

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

**FIFTH DAY'S PROCEEDINGS**

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

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Friday, February 10, 2006

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

**Morning Hour**

**ROLL CALL**

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

**PRESENT**

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

Fannin	McDonald	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	
Total - 101		

**ABSENT**

Dartez	Doerge	Triche
Total - 3		

The Speaker announced that there were 101 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Karen Carter.

**Pledge of Allegiance**

Rep. McVea 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. Kleckley, the reading of the Journal was dispensed with.

On motion of Rep. Bowler, the Journal of February 9, 2006, was adopted.

**Petitions, Memorials and  
Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

February 10, 2006

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. 9 and 14

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Martiny, 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. 9—  
BY SENATOR HOLLIS**

**A CONCURRENT RESOLUTION**

To urge and request Churchill Downs, Inc. to repair and reopen the Fair Grounds Racing Facility in New Orleans on or before the start of the 2006 racing season.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 14—**

BY SENATOR MURRAY

**A CONCURRENT RESOLUTION**

To memorialize the President of the United States and the Congress of the United States to amend the Stafford Act to permit funds to be used for permanent housing in the hurricane impacted areas of Louisiana.

Read by title.

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

**Message from the Senate**

**SENATE BILLS**

February 10, 2006

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. 3, 5, 16, 22, 31, 32, and 42

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Senate Bills and Joint Resolutions  
on First Reading**

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

**SENATE BILL NO. 3—**

BY SENATOR FIELDS

**AN ACT**

To amend and reenact R.S. 13:992.1(D), relative to the judicial building fund; to provide for an extension of the deadline for letting public bids for construction of a new facility for the Nineteenth Judicial District Court; and to provide for related matters.

Read by title.

**SENATE BILL NO. 5—**

BY SENATOR N. GAUTREAUX

**AN ACT**

To amend and reenact R.S. 40:1730.24(B), relative to state building codes; to provide for certain inspections and inspectors; to allow commercial and residential contractors to establish agreements with certain licensed contractors to conduct plan review and inspections; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 16—**

BY SENATORS JONES, BAJOE AND MURRAY

**AN ACT**

To amend and reenact R.S. 18:401.3(B) and to enact R.S. 18:401.4, relative to the conduct of elections impaired as a result of a gubernatorially declared disaster or emergency; to provide relative to the registration of voters; provide for early voting by mail for persons who registered by mail; to provide for the authority of a voter who has registered by mail who has not

previously voted in the parish in which he is registered during certain emergencies; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; and to provide for related matters.

Read by title.

**SENATE BILL NO. 22—**

BY SENATOR SHEPHERD

**AN ACT**

To enact R.S. 18:1319, relative to early voting in an election conducted pursuant to an emergency plan; to require providing for early voting in the office of any registrar of voters in the state under certain circumstances; to provide for the implementation of such requirement; to provide for reporting; to provide relative to the effectiveness of this provision; and to provide for related matters.

Read by title.

**SENATE BILL NO. 31—**

BY SENATOR SCHEDLER

**AN ACT**

To enact R.S. 6:337 and to repeal R.S. 10:9-211, relative to insurance settlement monies paid for damages to residential property; to require placement of such monies in interest-bearing accounts to the benefit of the residential property owner; and to provide for related matters.

Read by title.

**SENATE BILL NO. 32—**

BY SENATOR MOUNT

**AN ACT**

To amend and reenact R.S. 33:1395.4, relative to the organization or reorganization of local governmental subdivisions; to provide for amending a home rule charter; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 42—**

BY SENATOR LENTINI

**AN ACT**

To enact R.S. 13:61(E), relative to judicial districts and judgeships; to authorize the Judicial Council to review and make certain recommendations to the legislature concerning certain matters; and to provide for related matters.

Read by title.

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

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

**HOUSE CONCURRENT RESOLUTION NO. 28—**

BY REPRESENTATIVE DEWITT

**A CONCURRENT RESOLUTION**

To commend the members of the 199<sup>th</sup> Forward Support Battalion of the 256<sup>th</sup> Brigade Combat Team of the Louisiana Army National Guard for their extraordinary military service and great sacrifice for their country while serving in Iraq.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 29—**

BY REPRESENTATIVES GREENE, BALDONE, GALLOT, MARTINY,  
BAYLOR, BURRELL, JEFFERSON, AND KLECKLEY  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Federal Rules of Civil Procedure to recognize state law authorizing legal continuances for members of the legislature during legislative sessions and to adopt a substantially similar rule in federal court.

Read by title.

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

Ordered to the Senate.

### 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. 1—**

BY SENATORS NEVERS, HINES, JACKSON AND SCHEDLER  
AN ACT

To enact R.S. 23:1552 (B)(6) and (7), relative to unemployment compensation; to provide with respect to contributions; to provide for reimbursement of unemployment compensation benefits charged to state and local governments and eligible nonprofit organizations during a gubernatorially declared disaster or emergency; to provide for deferment of payments; to provide for the waiver of penalty and interest; to provide for extended payment terms; and to provide for related matters.

Read by title.

#### Motion

Rep. Gray moved that Senate Bill No. 1 be designated as a duplicate of House Bill No. 89.

Which motion was agreed to.

Rep. Gray moved that Senate Bill No. 1 be amended to conform with House Bill No. 89 and sent up the following floor amendments:

#### HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Gray to Reengrossed Senate Bill No. 1 by Senator Nevers (Duplicate of House Bill No. 89)

AMENDMENT NO. 1

On page 2, line 7, change "regards" to "regard"

AMENDMENT NO. 2

On page 2, line 8, insert a comma "," after "2005-46"

AMENDMENT NO. 3

On page 2, line 9, change "hurricane related" to "hurricane-related"

AMENDMENT NO. 4

On page 2, line 10, delete "R.S. 23:1552" and insert "this Section"

AMENDMENT NO. 5

On page 2, at the end of line 10, delete "R.S." and at the beginning of line 11, delete "23:1552(B)." and insert "Subsection B of this Section."

AMENDMENT NO. 6

On page 2, line 18, delete "Subsection 6 of this Section." and insert "Paragraph (6) of this Subsection."

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

#### Motion

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

**SENATE BILL NO. 4—**

BY SENATORS B. GAUTREAUX, AMEDEE, CAIN, DUPRE, N.  
GAUTREAUX, HEITMEIER, THEUNISSEN AND ULLO AND  
REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 38:331, relative to levees; to reorganize the structure of certain coastal levee boards; to create and provide for the Coastal Louisiana Levee Consortium; to provide for its purposes; to provide for membership; to provide for its duties and functions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

**SENATE BILL NO. 7—**

BY SENATORS QUINN, ADLEY, BAJOIE, BARHAM, BOASSO,  
BROOME, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE,  
ELLINGTON, FIELDS, FONTENOT, N. GAUTREAUX, HINES, HOLLIS,  
JONES, LENTINI, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY,  
NEVERS, ROMERO, SHEPHERD AND ULLO  
AN ACT

To amend and reenact R.S. 22:1220(B)(5) and to enact R.S. 22:658.2 and 1220(B)(6), relative to the public policy in determining insurance coverage for damage to immovable property; to prohibit the denial of coverage under certain circumstances; to provide that the insurer has the burden to establish that portion of a claim to be excluded from coverage; to prohibit an insurer from using certain floodwater marks or the fact that a structure has been moved from its foundation as exclusive proof on which to deny coverage; to provide that policy provisions altering the burden of an insurer are null and void; to provide for policy provisions attempting to shift the burden on an insurer or which deny coverage; to define bad faith regarding claims handling; and to provide for related matters.

Read by title.

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

**SENATE BILL NO. 14—**

BY SENATOR CAIN  
AN ACT

To amend and reenact R.S. 22:1382(B)(7)(c), 1430.2(C), 1430.3(C), 1430.6(D)(5), 1430.16(G), and 1430.17 and to enact R.S. 22:1430.3(A)(12), 1430.3(E), 1430.6(E), 1430.19, 1430.20 and 1430.21, relative to the Louisiana Citizens Property Insurance Corporation, to prohibit the rehabilitation, liquidation or dissolution of the corporation; to authorize the corporation to assign and grant a security interest in assessment, insurance and reinsurance recoverable as security for loans or bonds; to clarify that any future statutory amendment or amendments to the plan of operation may not impair the obligation to any bond holders; to prohibit the corporation from filing bankruptcy; to authorize the corporation to borrow money from the Louisiana Insurance Guaranty Association; to reaffirm severability; to provide for an additional member to the board of directors; and to provide for related matters.

