDMENT NO. 66
On page 8, at the beginning of line 21, change "(d)" to "(e)"

AMENDMENT NO. 67
On page 8, line 28, after "Code" delete the comma "," and delete the remainder of the line and on line 29, delete "Electrical and Chapter 29 - Plumbing Systems," and insert "(Part XIV (Plumbing) of the State Sanitary Code)"

AMENDMENT NO. 68
On page 9, at the end of line 2, insert the following:
"Nothing in this Part shall be construed so as to prevent the state health officer from enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility."

AMENDMENT NO. 69
On page 9, between lines 24 and 25, insert the following:
"(8) 562211/562212 hazardous and solid waste landfills."

AMENDMENT NO. 70
On page 9, at the beginning of line 25, change "(8)" to "(9)"

AMENDMENT NO. 71
On page 9, at the beginning of line 26, change "(9)" to "(10)"

AMENDMENT NO. 72
On page 9, at the beginning of line 27, change "(10)" to "(11)"

AMENDMENT NO. 73
On page 9, at the beginning of line 28, change "(11)" to "(12)"

AMENDMENT NO. 74
On page 9, at the beginning of line 29, change "(12)" to "(13)"

AMENDMENT NO. 75
On page 9, after line 29, insert the following:
"(14) 211112 natural gas processing plants."

AMENDMENT NO. 76
On page 10, line 1, after "farm" insert "or recreational"

AMENDMENT NO. 77
On page 10, line 5, delete the comma "," after "including" and after "limited to"

AMENDMENT NO. 78
On page 10, line 11, delete the period "." after "structure" and insert "or private outdoor recreational structure, other than a residence or structure attached to a residence, such as a hunting or fishing camp."

200
AMENDMENT NO. 79
On page 10, delete lines 15 through 19 in their entirety
AMENDMENT NO. 80
On page 10, at the beginning of line 20, change “E.” to “D.”
AMENDMENT NO. 81
On page 10, line 22, after “farm” insert “or private outdoor recreational”
AMENDMENT NO. 82
On page 10, line 27, after “provided” delete “for” and insert a comma “,” after “district”
AMENDMENT NO. 83
On page 10, line 28, insert a comma “,” after “general”
AMENDMENT NO. 84
On page 11, line 3, after “fees” delete the semicolon “;” and delete the remainder of the line
AMENDMENT NO. 85
On page 11, line 21, change "registrations" to "registration"
AMENDMENT NO. 86
On page 12, line 2, after "Ethics" change the period “.” to a comma “,” and insert "provided however, that when any member of the council has a real or perceived conflict of interest upon an issue before the council, he shall recuse himself from participation in that issue by providing a verbal explanation of the real or perceived conflict to the council.”
AMENDMENT NO. 87
On page 12, line 20, after "agency" insert "that is prescribed by the council"
AMENDMENT NO. 88
On page 12, line 27, delete "examination" and insert "certification by a recognized code organization or testing agency”
AMENDMENT NO. 89
On page 13, delete lines 1 through 3 in their entirety and insert the following:

"registration pursuant to this Section. This registration is valid for three years for building officials and six months for building inspectors and plans reviewers. The certificates of registration provided for in this Subsection may not be renewed except as provided in Subsection B of this Section.”

AMENDMENT NO. 90
On page 13, line 4, insert a comma “,” after "municipality”

AMENDMENT NO. 91
On page 13, line 6, delete "examination which" and insert "certification by a recognized code organization or testing agency" provided that such individual is under the supervision of a code enforcement officer who is certified by the International Code Council. Such provisional certificate of registration

AMENDMENT NO. 92
On page 13, at the end of line 8, delete the period “.” and insert “except as provided in Subsection B of this Section.”