Read by title.

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## Motion

Rep. Karen Carter moved that Senate Bill No. 14 be designated as a duplicate of House Bill No. 45.

Which motion was agreed to.

Rep. Karen Carter moved that Senate Bill No. 14 be amended to conform with House Bill No. 45 and sent up the following floor amendments:

### HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 14 by Senator Cain (Duplicate of House Bill No. 45)

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:" delete "1382(B)(7)(c), 1430.2(C), 1430.3(C),"

#### AMENDMENT NO. 2

On page 1, line 3, after "1430.17" insert a comma "," and delete "and" and after "R.S. 22:" delete "1430.3(A)(12), 1430.3(E),"

#### AMENDMENT NO. 3

On page 1, line 4, after "1430.20" insert a comma "," and after "1430.21," insert "and to repeal R.S. 22:1430.7(C),"

#### AMENDMENT NO. 4

On page 1, line 5, after "Corporation" change the comma "," to a semicolon ";" and delete the remainder of the line and delete lines 6 through 12 in their entirety and insert the following:

"to provide for bonds and obligations; to provide for security interests; to provide for dissolution; to provide for payment of bonds and obligations; to provide for the plan of operation; to provide for impairment of obligations; to provide for covenants with the state and the legislature; to provide for bankruptcy; to provide for severability; and to provide for related matters."

#### AMENDMENT NO. 5

On page 1, line 14, after "R.S. 22:" delete "1382(B)(7)(c), 1430.2(C), 1430.3(C),"

#### AMENDMENT NO. 6

On page 1, line 15, after "R.S. 22:" delete the remainder of the line and on line 16, insert a comma "," after "1430.20"

#### AMENDMENT NO. 7

On page 1, delete line 17 in its entirety and on page 2, delete lines 1 through 29 in their entirety and on page 3, delete lines 1 through 11 in their entirety

#### AMENDMENT NO. 8

On page 4, line 25, after "deficits" insert a comma "," and after "and" insert "to" and after "such" change "funds" to "proceeds"

#### AMENDMENT NO. 9

On page 5, line 8, after "due" change "with" to "in"

#### AMENDMENT NO. 10

On page 5, line 10, after "imposed" insert a comma "," and delete "remains outstanding,"

#### AMENDMENT NO. 11

On page 5, line 11, after "indebtedness," insert "so long as such bonds or other indebtedness remain outstanding,"

#### AMENDMENT NO. 12

On page 6, line 6, after "purpose." delete the remainder of the line and on line 7, delete "operation to the contrary, any" and insert "Any"

#### AMENDMENT NO. 13

On page 6, line 14, change "covenants and agrees" to "covenant and agree"

#### AMENDMENT NO. 14

On page 6, line 15, after "that" delete the comma "," and change "as" to "so"

#### AMENDMENT NO. 15

On page 6, line 18, after "bonds" insert "until such bonds" and after "indebtedness" insert a comma "," and delete the remainder of the line and on line 19, delete "instrumentality thereof and the Louisiana Legislature,"

#### AMENDMENT NO. 16

On page 6, line 20, delete "as well as" and insert "and"

#### AMENDMENT NO. 17

On page 6, line 21, delete "until all such bonds" and insert a comma ","

#### AMENDMENT NO. 18

On page 6, line 23, delete "Limitation on bankruptcy" and insert "Bankruptcy"

#### AMENDMENT NO. 19

On page 7, line 1, after "period," delete the remainder of the line, and on line 2, delete "plan of operation to the contrary, the" and insert "The" and after "Section" delete the comma ","

#### AMENDMENT NO. 20

On page 7, at the end of line 5, delete "of" and on line 6, delete "Louisiana"

#### AMENDMENT NO. 21

On page 7, line 7, change "covenants" to "covenant"

#### AMENDMENT NO. 22

On page 7, delete lines 15 through 18 in their entirety and insert the following:

"If a provision of this Subpart or its application is held invalid, the invalidity shall not affect other provisions or application of this Subpart which can be given effect without the invalid provisions or application."

#### AMENDMENT NO. 23

On page 7, between lines 18 and 19, insert the following:

"Section 2. R.S. 22:1430.7(C) is hereby repealed in its entirety."

**AMENDMENT NO. 24**

On page 7, at the beginning of line 19, change "Section 2." to "Section 3."

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

**Motion**

On motion of Rep. Karen Carter, 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. 78—**

BY REPRESENTATIVES MONTGOMERY, HUTTER, BEARD, BURNS, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, PITRE, AND ST. GERMAIN AND SENATOR CHEEK  
AN ACT

To enact R.S. 29:42, relative to contracts let by the adjutant general and the Military Department; to authorize the adjutant general and the Military Department to utilize the design-build method to construct projects under certain circumstances; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Greene to Engrossed House Bill No. 78 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, line 12, after "a" delete the remainder of the line and insert "gubernatorial declared state of emergency exists due to Hurricane Katrina or Rita declared pursuant to the"

**AMENDMENT NO. 2**

On page 1, line 14, after "relocation" delete the remainder of the line and delete line 15 in its entirety and insert a period "."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Baudoin	Harris	Richmond
Baylor	Heaton	Ritchie
Beard	Hebert	Robideaux
Bowler	Hill	Romero
Bruce	Honey	Scalise
Bruneau	Hopkins	Smiley
Burns	Hunter	Smith, G.
Burrell	Hutter	Smith, J.D.-50th
Carter, R.	Jackson	Smith, J.H.-8th
Cazayoux	Jefferson	Smith, J.R.-30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kenard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
DeWitt	LaFleur	Trahan
Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Faucheux	Montgomery	
Frith	Morrell	

Total - 97

**NAYS**

Schneider  
Total - 1

**ABSENT**

Carter, K.	Dartez	LaBruzzo
Daniel	Doerge	Triche
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 1—**

BY REPRESENTATIVES BURRELL AND GLOVER  
AN ACT

To amend and reenact R.S. 33:2891.3(C), relative to acquisition of abandoned property by a parish or municipality; to change the period of time for owners or other interested parties to contest the acquisition of property adjudicated more than five years; and to provide for related matters.

Read by title.

Rep. Burrell moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrell
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire

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Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Smiley
Burns	Hill	Smith, G.
Burrell	Honey	Smith, J.D.-50th
Carter, K.	Hopkins	Smith, J.H.-8th
Carter, R.	Hutter	Smith, J.R.-30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Cravins	Katz	Thompson
Crowe	Kennard	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Tucker
Daniel	LaBruzzo	Waddell
DeWitt	LaFleur	Walker
Dorsey	LaFonta	Walsworth
Dove	Lambert	White
Downs	Lancaster	Winston
Durand	Martiny	Wooton
Erdey	McDonald	
Fannin	McVea	

Total - 91

NAYS

Bruneau	Morrish	Trahan
Guillory, E.	Schneider	

Total - 5

ABSENT

Dartez	Johns	Richmond
Doerge	Marchand	Triche
Hunter	Odinet	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 49—**  
BY REPRESENTATIVES ANSARDI AND TOOMY  
AN ACT

To enact R.S. 38:85, relative to contracts for hurricane protection and flood control projects in Jefferson Parish; to authorize the parish governing authority to let a single contract combining the design and construction phases of any such project; to provide procedures, requirements, and limitations; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ansardi to Engrossed House Bill No. 49 by Representative Ansardi

AMENDMENT NO. 1

On page 2, at the end of line 16, insert the following:

"The ordinance shall provide that a notice of intent to select a single legal entity for design-build services and to request letters of interest and statements of qualifications from qualified firms or teams shall

be distributed by the parish through advertisement in the Daily Journal of Commerce, the Times Picayune, by appearance on the parish's Internet home page, and by other means to ensure adequate response, including newspapers, trade journals, and other forms of media which may be appropriate for specialty services. All notices of intent shall be advertised a minimum of ten days prior to the deadline for receipt of responses and shall contain a brief description of the project, the required scope of services, and sufficient information for design-build entities to determine their interest and to enable them to submit a letter of interest and statement of qualifications. The parish may readvertise the notice of intent using additional media or publications in an attempt to solicit additional responses if the number of responses is inadequate."