AMENDMENT NO. 93
On page 13, at the end of line 13, insert a semicolon “;” and "violations; penalty”

AMENDMENT NO. 94
On page 13, line 15, after "person” delete the comma “,” and delete the remainder of the line and delete line 16 in its entirety and on line 17, delete "intentionally violates” and insert "violating"

AMENDMENT NO. 95
On page 13, line 17, delete "shall be” and insert "is”

AMENDMENT NO. 96
On page 13, line 18, change "may” to "must”

AMENDMENT NO. 97
On page 14, line 3, after "registration" insert "issued under R.S. 40:1730.35(B)" and change “two years” to “one year”

AMENDMENT NO. 98
On page 14, line 5, after "determination by" insert "the" and at the end of the line delete "approved" and insert "council-approved”

AMENDMENT NO. 99
On page 14, line 9, after "registrants" insert "under R.S. 40:1730.35(B)"

AMENDMENT NO. 100
On page 14, line 11, after "marshal” delete the remainder of the line

AMENDMENT NO. 101
On page 14, line 13, delete "permitting and”

AMENDMENT NO. 102
On page 14, at the end of line 14, delete "Section” and at the beginning of line 15, delete "1730.24” and insert "R.S. 40:1730.24”

AMENDMENT NO. 103
On page 14, delete lines 23 through 26 in their entirety

AMENDMENT NO. 104
On page 14, line 27, change "Section 2.” to "Section 3.”

AMENDMENT NO. 105
On page 14, line 29, change "Section 3.” to "Section 4.”

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

Motion
On motion of Rep. Pinac, the above bill, as amended, was referred to the Legislative Bureau.
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. 76—
BY REPRESENTATIVES PINAC, ALARIO, DAMICO, DEWITT, DORSEY, HAMMETT, JOHNS, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT
To amend and reenact R.S. 33:4773(D) and to enact Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1725 through 1730.39, and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1, relative to the state building codes; to provide for scope of building codes; to provide for public policy; to provide for the creation and authority of the Louisiana State Uniform Construction Code Council; to provide for enforcement; to provide for agreements with other governmental entities or certified third-party providers; to provide for appointment of building officials; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for adoption of state uniform construction code; to provide for construction of industrial facilities; to provide for construction of farm or recreational structures; to provide for mandamus and injunctive relief; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshals; to repeal the current state uniform construction code; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 163—
BY REPRESENTATIVE CROWE
AN ACT
To enact R.S. 51:1422, relative to unfair trade practices; to prohibit persons' or entities' principal place of business; to provide for related matters.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 167—
BY REPRESENTATIVE GRAY
AN ACT
To enact R.S. 51:1425, relative to unfair trade practices; to provide that an unfair residential rent increase in declared disaster areas is an unfair trade practice; to provide for the attorney general to promulgate rules; to provide for remedies; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

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. 27—
BY SENATORS DUPRE, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DULESSIS, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHIEDLER, SHEPHERD, SMITH, THUENESSEN AND ULO
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 provide relative to deposits and uses of the fund 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.

Read by title.

Motion

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 27 by Senator Dupre

AMENDMENT NO. 1
On page 1, line 3, after "Louisiana," delete the comma "," and insert "and to repeal Act No. 513 of the 2005 Regular Session,"

AMENDMENT NO. 2
Delete Amendment No. 7 of the Conforming Amendments proposed by Representative Alario and adopted by the House on November 16, 2005

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

Rep. Baldone moved the final passage of the bill, as amended. YEAS

Mr. Speaker
Gallot
Morrish

Alario
Geismann
Odinet

Alexander
Glover
Pierre

Ansardi
Gray
Pinac

Arnold
Greene
Pitre

Badon
Guillory, E.
Powell, M.

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

Rep. Baldone 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.