AMENDMENT NO. 2

On page 3, between lines 11 and 12, insert the following:

"(3) The parish may use a private design professional or its own staff to develop a description of the project and the required scope of services. The description of the project and the required scope of services shall include design criteria, analyses, reports, and cost estimates for the design-build project as prepared by a private design professional or the parish staff."

AMENDMENT NO. 3

On page 3, at the beginning of line 12 change "(3)" to "(4)"

AMENDMENT NO. 4

On page 3, at the beginning of line 16, change "(4)(a)" to "(5)(a)"

AMENDMENT NO. 5

On page 4, line 5, change "metropolitan" to "parish"

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Gallot	Morrish
Alexander	Geymann	Odinet
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Powell, M.
Barrow	Guillory, M.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Smiley
Burrell	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.-50th
Cazayoux	Jackson	Smith, J.H.-8th
Crane	Jefferson	Smith, J.R.-30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend

DeWitt	LaFleur	Trahan
Dorsey	LaFonta	Tucker
Dove	Lambert	Waddell
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Fauchoux	Montgomery	
Total - 98		

NAYS

Schneider  
Total - 1

ABSENT

Carter, K.	Doerge	Triche
Dartez	Johns	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 57—**

BY REPRESENTATIVES SALTER, BRUNEAU, AND TOOMY  
AN ACT

To amend and reenact R.S. 13:1, 474, 477(introductory paragraph), 691(A), 759, 842(A), 846(A)(introductory paragraph), and 901, R.S. 18:402(D), R.S. 33:1421(A)(1)(introductory paragraph) and (a), 1424(9), 1433(A)(1), 1450(A), 1463, 1481(5), 1503, 1505, and 1507, 1516, 1520, 1521, 1521.1, 1522, 1523.1, 1526, 1527, 1530, and 1531, and R.S. 44:71; to enact R.S. 13:474.1, 477(41), 621.41, 621.42, 621.43, 714.1, 714.2, 751.1, 751.2, 751.3, 841.3, 983, 996.62 through 996.64, R.S. 33:1500, 1504 and 1507.1, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:181 through 185; and to repeal R.S. 9:2745, R.S. 13:471, 1001 through 1400, R.S. 18:514(B), R.S. 33:1501, 1501.1, 1502, 1511, 1513, 1519, 1519.1, 1525, and 1529, and Part III of Chapter 5 of Title 35 of the Louisiana Revised Statutes of 1950, comprised of R.S. 35:321 through 338, and Chapter 3 of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:201 through 268, relative to the reorganization and consolidation of the civil and criminal district courts, clerk of the civil and criminal district courts, and civil and criminal sheriffs in and for the parish of Orleans; to provide relative to the register of conveyances and recordation for the parish of Orleans; to provide, delineate, and otherwise designate the powers, authority, duties, functions, compensation, fees, and related matters concerning the civil and criminal district courts, clerks of the civil and criminal courts, the civil and criminal sheriffs, the office and custodian of notarial records, the office of the register of conveyances, the office of the recorder of mortgages, and other judicial officers and officials for the parish of Orleans, to create the Forty-First Judicial District, its subsequent courts, magistrate, and commissioners, to create the Consolidated Expense Fund for the Forty-First Judicial District and the Consolidated Expense Fund Board; to provide for the consolidation of certain offices and judicial expense funds, to provide for the election of a single sheriff and clerk of court for the parish of Orleans commencing with the next election for parochial and municipal officers in Orleans Parish; to provide for the abolition of the separate offices of the civil and criminal sheriff; to provide for submission of a plan requesting preclearance of the election of the sheriff pursuant to the Voting Rights Act; to provide for effective dates; to provide for delayed

implementation in the event that notice of preclearance is not timely received; to abolish the office of the register of conveyances, the office of the recorder of mortgages, and the office and custodian of notarial records, to provide transitional provisions; to provide for the reduction by attrition of judges upon retirement pursuant to recommendations of the Judicial Council; to request the Judicial Council to review and make recommendations on the optimum number of district court judges in the parish of Orleans based on certain data; to request the Louisiana State Law Institute to change statutory references including the renumbering of provisions consistent with the provisions of this Act; and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 57 by Representative Salter

AMENDMENT NO. 1

On page 2, line 25, change "846(A)(1)" to "846"

AMENDMENT NO. 2

On page 6, line 6 change "B.(1)" to "B."; and on line 10 change "C.(1)" to "C."

AMENDMENT NO. 3

On page 32, line 20 following "judges" insert "thereof"; and on line 21 delete "thereof"

AMENDMENT NO. 4

On page 44, after line 27, insert:

\* \* \*

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Salter, Bruneau, and White to Engrossed House Bill No. 57 by Representative Salter

AMENDMENT NO. 1

On page 1, line 10, after "R.S. 13:471, and before "R.S." delete "1001 through 1400," and insert "1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, and 1381.1 through 1400"

AMENDMENT NO. 2

On page 2, line 12, after "dates;" delete the remainder of the line and delete line 13 and on line 14, delete "received;"

AMENDMENT NO. 3

On page 2, at the beginning of line 25, change "846(A)(1)(introductory paragraph)," to "846(A)(introductory paragraph),"

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### AMENDMENT NO. 4

On page 6, at the beginning of line 6, change "B.(1)" to "B."

### AMENDMENT NO. 5

On page 6, at the beginning of line 7, change "C.(1)" to "C."

### AMENDMENT NO. 6

On page 6, line 15, after "divisions" delete "of"

### AMENDMENT NO. 7

On page 10, at the beginning of line 27, change "A.(1)" to "A."

### AMENDMENT NO. 8

On page 12, at the beginning of line 9, change "A." to "A.(1)"

### AMENDMENT NO. 9

On page 13, line 24, after "§751.1." delete the remainder of the line and insert "Orleans Parish; Clerk of the"

### AMENDMENT NO. 10

On page 13, line 26, after "one clerk of the" delete the remainder of the line and delete line 27 and insert "Forty-First Judicial District Court who shall be"

### AMENDMENT NO. 11

On page 14, line 2, after "clerk of court of the" delete the remainder of the line and delete line 3, and insert "Forty-First Judicial District Court. No separate clerk of the Civil District Court for the parish of Orleans and no separate clerk of the Criminal District Court for the parish of Orleans shall be elected in 2010 or thereafter."

### AMENDMENT NO. 12

On page 14, delete lines 4 through 7 in their entirety and insert:

"(2) Beginning on the date that the judges elected to serve on the Forty-First Judicial District Court take office on January 1, 2009, and until such date as provided in Subsection B of this Section, the clerk of court for the Civil District Court for the parish of Orleans shall serve as the clerk for the Forty-First Judicial District Court, Civil Section, and the clerk of court for the Criminal District Court for the parish of Orleans shall serve as the clerk for the Forty-First Judicial District Court, Criminal Section."

### AMENDMENT NO. 13

On page 14, line 8, after "one clerk of the" delete the remainder of the line and insert "Forty-First Judicial District Court"

### AMENDMENT NO. 14

On page 14, line 13, after "clerk of court of the" delete the remainder of the line and delete lines 14 through 16 and insert in lieu thereof "Forty-First Judicial District Court."

### AMENDMENT NO. 15

On page 14, line 21, after "clerk of the" delete "Civil" and delete line 22, and insert and insert in lieu thereof "Forty-First Judicial District Court."

### AMENDMENT NO. 16

On page 14, line 27, after "clerk of the" delete the remainder of the line and delete line 28 and insert in lieu thereof "Forty-First Judicial District Court."

### AMENDMENT NO. 17

On page 15, line 2, after "clerk of the" delete the remainder of the line and on line 3 delete "Criminal District Courts or his successor" and insert in lieu thereof "Forty-First Judicial District Court."

### AMENDMENT NO. 18

On page 15, line 10, after "clerk of the" delete the remainder of the line and on line 11 delete "for the parish of Orleans or his successor" and insert in lieu thereof "Forty-First Judicial District Court."