SENATE BILL NO. 68—
BY SENATORS CHAISSON AND AMEDEE
AN ACT
To enact R.S. 29:732.1, relative to the crime of conducting business without required licenses and permits; to provide for exceptions; to provide for penalties; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

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

SENATE BILL NO. 71—
BY SENATORS DUPRE, AMEDEE, BAJOR, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JONES, LENTINI, MALONE, MARIONNEAUX, MICHEOT, MOUNT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO
AN ACT
To amend and reenact 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.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

In Conforming Amendment No. 103 proposed by Representative Alario and adopted by the House on November 16, 2005, on the second line of the amendment, change “approve” to “take action on”

AMENDMENT NO. 2

Delete Amendment No. 121 of the Conforming Amendments proposed by Representative Alario and adopted by the House on November 16, 2005

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 3, after “213.11” insert “and 213.12”

AMENDMENT NO. 2

On page 1, line 17, after “213.11” delete “is” and insert “and 213.12 are”

AMENDMENT NO. 3

On page 19, between line 28 and 29, insert the following:

“§213.12. Inspection Program
A. The authority shall establish and implement a comprehensive hurricane protection inspection program. Such program shall include the following:
(1) Reviewing of hurricane protection diagrams, designs and plans;
(2) Monitoring of defects and problems.”
(3) Conducting of an inspection of every hurricane protection barrier and associated elements at least every five years, or after a hurricane impacts a hurricane protection barrier and associated elements. If a defect or problem is identified, then the authority shall measure and test elevations, soil conditions, and structural integrity of the hurricane protection barrier and associated elements.

B. The authority shall report a notice of defect in the hurricane protection within thirty days of the inspection results to the appropriate entity, or political subdivision. The notice shall contain a description of the defect. The notice of defect shall be mailed by certified mail, or return receipt requested. The appropriate entity, or political subdivision, shall have forty-five days from receipt of the notice of defect to provide the authority with a plan and timeline to remedy the defect.

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 71 by Senator Dupre

**AMENDMENT NO. 1**

On page 12, at the end of line 17 add the following:

"The members serving under the provisions of this Paragraph may designate a person to serve as a proxy."

**AMENDMENT NO. 2**

On page 12, at the end of line 21, add the following:

"The members serving under the provisions of this Paragraph may designate a person to serve as a proxy."

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 71 by Senator Dupre

**AMENDMENT NO. 1**

On page 12 delete lines 26 through 29 in their entirety

**AMENDMENT NO. 3**

On page 13, delete lines 1 through 8 in their entirety

Rep. Alario moved the adoption of the amendments.


By a vote of 81 yeas and 14 nays, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>93</td>
<td>5</td>
</tr>
</tbody>
</table>

The Chair declared the above bill was finally passed.

Rep. Baldone 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**

**SENATE BILLS**

November 18, 2005

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

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

Senate Bill Nos. 95, 102, 105, 107, and 109

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate
Motion

Rep. Quezaire moved to suspend the rules to give Senate Bill No. 95 its first and second readings in order to refer the bill to committee at this time.


By a vote of 45 yeas and 47 nays, the House refused to suspend the rules.

Motion

On motion of Rep. Frith, the rules were suspended to give the following Senate Bills their first and second readings in order to refer the bills to committee at this time.

SENATE BILL NO. 107—
BY SENATOR MCPHERSON
AN ACT
To amend and reenact R.S. 40:2109(B)(7) and to enact R.S. 40:2007.1 and 2116(J), relative to the licensure of healthcare providers; to provide relative to health care services in areas affected by declarations of emergency or disaster; to provide relative to the interruption of health care services; to provide relative to replacement and repair of health care facilities in certain areas; to provide relative to facility need review approvals for certain health care providers; to provide for licensure and facility need review; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 109—
BY SENATORS N. GAUTREAUX, BOASSO AND DUPRE
AN ACT
To amend and reenact R.S. 49:213.2 and 213.4(A), and to enact R.S. 49:213.11, relative to coastal and hurricane protection; to authorize and provide for the development and implementation of an inspection program; and to provide for related matters.

Read by title.