### AMENDMENT NO. 19

On page 15, line 16, after "clerk of the" delete the remainder of the line and delete line 17, and on line 18, delete "Orleans" and insert in lieu thereof "Forty-First Judicial District Court"

### AMENDMENT NO. 20

On page 20, at the beginning of line 1, insert "B."

### AMENDMENT NO. 21

On page 20, at the beginning of line 8, change "B." to "C."

### AMENDMENT NO. 22

On page 21, line 17, after "district court" insert "or his successor"

### AMENDMENT NO. 23

On page 35, line 25, after "offices of the" and before "sheriff and" insert "civil"

### AMENDMENT NO. 24

On page 37, line 25, after "due." delete the remainder of the line and on line 26, delete "R.S. 33:1501, the" and insert "The"

### AMENDMENT NO. 25

On page 46, line 23, after "clerk of court of the" delete the remainder of the line and on line 24, delete "his successor." and insert "Forty-First Judicial District Court."

### AMENDMENT NO. 26

On page 46, line 24 after "clerk of the" delete the remainder of the line and on line 25, delete "District Court for the parish of Orleans" and insert "Forty-First Judicial District Court"

### AMENDMENT NO. 27

On page 52, at the end of line 15, delete "means"

### AMENDMENT NO. 28

On page 55, delete lines 26 through 29 and insert the following:

"the intent of the legislature that these offices be consolidated under the office of the clerk of the Civil District Court and thereafter consolidated under the office of clerk of court for the Forty-first Judicial District when that clerk takes office in 2010."

### AMENDMENT NO. 29

On page 56, line 2, after "in" and before "the" insert "of Sections 4 through 17 of"



AMENDMENT NO. 30

On page 56, line 2, "shall mean the" delete the remainder of the line and delete lines 3 through 5 and insert:

"clerk of the Civil District Court for the parish of Orleans, until such time as the clerk of the Forty-First Judicial District Court has been elected and takes office, after which time references to the clerk of court shall mean the clerk of the Forty-First Judicial District Court. It is the intent of the legislature that the offices of the custodian of notarial records, the recorder of mortgages, and the register of conveyances shall be abolished as provided in this Act and merged and consolidated with the office of the clerk of the Civil District Court for the parish of Orleans until the office of clerk of the Civil District Court for the parish of Orleans is abolished as provided in this Act and the first clerk of the Forty-First Judicial District Court is elected and takes office, at which time the offices transferred shall be merged and consolidated with the office of the clerk of the Forty-First Judicial District Court."

AMENDMENT NO. 31

On page 60, at the end of line 7, delete "and the" and delete lines 8 through 11 and insert a comma "," and "the register of conveyances, and the custodian of notarial records shall be"

AMENDMENT NO. 32

On page 61, line 21, after "Section 18." delete the remainder of the line and delete line 22 and insert "R.S. 13:471, 1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, 1381.1 through 1400 are hereby repealed effective on January 1, 2009."

AMENDMENT NO. 33

On page 61, at the end of line 22, delete the period "." and insert "effective on January 1, 2009."

AMENDMENT NO. 34

On page 61, at the end of line 24, delete the period "." and insert "effective on January 1, 2009."

AMENDMENT NO. 35

On page 61, at the end of line 27, delete the period "." and insert "effective on January 1, 2009."

AMENDMENT NO. 36

On page 61, delete lines 28 and 29

AMENDMENT NO. 37

On page 62, line 1, after "This Section" and before "shall" insert a comma "," and "Sections 5 through 17, and Section 19 of this Act"

AMENDMENT NO. 38

On page 62, line 5, after "this Section" and before "shall" insert a comma "," and "Sections 5 through 17, and Section 19 of this Act"

AMENDMENT NO. 39

On page 62 delete lines 7 through 28 and on page 63 delete lines 1 through 11

AMENDMENT NO. 40

On page 63, line 12, change "(2)" to "(B)"

AMENDMENT NO. 41

On page 63, line 12, after "clerk of the" delete the remainder of the line and add "Forty-first Judicial District Court"

AMENDMENT NO. 42

On page 63, line 13 delete "District Courts for the parish of Orleans"

AMENDMENT NO. 43

On page 63, line 14, after "and the" delete the remainder of the line and one line 15, delete "Section 19" and insert "provisions of Section 18"

AMENDMENT NO. 44

On page 63, line 20, after "Section 1" delete the remainder of the line and on line 21 delete "Subsection C of Section 19" and insert "and Section 18"

AMENDMENT NO. 45

On page 63, delete lines 23 through 29 and on page 64, delete lines 1 through 12

AMENDMENT NO. 46

On page 64, line 13, change "(4)" to "(C)"

AMENDMENT NO. 47

On page 64, line 13, after "Section 2" delete the remainder of the line and insert "of this Act shall become"

AMENDMENT NO. 48

On page 64, line 15, after "Sections" delete the remainder of the line and on line 16 delete "Section 25" and insert "18, 20(B), and 25"

AMENDMENT NO. 49

On page 64, delete lines 20 through 26

AMENDMENT NO. 50

On page 64, line 27, change "Section 23." to "Section 22."

AMENDMENT NO. 51

On page 64, line 28, change "2006," to "2010,"

AMENDMENT NO. 52

On page 65, delete lines 5 through 16

AMENDMENT NO. 53

On page 65, delete lines 17 and 18 and on line 19, delete "delayed until" and insert:

"Section 23.(A) The election of one sheriff as provided in R.S. 33:1500 shall be implemented at"

AMENDMENT NO. 54

On page 65, delete lines 27 and 28 and on page 66, delete lines 1 through 5, and at the beginning of line 6, change "(1)" to "(B)"

AMENDMENT NO. 55

On page 66, line 6, after "R.S. 33:1500," delete the remainder of the line and delete line 7 and insert "the provisions of Section"

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## AMENDMENT NO. 56

On page 66, at the beginning of line 10, change "(2)" to "(C)"

## AMENDMENT NO. 57

On page 66, line 13, change "Section 25." to "Section 24."

## AMENDMENT NO. 58

On page 66, between lines 18 and 19:

"Section 25. All fees and costs assessed or collected by the clerk of the civil district court, clerk of the criminal district court, the civil sheriff, or the criminal sheriff for the parish of Orleans in effect on the effective date of this Section are continued and shall be assessed and collected in accordance with the provisions of law then in effect."

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

### **Acting Speaker John Smith in the Chair**

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

#### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jack Smith to Engrossed House Bill No. 57 by Representative Salter

## AMENDMENT NO. 1

On page 1, line 3, after "R.S. 18:402(D)," delete the remainder of the line and delete lines 4 and 5 in their entirety

## AMENDMENT NO. 2

On page 1, at the beginning of line 6, delete "1530, and 1531,"

## AMENDMENT NO. 3

On page 1, at the end of line 7, delete "R.S." and at the beginning of line 8, delete "33:1500, 1504 and 1507.1,"

## AMENDMENT NO. 4

On page 1, at the end of line 10, delete "R.S. 33:1501, 1501.1,"

## AMENDMENT NO. 5

On page 1, at the beginning of line 11, delete "1502, 1511, 1513, 1519, 1519.1, 1525, and 1529,"

## AMENDMENT NO. 6

On page 1, at the end of line 15, delete "and civil"

## AMENDMENT NO. 7

On page 1, line 16, delete "and criminal sheriffs in and for the parish of Orleans;"

## AMENDMENT NO. 8

On page 2, line 1, delete "the civil and criminal sheriffs,"

## AMENDMENT NO. 9

On page 2, at the end of line 7, delete "to provide for the"

## AMENDMENT NO. 10

On page 2, delete lines 8 through 11 in their entirety

## AMENDMENT NO. 11

On page 2, line 12, delete "pursuant to the Voting Rights Act;"

## AMENDMENT NO. 12

On page 11, line 28, after "law" change the comma "," to a period "." and delete the remainder of the line

## AMENDMENT NO. 13

On page 12, delete lines 1 and 2 in their entirety

## AMENDMENT NO. 14

On page 33, delete lines 18 through 28 in their entirety

## AMENDMENT NO. 15

Delete pages 34 through 45 in their entirety

## AMENDMENT NO. 16

On page 46, change "Section 4." to ""Section 3."

## AMENDMENT NO. 17

On page 54, change ""Section 5." to ""Section 4."

## AMENDMENT NO. 18

On page 56, change ""Section 6." to ""Section 5 ."