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

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. 163—
BY REPRESENTATIVE CROWE
AN ACT
To enact R.S. 51:1422, relative to unfair trade practices; to prohibit contracts with displaced persons for less advantageous terms than with consumers who are domiciled in the vicinity of the persons’ or entities’ principal place of business; to provide for penalties; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Crowe moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi Frith Morrell
Barrow Glover Odinet
Baudoin Guillory, E. Powell, M.
Beard Hunter Richmond
Bruce Jefferson Smith, G. Smith, J.R.–30th
Bruneau Johns Smither
Cazayoux LaFleur Walsworth
Crane Lambert White
Cravins Lancaster Wooton
Crowe Marchand
Fannin McDonald
Total - 37

NAYS

Mr. Speaker Farrar Pitre
Alario Faucheux Powell, T.
Alexander Gallot Quezaire
Arnold Greene Ritchie
Badon Hammett Scalise
Baldone Hepert Schneider
Bowler Hill Smiley
Carter, R. Honey Smith, J.D.–50th
Curtis Hopkins Smith, J.H.–8th
Damico Katz St. Germain
Daniel Kennard Strain
Dartez Kenney Thompson
DeWitt LaBrazzo Townsend
Doerge Martiny Trahan
Dorsey McVea Waddell
Downs Morrish Walker
Erdey Pierre Winston
Total - 54

ABSENT

Burns Guillory, M. Robideaux
Carter, K. Heaton Romer
Durand Hutter Romero
Geymann Jackson Tucker
Gray Kleckley Tucker
Total - 14

The Chair declared the above bill failed to pass.

Rep. Townsend 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.

Privileged Report of the Legislative Bureau

November 20, 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. 3
Reported without amendments.

Senate Bill No. 44
Reported without amendments.
To enact R.S. 22:1407(J) and Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:401.3 through 21 and insert the following:

§401.3  Emergency plan by secretary of state; gubernatorially declared disaster or emergency; 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.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 89—
BY SENATOR JONES

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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 89 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "certain elections;" delete the remainder of the line and delete lines 3 through 5 and insert "to authorize the secretary of state to develop and implement an emergency plan relative to holding certain elections impaired as a result of a gubernatorially declared disaster or emergency; to require and provide for gubernatorial and legislative approval of such emergency plan prior to implementation;"

AMENDMENT NO. 2

On page 1, delete lines 9 through 17 and on page 2, delete lines 1 through 21 and insert the following:

"§401.3  Emergency plan by secretary of state; gubernatorially declared emergency or disaster occurring before or during a regularly scheduled or special election, and in order to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to exercise their right to vote, minimize to whatever degree possible a person's exposure to danger during declared states of emergency, and protect the integrity of the electoral process, it is hereby declared to be necessary to provide a procedure for the development of an emergency plan for the holding of elections impaired as a result of such an emergency or disaster.

A.  Due to the occurrence of a gubernatorially declared emergency or disaster occurring before or during a regularly scheduled or special election, and in order to ensure maximum citizen participation in the electoral process and provide a safe and orderly procedure for persons seeking to exercise their right to vote, minimize to whatever degree possible a person's exposure to danger during declared states of emergency, and protect the integrity of the electoral process, it is hereby declared to be necessary to provide a procedure for the development of an emergency plan for the holding of elections impaired as a result of such an emergency or disaster.

B.  After the issuance of an executive order by the governor declaring a state of emergency and if the secretary of state determines that such emergency impairs an election that may otherwise be held except for technical, mechanical, or logistical problems with respect to the relocation or consolidation of polling places within the parish, potential shortages of commissioners and absentee commissioners, or shortages of voting machines, the secretary of state shall certify such facts and the reasons therefor to the governor, the Senate Committee on Senate and Governmental Affairs, and the House Committee on House and Governmental Affairs. If the governor and a majority of the members of each committee concur that such an emergency plan is necessary, the secretary of state shall develop an
emergency plan in writing that proposes a resolution to technical, mechanical, or logistical problems impairing the holding of the election with respect to the relocation or consolidation of polling places within the parish, potential shortages of commissioners and absentee commissioners, or shortages of voting machines.