## AMENDMENT NO. 19

On page 57, line 21, change ""Section 7." to "Section 6."

## AMENDMENT NO. 20

On page 58, line 16, change "Section 8." to "Section 7."

## AMENDMENT NO. 21

On page 58, line 23, change "Section 9." to "Section 8 ."

## AMENDMENT NO. 22

On page 60, line 1, change "Section 10." to "Section 9."

## AMENDMENT NO. 23

On page 60, line 11, change "Section 11." to "Section 10."

## AMENDMENT NO. 24

On page 60, line 19, change "Section 12." to "Section 11."

## AMENDMENT NO. 25

On page 60, line 22, change "Section 13." to "Section 12 ."

## AMENDMENT NO. 26

On page 60, line 26, change "Section 14." to "Section 13."

## AMENDMENT NO. 27

On page 61, line 5, change "Section 15 ." to "Section 14."

AMENDMENT NO. 28

On page 61, line 9, change "Section 16." to "Section 15."

AMENDMENT NO. 29

On page 61, line 14, change "Section 17." to "Section 16."

AMENDMENT NO. 30

On page 61, line 21, change "Section 18 ." to "Section 17."

AMENDMENT NO. 31

On page 61, line 23, change "Section 19." to "Section 18."

AMENDMENT NO. 32

On page 62, line 1, change "Section 20 ." to "Section 19."

AMENDMENT NO. 33

On page 62, line 22, change "19" to "18"

AMENDMENT NO. 34

On page 62, line 25, change "5 through 17" to "4 through 16"

AMENDMENT NO. 35

On page 63, line 3, change "4" to "3" and change "19" to "18"

AMENDMENT NO. 36

On page 63, line 15, change "19" to "18"

AMENDMENT NO. 37

On page 63, line 23, change "5" to "4" and change "17" to "16"

AMENDMENT NO. 38

On page 64, line 13, change "19" to "18"

AMENDMENT NO. 39

On page 64, line 15, change "21." to "20." and change "19(C)" to "18(C)" and change "20(B)(2)" to "19(B)(2)"

AMENDMENT NO. 40

On page 64, line 16, change "25" to "22"

AMENDMENT NO. 41

On page 64, line 20, change "22." to "21."

AMENDMENT NO. 42

On page 64, delete lines 27 through 29 in their entirety

AMENDMENT NO. 43

Delete page 65 in its entirety

AMENDMENT NO. 44

On page 66, delete lines 1 through 12 in their entirety

AMENDMENT NO. 45

On page 66, line 13, change "25." to "22."

AMENDMENT NO. 46

On page 66, line 19, change "26." to "23."

Rep. Jack Smith moved the adoption of the amendments.

Rep. Bruneau objected.

A record vote was asked for and ordered by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Gray	Morrell
Arnold	Harris	Odinot
Badon	Heaton	Quezaire
Baldone	Hebert	Richmond
Baylor	Honey	Smith, G.
Burrell	Hunter	Smith, J.D.-50th
Carter, R.	Jackson	St. Germain
Curtis	Jefferson	Townsend
Farrar	LaFonta	Wooton
Frith	Marchand	
Gallot	Martiny	
Total - 31		

**NAYS**

Mr. Speaker	Fannin	Pinac
Alexander	Faucheux	Pitre
Ansardi	Geymann	Powell, M.
Barrow	Glover	Powell, T.
Baudoin	Greene	Ritchie
Bear	Guillory, E.	Robideaux
Bowler	Guillory, M.	Scalise
Bruce	Hammett	Schneider
Bruneau	Hutter	Smiley
Burns	Katz	Smith, J.H.-8th
Carter, K.	Kennard	Smith, J.R.-30th
Cazayoux	Kenney	Strain
Crane	Kleckley	Thompson
Cravins	LaFleur	Toomy
Damico	Lambert	Trahan
Daniel	Lancaster	Tucker
DeWitt	McDonald	Waddell
Dorsey	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrish	White
Erdey	Pierre	Winston
Total - 63		

**ABSENT**

Crowe	Hill	Romero
Dartez	Hopkins	Triche
Doerge	Johns	
Dove	LaBruzzo	
Total - 10		

The amendments were rejected.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Cravins to Engrossed House Bill No. 57 by Representative Salter

AMENDMENT NO. 1

On page 9, at the end of line 17, change "2007" to "2009"

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On motion of Rep. Cravins, the amendments were adopted.
Rep. Bruneau moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS category, including Mr. Speaker, Alario, Alexander, Ansardi, Baldone, Barrow, Baudoin, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Damico, Daniel, DeWitt, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, and a Total of 85.

NAYS

Table listing names of representatives under the NAYS category, including Badon, Baylor, Carter, K., Gray, Harris, Heaton, Hebert, Honey, Jefferson, Marchand, and a Total of 14.

ABSENT

Table listing names of representatives under the ABSENT category, including Arnold, Dartez, Doerge, Johns, and Triche, with a Total of 5.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 60—

BY REPRESENTATIVES ALARIO, MONTGOMERY, ALEXANDER, BALDONE, BRUCE, BURNS, CAZAYOUX, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNS, DURAND, FARRAR, FAUCHEUX, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, JOHNS, KENNEY, LAFLEUR, LANCASTER, MORRELL, ODINET, PIERRE, PITRE, T. POWELL, RICHMOND, RITCHIE, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WINSTON, AND WOOTON AND SENATORS LENTINI, ADLEY, BARHAM, CAIN, CHEEK, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAU, HEITMEIER, HOLLIS, KOSTELKA, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, SCHEDLER, AND SMITH

AN ACT

To amend and reenact R.S. 47:305.1(B) and (C)(1), relative to exclusions and exemptions from state and local sales and use tax

for ships and ships' supplies; to clarify that barges are included in the exemption for ships and ships' supplies as provided in R.S. 47:305.1(B); to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Alario and Montgomery to Engrossed House Bill No. 60 by Representative Alario

AMENDMENT NO. 1

On page 1, line 12, after "ships" and before "or vessels" insert a comma "," and "barges."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives under the YEAS category, including Mr. Speaker, Alario, Alexander, Ansardi, Arnold, Badon, Baldone, Barrow, Baudoin, Baylor, Beard, Bowler, Bruce, Bruneau, Burns, Burrell, Carter, K., Carter, R., Cazayoux, Crane, Cravins, Crowe, Curtis, Damico, Daniel, DeWitt, Dorsey, Dove, Downs, Durand, Erdey, Fannin, Farrar, Fauchaux, Morrell, Morrish, Odinet, Pierre, Pinac, Pitre, Powell, M., Powell, T., Quezaire, Richmond, Ritchie, Robideaux, Romero, Scalise, Schneider, Smiley, Smith, G., Smith, J.D.-50th, Smith, J.H.-8th, Smith, J.R.-30th, St. Germain, Strain, Thompson, Toomy, Townsend, Trahan, Tucker, Waddell, Walker, Walsworth, White, Winston, and Wooton, with a Total of 101.

NAYS

Total - 0

ABSENT

Table listing names of representatives under the ABSENT category, including Dartez, Doerge, and Triche, with a Total of 3.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 89—**  
BY REPRESENTATIVE GRAY  
AN ACT

To enact R.S. 23:1552(B)(6) and (7), relative to unemployment compensation; to provide with respect to contributions; to provide for reimbursement of unemployment compensation benefits charged to state and local governments and eligible nonprofit organizations during a gubernatorially declared disaster or emergency; to provide for deferment of payments; to provide for the waiver of penalty and interest; to provide for extended payment terms; and to provide for related matters.

Read by title.