C. The written emergency plan shall be submitted by the secretary of state to the Senate Committee on Senate and Governmental Affairs, the House Committee on House and Governmental Affairs, and the governor as soon as practicable following their concurrence with his certification. If a majority of the members of the Senate Committee on Senate and Governmental Affairs and of the House Committee on House and Governmental Affairs approve the emergency plan, such plan shall be submitted to the members of each house of the legislature for approval by mail ballot as provided in this Section. If a majority of the members of each house of the legislature and the governor approve the emergency plan, the secretary of state shall take all steps necessary to implement the plan and all officials of the state and of any political subdivision thereof shall cooperate with and provide assistance to the secretary of state as necessary to implement the plan.

D. (1) In order to obtain the approval of a majority of the elected members of each house of the legislature, the secretary of the Senate and the clerk of the House of Representatives shall jointly prepare and transmit a ballot to each member of the legislature by certified mail with return receipt requested unless the legislature is in session and the ballots may be distributed and returned during the session as provided in this Subsection.

(2)(a) The ballot shall be uniform and the materials sent with the ballot shall include:

(i) A copy of the secretary of state's certification that the emergency impairs an election that may otherwise be held except for certain technical, mechanical, or logistical problems and the reasons therefor.

(ii) A copy of the emergency plan.

(iii) A copy of the roll call votes of the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs on the approval of the emergency plan.

(iv) The date and time on which the ballot may be returned to the secretary of the Senate or the clerk of the House of Representatives, as the case may be, in order for the ballot to be valid.

(b) Each ballot shall contain the name of the member to whom it is to be mailed or delivered, and the member shall sign the ballot after casting his vote.

(3) The ballots mailed to all members shall be postmarked on the same day and shall be returned to the secretary of the Senate or the clerk of the House of Representatives, as the case may be, within fifteen days after the postmarked date; or, when such ballots are delivered to the members of the legislature while in session, the ballots shall be returned to the secretary of the Senate or the clerk of the House of Representatives, as the case may be, within five days after the date the ballots were delivered to members. No ballot received after five o'clock p.m. on the fifth day after the date on which the ballots were delivered to the members during session or after five o'clock p.m. on the eleventh day after the date on which the ballots were mailed shall be valid or counted, and the date and time received shall be marked on each such ballot and the ballot shall be marked “Invalid.” Prior to five o'clock p.m. on the fifth day after the date when delivered to the members of the legislature while in session or prior to five o'clock p.m. on the fifteenth day after the postmarked date if mailed to the members of the legislature, a member may withdraw his ballot or change his vote upon his written request.

(4) On the seventeenth day after the date on which the ballots were mailed, or the seventh day after the date on which the ballots were delivered to the members of the legislature in session as provided in this Subsection, the secretary of the Senate and the clerk of the House of Representatives shall, at a public meeting, jointly open and tabulate the vote in roll call order for each house of the legislature. The tabulation sheet shall indicate by name each member who voted in favor of the plan, each member who voted against the plan, each member who did not return the ballot by the deadline, and each member whose ballot was invalid because it was not marked or signed by the member. The secretary of the Senate and the clerk of the House of Representatives shall each sign the tabulation sheet and cause a certified copy thereof to be transmitted to the secretary of state, the governor, and the chairmen of the Senate Committee on Senate and Governmental Affairs and House Committee on House and Governmental Affairs.

(5) The tabulation sheet shall be a public record.

(6) If regular mail service is impaired, the secretary of the Senate and the clerk of the House of Representatives shall utilize any method necessary to deliver the ballots, including commercial delivery, electronic transmission, or hand delivery, and shall keep a record of the manner of delivery utilized to deliver the ballot to each member and the date the ballot was so transmitted to each member. For the purposes of this Subsection, if such an alternative delivery method is so required, the date on which the ballot was so transmitted shall be considered to be the date postmarked.