**Motion**

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

**Suspension of the Rules**

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

**HOUSE BILL NO. 93—**  
BY REPRESENTATIVES HAMMETT, DORSEY, AND SALTER AND  
SENATORS BAJOIE, HINES, AND MOUNT  
AN ACT

To enact the Supplemental Omnibus Bond Authorization Act, relative to an omnibus bond authorization; to provide for the issuance of bonds of the state to provide relief from natural catastrophes; to provide for implementation of certain bond provisions of the Gulf Opportunity Zone Act of 2005; to provide a program to provide relief from natural catastrophes to certain affected political subdivisions of the state; to provide procedures for the issuance of the bonds; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 93 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 18, following "issue" and before "two" change "not to exceed" to "not more than"

AMENDMENT NO. 2

On page 4, line 5, following "mature" and before "two" change "in not to exceed" to "not more than"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hammett to Engrossed House Bill No. 93 by Representative Hammett

AMENDMENT NO. 1

On page 4, at the end of line 28, change "are" to "shall be"

AMENDMENT NO. 2

On page 6, line 18, after "issued" and before "to this" insert "pursuant"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Odinet
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Hammett	Quezaire
Baylor	Harris	Richmond
Beard	Heaton	Ritchie
Bowler	Hebert	Robideaux
Bruce	Hill	Romero
Bruneau	Honey	Scalise
Burns	Hopkins	Schneider
Burrell	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Total - 99		

**NAYS**

Total - 0

**ABSENT**

Dartez	Guillory, M.	Triche
Doerge	LaBruzzo	
Total - 5		

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

The title of the above bill was read and adopted.

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Rep. Hammett 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.

**Speaker Salter in the Chair**

**HOUSE BILL NO. 90—**

BY REPRESENTATIVES HAMMETT, DORSEY, AND SALTER AND SENATORS BAJOIE, HINES, AND MOUNT  
AN ACT

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

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

On page 1, line 17, after "pursuant to" and before "the Supplemental" insert "Section 4 or 5 of"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Fannin	McDonald	White
Farrar	McVea	Winston
Faucheux	Montgomery	Wooton
Total - 99		

NAYS

Total - 0

ABSENT

Baldone	Doerge	Triche
Dartez	Guillory, M.	
Total - 5		

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

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 92—**

BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 33:32, relative to the organization of local governmental subdivisions; to authorize any local governmental subdivision to create, within the governmental structure of any such local governmental subdivision, an agency to regulate the location of certain temporary housing sites within the local governmental subdivision; to provide relative to the organization and responsibilities of such agency; and to provide for related matters.

Read by title.

Rep. Hebert moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Farrar	Odinet
Alario	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Baldone	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Harris	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaFleur	Trahan
DeWitt	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White

Erdey	Montgomery	Winston
Fannin	Morrish	Wooton
Total - 87		

NAYS

Badon	Gray	LaFonta
Barrow	Heaton	Marchand
Carter, K.	Hunter	Morrell
Gallot	Jefferson	Romero
Total - 12		

ABSENT

Dartez	LaBruzzo	Triche
Doerge	Richmond	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**HOUSE BILL NO. 97 (Substitute for House Bill No. 42 by Representative K. Carter)—**  
 BY REPRESENTATIVE K. CARTER  
 AN ACT

To enact R.S. 22:1477, relative to homeowners' insurance policies; to provide for disclosure to policyholders of information regarding the terms and conditions of the policy; and to provide for related matters.

Read by title.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative K. Carter to Engrossed House Bill No. 97 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 22:667.1 and 696 and to"

AMENDMENT NO. 2

On page 1, line 6, after "1." insert "R.S. 22:667.1 and 696 are hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"§667.1. Delivery of fire insurance contract; disclosure of coverage; requirement to report

No fire insurance policy shall be delivered or issued for delivery in this state with respect to any ~~residential or~~ commercial property unless the insurer advises the insured in writing, prominently displayed on a form developed and promulgated by the commissioner of insurance as an insert in the front of the policy, as to which coverages are included in the policy for which the insured has paid premiums. The insurer shall disclose whether or not the insured has coverage for flooding or mold and whether an increased deductible is required for hurricane damage. The typed print of the disclosure shall be in bold and not less than a 14-point font. The disclosure shall also state that flood insurance is available through the National

Flood Insurance Program and that excess flood insurance may be available by separate policy.

\* \* \*

§696. Delivery of fire insurance contract providing coverage for damage to property; disclosure of coverage; coverage for damages due to flood

In addition to any other requirement contained in law, the following provisions shall govern the issuance of certain fire insurance policies issued or delivered in this state which provide coverage for damage to property in this state:

No fire insurance policy which provides coverage for damage to property shall be delivered or issued for delivery in this state with respect to any ~~residence or~~ commercial property unless the insurer advises the insured in writing, prominently displayed on a form developed and promulgated by the commissioner of insurance, as an insert in the front of the policy as to which coverages are included in the policy for which the insured has paid premiums. The insurer shall disclose whether or not the insured has coverage for flooding or mold and whether an increased deductible is required for hurricane damage. The typed print of the disclosure shall be in bold and not less than a 14-point font. The disclosure shall also state that flood insurance is available through the National Flood Insurance Program and that excess flood insurance may be available by a separate policy.

\* \* \*

AMENDMENT NO. 4

On page 1, at the end of line 13, delete "unless:" and at the beginning of line 14, delete "(1) The" and insert "unless the"

AMENDMENT NO. 5

On page 1, line 15, after "of" delete "insurance." and insert "insurance and in bold typed print of not less than a 14-point font."

AMENDMENT NO. 6

On page 1, line 16, after "of the" delete "policy as to which" and insert the following:

"policy, of the following disclosures:

(1) Which"

AMENDMENT NO. 7

On page 1, line 17, after "premiums." delete the remainder of the line and delete line 18 in its entirety

AMENDMENT NO. 8

On page 1, line 19, after "(2)" delete "The insurer discloses whether" and insert "Whether"

AMENDMENT NO. 9

On page 2, line 4, after "(3)" delete "The disclosure additionally provides a" and insert "A"

AMENDMENT NO. 10

On page 2, line 8, after "(4)" delete "The disclosure states that" and insert "That"

AMENDMENT NO. 11

On page 2, after line 12, insert the following:

"Section 2. The Louisiana Law Institute is hereby authorized and requested to merge the provisions of R.S. 22:667.1 and 696."

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

Rep. Karen Carter moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Schneider
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Cravins	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kennard	Townsend
Daniel	Kenney	Trahan
DeWitt	Kleckley	Tucker
Dorsey	LaFonta	Waddell
Dove	Lambert	Walker
Downs	Lancaster	Walsworth
Durand	Marchand	Winston
Erdey	McDonald	Wooton
Fannin	McVea	
Farrar	Montgomery	
Total - 94		

**NAYS**

Total - 0

**ABSENT**

Bowler	LaFleur	Triche
Dartez	Martiny	White
Doerge	Odinet	
LaBruzzo	Quezaire	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Richmond gave notice of his intention to call House Bill No. 32 from the calendar for future action.

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

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

**HOUSE RESOLUTION NO. 3—**  
BY REPRESENTATIVE HEBERT

**A RESOLUTION**

To urge and request the Federal Emergency Management Agency (FEMA) to develop a system by which parish residents are given priority for housing in FEMA trailers located within their parish.

Read by title.

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

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Civil Law and Procedure**

February 10, 2006

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on February 9, 2006, I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 40, by Richmond  
Reported with amendments. (7-0) (Regular)

GLENN ANSARDI  
Chairman

**Report of the Committee on House and Governmental Affairs**

February 10, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Bill No. 14, by Jefferson  
Reported with amendments. (5-4) (Regular)

House Bill No. 61, by Thompson  
Reported with amendments. (9-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

**Report of the Committee on Judiciary**

February 10, 2006

To the Speaker and Members of the House of Representatives:

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

House Bill No. 70, by Jefferson  
Reported with amendments. (11-0-1) (Regular)



House Bill No. 74, by Toomy  
Reported with amendments. (10-0-1) (Regular)

House Bill No. 88, by Gray  
Reported with amendments. (11-0-1) (Regular)

JOSEPH F. TOOMY  
Chairman

**Report of the Committee on  
Transportation, Highways and Public Works**

February 10, 2006

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on February 9, 2006, I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Bill No. 11, by Schneider (Joint Resolution)  
Reported with amendments. (18-0-1)

House Bill No. 25, by Tucker  
Reported favorably. (16-0-1) (Regular)

House Bill No. 44, by Burns  
Reported with amendments. (17-0-1) (Regular)

House Bill No. 52, by Martiny  
Reported with amendments. (18-0-1) (Regular)

House Bill No. 72, by Schneider (Joint Resolution)  
Reported with amendments. (18-0-1)

House Bill No. 82, by Schneider  
Reported with amendments. (15-1-1) (Regular)

House Bill No. 84, by K. Carter (Joint Resolution)  
Reported favorably. (18-0-1)

House Bill No. 85, by Pitre  
Reported favorably. (17-0-1) (Regular)

House Bill No. 86, by K. Carter  
Reported with amendments. (18-0-1) (Regular)

ROY QUEZAIRE  
Chairman

**Suspension of the Rules**

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

**House Bills and Joint Resolutions on  
Second Reading Reported by Committee**

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

**HOUSE BILL NO. 11—**  
BY REPRESENTATIVES SCHNEIDER AND BEARD  
A JOINT RESOLUTION

Proposing to amend Article VI, Section 38(A)(1) of the Constitution of Louisiana, to remove requirement that the board of commissioners of a levee district be appointed or elected from among residents of such district; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 11 by Representative Schneider

**AMENDMENT NO. 1**

On page 1, at the end of line 20, delete "November 7," and from the beginning of line 21, delete "2006." and insert "September 30, 2006."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 14—**  
BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 18:401.4, relative to early voting in other parishes by voters of an area affected by a gubernatorially declared state of emergency; to allow registered voters of an affected area to vote during early voting at any office of the registrar in any parish in the state for certain elections; to provide relative to the manner of conducting the early voting in other parishes; to require the secretary of state to assist the registrars of voters in conducting early voting; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 14 by Representative Jefferson

**AMENDMENT NO. 1**

On page 1, line 4, after "early voting at" delete the remainder of the line and delete line 5 and insert "the offices of the registrars in certain parishes for certain elections; to provide relative to the manner of"

**AMENDMENT NO. 2**

On page 1, line 15, after "in any parish" delete the remainder of the line and insert "that has a population of one hundred thousand or more according to the most recent federal decennial census."

**AMENDMENT NO. 3**

On page 1, line 17, change "R.S. 18:1309." to "R.S. 18:1309(A)."

**AMENDMENT NO. 4**

On page 1, at the end of line 19, insert "Any expenses associated with compliance with the provisions of this Section shall be borne by any local or municipal entity for which a local or municipal candidate or a local bond, debt, or tax proposition or other question appears on the ballot for such election."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 25—**

BY REPRESENTATIVES TUCKER, ARNOLD, ALARIO, DAMICO, ERDEY, GREENE, HARRIS, KATZ, KENNARD, TOOMY, AND WOOTON  
AN ACT

To amend and reenact R.S. 38:291(K)(1) and (R) and 304.2 and to enact Part IV-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:350.1 through 350.24, relative to certain levee districts; to redefine the territorial limits of the Orleans Levee District; to consolidate the West Jefferson Levee District and a portion of the Orleans Levee District into the Barataria Basin Flood Authority; to provide for the purpose and jurisdictional boundaries of the authority; to provide for a board of commissioners to manage the authority; to provide for powers and duties of the authority and board; to provide for cooperative endeavor agreements with other entities including but not limited to Plaquemines and St. Charles parishes; to provide relative to the authority's relationship with the Department of Transportation and Development; to provide for penalties; to provide for emergency procedures; to provide for transfer of certain property belonging to the Orleans Levee District to the authority; to provide for the completion, operation, and maintenance of the West Bank and Vicinity, New Orleans, Louisiana – Hurricane Protection Project and other such hurricane protection projects and related matters; to provide for oversight by the Coastal Protection and Restoration Authority; to provide for reporting requirements; to provide for an inspection program; to provide for compliance with the Coastal Protection and Restoration Authority master and annual plans; to provide for funding of certain flood protection projects; to provide for local activities within the jurisdictional boundaries of the authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 40—**

BY REPRESENTATIVE RICHMOND  
AN ACT

To enact R.S. 9:5633(A)(2)(c), relative to three-year acquisitive prescription; to provide for acquisition of blighted property; to provide for the filing of certain affidavits and judgments; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 40 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 15, after "Authority" and before the comma "," insert the following:

"stating that all appeals and appeal delays have run, and that the judgment declaring or certifying the property as blighted is final"

AMENDMENT NO. 2

On page 1, line 16, after "blighted" and before "shall" insert "prior to August 29, 2005."

AMENDMENT NO. 3

On page 1, at the end of line 18, after the period "." add the following:

"However, any property acquired pursuant to this Subparagraph by the New Orleans Redevelopment Authority and which is still in its possession on or after January 1, 2010, shall again become subject to the provisions of Paragraph (A)(1) of this Section."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 44—**

BY REPRESENTATIVE BURNS  
AN ACT

To enact R.S. 38:291.1, 291.2, 291.3 and 291.4 and to repeal R.S. 38:291(D), (G), (K), and (R), 304.2, 304.3, 307, 326.2, 327, 328, 335, 336, 337, and 421(F), relative to levee districts; to consolidate the East Jefferson, Lake Borgne Basin, Orleans, and West Jefferson Levee Districts into the Southeast Louisiana Levee District; to create the Southeast Louisiana Levee District; to provide relative to such district's jurisdiction and purpose; to establish a board of commissioners; to provide relative to the nomination, appointment, qualifications, terms, vacancies, and compensation of such commissioners; to provide relative to the powers and duties of the board; to establish a Flood Control Priority Program; to provide relative to priority program project applications and evaluation; to authorize the board to employ an executive director; to authorize the promulgation of rules and regulations; to repeal all rights, powers and authority of the East Jefferson, Lake Borgne Basin, Orleans, and West Jefferson Levee Districts; to provide relative to the debts, assets, property and employees of the East Jefferson, Lake Borgne Basin, Orleans, and West Jefferson Levee Districts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 44 by Representative Burns

AMENDMENT NO. 1

On page 1, line 2, after "291.3" delete "and" and after "291.4" insert a comma "," and "and 291.5"

AMENDMENT NO. 2

On page 1, line 18, after "291.3" delete "and" and after "291.4" insert a comma "," and "and 291.5"

AMENDMENT NO. 3

On page 3, line 21, after "preceding" change "ten" to "two"

AMENDMENT NO. 4

On page 3, at the end of line 22, change "eight" to "one" and at the beginning of line 23, change "years" to "year"

AMENDMENT NO. 5

On page 3, line 28, after "amount" delete the remainder of the line and delete line 1 from page 4 in its entirety and insert the following:

"equal to the rate allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United States Code for attendance at each official meeting of the board and shall be reimbursed for mileage"

AMENDMENT NO. 6

On page 4, line 20, after "shall" delete the remainder of the line and insert "be determined by the board. The"

AMENDMENT NO. 7

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

"§291.5. Police officers

The authority shall not directly employ police security personnel. However, the authority may enter into cooperative endeavor agreements with appropriate local law enforcement agencies to provide necessary police security services for levees, or the authority may assume the rights and responsibilities of any existing cooperative endeavor agreements for police security services."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 52—**

BY REPRESENTATIVES MARTINY, BEARD, DANIEL, DOWNS, KATZ, SCHNEIDER, TUCKER, AND WOOTON

**AN ACT**

To amend and reenact R.S. 36:501(B) and (C)(1), 502(A) and (B) and 508.3(A), R.S. 38:291(A)(1) and (L)(1), and R.S. 49:213.1(D), 213.4(A)(3) and (4), and 213.6(D)(1) and (2), to enact R.S. 36:508.4 and 509(B)(5) and Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:241 through 250, and to repeal R.S. 38:291(D), (G), (K), (P), (R), (S), (T), and (U), 304.2, 304.3, 307, 326.2, 327, 328, 329, 335, 336, 337 and 338, relative to hurricane flood protection levees; to provide for the creation of the office of hurricane flood protection within the Department of Transportation and Development; to provide for the officers of the office of hurricane flood protection and the appointment, salary, powers, duties and functions of such office; to create the Hurricane Flood Protection, Construction, and Development Priority Program; to provide relative to certain definitions; to establish a methodology for the submission and evaluation of hurricane flood protection project applications; to authorize the promulgation of rules and regulations under certain circumstances; to authorize the establishment of a Hurricane Flood Protection Commission; to provide relative to the nomination and appointment of commissioners; to provide relative to the duties of such commission; to abolish the East Jefferson, Lake Borgne Basin, Orleans, South Lafourche, West Jefferson, and Grand Isle Independent Levee Districts; to abolish the North Lafourche, Conservation, Levee and Drainage District; to repeal laws relative to such levee districts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 52 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 3, after "(A)(1)" and before "and" insert a comma "," and "(F)(1)(a),"