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

Petitions, Memorials and Communications

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

Message from the Senate

DISAGREEMENT TO SENATE BILL

November 20, 2005

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 1 by Sen. Amerd, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

November 20, 2005

To the Honorable Speaker and Members of the House of Representatives:
I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 1: Senators Amedee, Fontenot, and Chaisson.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 1: Reps. Cravins, Martiny, and Lambert.

Message from the Senate

HOUSE BILLS
November 20, 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 House Bills:

House Bill No. 7
Returned without amendments

House Bill No. 11
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS
November 20, 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. 2
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS
November 20, 2005

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

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

Senate Concurrent Resolution Nos. 25, 29, and 38

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATORS HOLLIS, ADLEY, BAJORIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDELLNE, DUPLESSIS, DUPRIE, ELLINGTON, E. GAUTREAUX, N. GAUTREAUX, HINES, JACKSON, JONES, KOSTELKA, LENTINI, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO
A CONCURRENT RESOLUTION
To urge and request the governor and the secretary of the Department of Economic Development to continue to study and make recommendations relative to enhancing air service options to all markets within the state, as well as exploring the feasibility and benefits of the state providing financial assistance or incentives to an airline that chooses to locate its hub operations at Armstrong International Airport.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 29—
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 15, 2005 to the Minimum Foundation Program formula for FY 2005-06 previously developed and adopted by BESE on June 16, 2005 and approved by the Legislature as Senate Concurrent Resolution No. 125 of the 2005 Regular Session.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR JACKSON
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to provide financial assistance to the state necessary to maintain essential public services to the people of Louisiana following the devastation caused by hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Burrell, and under a suspension of the rules, the resolution was concurred in.
Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

November 20, 2005

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

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

Senate Concurrent Resolution Nos. 8, 23, 24, 28, and 31

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

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. 17—
BY REPRESENTATIVE MORRELL
A RESOLUTION
To urge and request the Louisiana State University Health Care Services Division and the Louisiana State University Health Sciences Center-New Orleans to return patient care services and all medical and clinical educational programs to New Orleans as soon as possible.

Read by title.

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

HOUSE RESOLUTION NO. 18—
BY REPRESENTATIVE K. CARTER
A RESOLUTION
To memorialize the United States Congress to enjoin the United States Army Corps of Engineers from engaging any contractor in the reconstruction of the levees in the New Orleans area if investigations of levee failures during Hurricanes Katrina and Rita indicate that such contractor performed substandard design or construction work on a portion of a levee that failed.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVE HUNTER AND SENATOR NEVERS
A CONCURRENT RESOLUTION
To authorize and direct the Department of Labor to provide the Senate and House Committees on Labor and Industrial Relations with an itemized list of state and federal funds received in the wake of the aftermath of Hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Hunter, and under a suspension of the rules, the resolution was ordered passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative Lloyd R. Himel.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 64—
BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOW, GLOVER, GRAY, E. GULLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To commend Isaac Greggs upon his retirement as the director of the Southern University marching band.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE RICHMOND
A CONCURRENT RESOLUTION
To direct the Louisiana Housing Finance Agency to establish a low or no interest loan program for homeowners affected by Hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Richmond, and under a suspension of the rules, the resolution was ordered passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVE BEARD
A CONCURRENT RESOLUTION
To urge and request elected officials not to accept campaign finance contributions from any person who has entered into a contract, subcontract, or transaction to provide goods or services related to hurricane rebuilding efforts, if such contract, subcontract, or transaction is under the jurisdiction or supervision of the agency of the elected official.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

November 20, 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. 12—
BY REPRESENTATIVE DOERGE
A RESOLUTION
To authorize and request the Louisiana State Law Institute to study parental substance abuse as a form of neglect and as a factor for terminating parental rights and to study the feasibility of providing a reduction in court costs for parties seeking custody and to make specific recommendations for revisions to state laws before the 2006 Regular Session of the Louisiana Legislature.

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 20, 2005

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVES SCALISE, SCHNEIDER, ALEXANDER, ARNOLD, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, CAZAYOUS, CRAIN, CROWE, DOWNS, FANNIN, FAUCHEUX, FRITH, GEYMANN, GREENE, HEBERT, HOPKINS, HUTTER, JOHNS, KATZ, KENNEY, LAMBERT, LANCASTER, MCDONALD, MCVEA, MONTGOMERY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, ROMERO, SALTER, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WISTON, WOOTON, AND WRIGHT
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.

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE K. CARTER
A CONCURRENT RESOLUTION
To memorialize the United States Congress to enact a health insurance premium reimbursement program and a federal income tax credit for the health insurance premiums for affected victims of Hurricanes Katrina and Rita.

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE BALDENE
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.

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVES BOWLER, TOOMY, ALARIO, ALEXANDER, ARNOLD, BALDON, BAYLOR, BEARD, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUS, CRANE, CRAIN, CRAW, CURTIS, DAMICO, DANIEL, DARTZ, DEWITTY, DOERGE, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LARUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASER, MARCHAND, MARTIN, MCDONALD, MCVEA, MONTGOMERY, MORDELL, MORREY, ODINET, PERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZARRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WISTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HOLLISS, LENTINI, QUINN, SHEPPARD, AND ULLO
A CONCURRENT RESOLUTION
To commend Dr. Diane M. Roussel, Superintendent of the Jefferson Parish Public School System, upon being named Superintendent of the Year by the Louisiana Association of School Executives.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
November 20, 2005

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES PINAC AND LAFONTA AND SENATOR MARIONNEAUX
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana the provisions of R.S. 4:214.1 relative to the minimum number of live racing days.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
November 20, 2005

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE SCALISE, SCHNEIDER, ALEXANDER, ARNOLD, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, CAZAYOUS, CRAIN, CROWE, DOWNS, FANNIN, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LARUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASER, MARCHAND, MARTIN, MCDONALD, MCVEA, MONTGOMERY, MORDELL, MORREY, ODINET, PERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZARRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WISTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HOLLISS, LENTINI, QUINN, SHEPPARD, AND ULLO
A CONCURRENT RESOLUTION
To commend Dr. Diane M. Roussel, Superintendent of the Jefferson Parish Public School System, upon being named Superintendent of the Year by the Louisiana Association of School Executives.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment
November 20, 2005

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE PINAC AND LAFONTA AND SENATOR MARIONNEAUX
A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana the provisions of R.S. 4:214.1 relative to the minimum number of live racing days.

Respectfully submitted,
DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Governor in accordance with the rules of the House.
HOUSE BILL NO. 3—
BY REPRESENTATIVE TOOMY
AN ACT
To amend and reenact Section 10 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to the recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to change the effective date of the Act; and to provide for related matters.

HOUSE BILL NO. 15—
BY REPRESENTATIVES CAZAYOUX, QUIZAIRE, AND SALTER
AN ACT
To enact R.S. 48:442.1, relative to the expropriation of property for design-build projects by the Department of Transportation and Development; to provide relative to the content of the petition to expropriate such property; to provide relative to information which must be annexed to such petition; and to provide for related matters.

HOUSE BILL NO. 19—
BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO
AN ACT
To amend and reenact R.S. 17:24.10(C)(4), relative to LA 4 class student to adult staff member ratios for LA 4 classes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the ratios required for LA 4 classes; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 20—
BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO
AN ACT
To amend and reenact R.S. 17:24.10(C)(4), relative to LA 4 class ratio requirements; to provide for the applicability of provisions relative to the requirements for student to adult staff member ratios for LA 4 classes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the ratios required for LA 4 classes; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 21—
BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO
AN ACT
To amend and reenact R.S. 17:236, relative to the requirement for a minimum school session; to provide for the applicability of the requirement for a minimum school session of not less than one hundred eighty days for school boards to adopt budgets and submit such budgets to the state superintendent of education; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the adoption and submission of such budgets; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 22—
BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO
AN ACT
To amend and reenact R.S. 17:2112(A)(1) and to enact R.S. 17:2112(C), relative to the required time lines for conducting sight and hearing tests for certain pupils; to provide for the applicability of the requirement for testing the sight and hearing of pupils within thirty days after the admission of any pupils entering school late in the session; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to such requirement; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 28—
BY REPRESENTATIVES MARTIN, ALEXANDER, BEARD, BRUNEAU, BURNS, R. CARTER, CROWE, DANIEL, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD KLECKLEY, LABRUZZO, LAMBERT, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALESE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALLS, WHITE, AND WINSTON AND SENATORS BARMAN, BOASSO, CAI, DUMON, ENNIN, HOLLIS, KENT, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, THEUNISSEN, N. GAUTREAUX, AND MURRAY
AN ACT
To amend and reenact R.S. 29:735(A), relative to immunity of law enforcement agencies during Hurricane Katrina or Rita; to provide for limitation of liability for law enforcement agencies and officers based on detention of persons in any parish prison or local jail under certain circumstances; to provide for liability of law enforcement agencies under certain circumstances; to provide for retroactive application; and to provide for related matters.

HOUSE BILL NO. 33—
BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO
AN ACT
To amend and reenact R.S. 17:154.3 and to enact R.S. 17:154.1(A)(5), relative to minimum requirements for instructional time; to provide for applicability of such requirements including the required number of certain work days per school year under specified circumstances; to provide for certification by the state superintendent of education relative to the applicability of the minimum requirements for instructional time for certain public schools and school systems; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to all such applicability; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 35—
BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATOR MURRAY
AN ACT
To amend and reenact R.S. 47:1987(A), relative to assessment procedure; to provide for a change of the time and date when the assessor of Orleans Parish has to complete the work on preparing and making up the assessment lists; to provide for additional time to reassess and prepare the tax rolls for 2006 in Orleans Parish; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 45—
BY REPRESENTATIVES HAMMETT AND PINAC
AN ACT
To amend and reenact R.S. 47:1508(B)(1), relative to the furnishing of tax information to the taxpayer or his duly authorized representative; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 56—
BY REPRESENTATIVES PINAC, MARTIN, JOHNS, AND HEATON AND SENATOR MARIONNEAUX
AN ACT
To enact R.S. 4:147.1, relative to live horse racing; to provide for the authority of the Louisiana State Racing Commission to approve additional races or race days and locations; to provide for related matters; to provide for retroactive application; and to provide for related matters.

HOUSE BILL NO. 78—
BY REPRESENTATIVES MARTIN, PINAC, JOHNS, AND HEATON AND SENATOR MARIONNEAUX
AN ACT
To amend and reenact R.S. 27:354, and 361(B)(4)(a)(i) and (ii) and to enact R.S. 4:147.2, relative to slot machine gaming
at live horse racing facilities; to amend the definition of an eligible facility to provide that the Louisiana State Racing Commission can approve less than eighty days within a twenty-week period in certain emergencies or disasters or other such occurrences; to provide for the effect of this determination; to provide relative to the powers and authority of the Louisiana State Racing Commission; and to provide for related matters.

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. Crane, the rules were suspended to permit the Committee on Education to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

Senate Concurrent Resolution No. 29

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

House Concurrent Resolution No. 62

Leave of Absence

Rep. Burns - 3 days

Adjournment

On motion of Rep. Kenney, at 7:23 P.M., the House agreed to adjourn until Monday, November 21, 2005, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Monday, November 21, 2005.

ALFRED W. SPEER
Clerk of the House