AMENDMENT NO. 2

On page 1, line 17, after "commission;" delete the remainder of the line and insert "to provide relative to the authority of the"

AMENDMENT NO. 3

On page 1, line 19, after "Districts;" delete the remainder of the line and insert "to provide relative to the authority of the North Lafourche"

AMENDMENT NO. 4

On page 2, line 4, after "(A)(1)" and before "and" insert a comma "," and "(F)(1)(a),"

AMENDMENT NO. 5

On page 2, between lines 27 and 28, insert the following:

"F. Lafourche Basin Levee District. (1)(a) All the parishes or parts of parishes, except the parishes of Orleans, Jefferson, and Plaquemines, lying in a district between the Bayou Lafourche, the Mississippi River, and the Gulf of Mexico, heretofore known as the Third Levee District, and comprising a portion of the following parishes: Ascension, St. James, St. John the Baptist, St. Charles, Assumption, and Lafourche shall be embraced in the limits of a levee district to be known as the Lafourche Basin Levee District. However, the authority of the district within the Louisiana Coastal Zone as defined in R.S. 49:214.24 is subject to the provisions of Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:241 et seq.

\* \* \*

AMENDMENT NO. 6

On page 4, line 6, change "hurricanes" to "Hurricanes"

AMENDMENT NO. 7

On page 5, delete lines 12 through 14 in their entirety

AMENDMENT NO. 8

On page 5, line 26, change "Master plan" to "Master plan"

AMENDMENT NO. 9

On page 7, lines 23 and 24, change "president" to "chairman"

AMENDMENT NO. 10

On page 8, line 18, after "Rouge" delete "parish for" and insert in lieu thereof "Parish for attendance at"

AMENDMENT NO. 11

On page 10, at the end of line 23, change "its" to "its"

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## AMENDMENT NO. 12

On page 10, line 29, after "protection" and before "and" delete the comma ","

## AMENDMENT NO. 13

On page 13, line 7, change "either" to "any"

## AMENDMENT NO. 14

On page 14, line 15, change "can not" to "cannot"

## AMENDMENT NO. 15

On page 14, line 20, after "Part XVIII" delete the comma "," and after "Chapter 1" delete the comma ","

## AMENDMENT NO. 16

On page 14, line 25, change "C.C. Art." to "Civil Code Article"

## AMENDMENT NO. 17

On page 15, delete lines 21 through 29 in their entirety and on page 16, delete lines 1 through 5 in their entirety

## AMENDMENT NO. 18

On page 16, line 6, change "(3)" to "(2)"

## AMENDMENT NO. 19

On page 16, line 13, change "(4)" to "(3)"

## AMENDMENT NO. 20

On page 16, line 25, change "(5)" to "(4)"

## AMENDMENT NO. 21

On page 17, at the beginning of line 24, change "(vi)" to "(c)"

## AMENDMENT NO. 22

On page 18, at the beginning of line 1, change "(c)" to "(d)"

## AMENDMENT NO. 23

On page 18, line 12, change "(6)" to "(5)"

## AMENDMENT NO. 24

On page 18, line 26, change "(7)" to "(6)"

## AMENDMENT NO. 25

On page 19, line 6, change "(8)" to "(7)"

## AMENDMENT NO. 26

On page 20, at the beginning of line 1, change "(v)" to "(c)" and at the beginning of line 6, change "(c)" to "(d)"

## AMENDMENT NO. 27

On page 20, at the beginning of line 18 insert "(8)"

## AMENDMENT NO. 28

On page 21, line 21, after "Chapter" insert a period "." and delete the remainder of the line and delete lines 22 and 23 in their entirety.

## AMENDMENT NO. 29

On page 21, line 25, after "following" insert a colon ":" and delete the remainder of the line and delete line 26 in its entirety

## AMENDMENT NO. 30

On page 22, delete lines 1 through 3 in their entirety and at the beginning of line 4, change "(c)" to "(b)"

## AMENDMENT NO. 31

On page 22, at the beginning of line 5, change "(d)" to "(c)"

## AMENDMENT NO. 32

On page 22, at the beginning of line 7, change "(e)" to "(d)"

## AMENDMENT NO. 33

On page 22, line 15, after "(a)" delete the remainder of the line and insert in lieu thereof "Incur debt without"

## AMENDMENT NO. 34

On page 22, line 22, change "Subparagraph (1)(e)" to "Subparagraph (1)(d)"

## AMENDMENT NO. 35

On page 23, delete lines 17 and 18 and at the beginning of line 19 change "E." to "D."

## AMENDMENT NO. 36

On page 23, line 20, after "Constitution" insert a period "." and delete the remainder of the line and delete "accordance with this Section." from the beginning of line 21

## AMENDMENT NO. 37

On page 26, line 7, change "308" to "508"

## AMENDMENT NO. 38

On page 26, line 20, change "zones" to "zone"

## AMENDMENT NO. 39

On page 28, line 7, after "Commission" and before "is" insert "(R.S. 38:243)"

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 61—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 29:1(B), 722(A)(1), 724(B)(3), 725, 726(A), (E)(introductory paragraph), and (F), 727(A), 728(A) and (C), 730(C), 731.1(A), 737(C), 764(A)(1), 766(B), and 767, R.S. 30:2458(A)(9), R.S. 36:4(B)(1)(n), R.S. 40:2841, 2842(3), and 2844(B)(6), and R.S. 49:1055(D) and to enact R.S. 36:4(B)(1)(g), relative to reorganization of governmental powers, functions, and responsibilities regarding homeland security and emergency preparedness; to abolish the office of homeland security and emergency preparedness in the Military

Department and to create the Governor's Office of Homeland Security and Emergency Preparedness as an agency in the office of the governor reporting directly to the governor; to provide for the powers, duties, organization, and responsibilities of such office; to provide for a director of such office; to provide that the new office is the successor to the abolished office; to provide for the transfer of power, duties, functions, responsibilities, property, and employees and to otherwise provide for implementation; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 61 by Representative Thompson

##### AMENDMENT NO. 1

On page 3, between lines 22 and 23 insert "The director shall serve at a salary fixed by the governor, which salary shall not exceed the amount approved for the position by the legislature."

##### AMENDMENT NO. 2

On page 3, line 24, after "operations." delete the remainder of the line and delete line 25 in its entirety

##### AMENDMENT NO. 3

On page 11, line 20, after "performed" delete the comma "," and delete the remainder of the line and delete line 21 and insert a period "." and insert "Subject to state civil service"

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

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

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 70—**

BY REPRESENTATIVES JEFFERSON, BURRELL, DORSEY, FAUCHEUX, GALLOT, GREENE, M. POWELL, RICHMOND, SMILEY, AND WHITE  
AN ACT

To amend and reenact R.S. 29:726(E)(13) and to enact R.S. 29:726(E)(14) and (15), relative to the duties of the office of homeland security and emergency preparedness; to require the office to promulgate standards and requirements for local governments to follow relative to mandatory evacuations; to require the office to give priority consideration to the evacuation of certain designated special needs persons; to require the office to promulgate standards and requirements for local governments to follow for the evacuation or safe housing of essential workers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 70 by Representative Jefferson

##### AMENDMENT NO. 1

On page 1, line 8, after "workers;" and before "and" insert "to provide for time limitations for the office to comply; to provide for reporting by the office to legislative committees;"

##### AMENDMENT NO. 2

On page 1, line 18, after "(13)" and before "standards" delete "Promulgate" and insert in lieu thereof "By May 1, 2006, promulgate"

##### AMENDMENT NO. 3

On page 2, line 12, after "(14)" and before "standards" delete "Promulgate" and insert in lieu thereof "By May 1, 2006, promulgate"

##### AMENDMENT NO. 4

On page 2, between lines 14 and 15, insert the following:

"(15) Report to the House Committee on Judiciary and the Senate Committee on Judiciary A by May 1, 2006, on their compliance with the provisions of Paragraphs (13) and (14) of this Subsection."

##### AMENDMENT NO. 5

On page 2, at the beginning of line 15, change "(15)" to "(16)"

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

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

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 72—**

BY REPRESENTATIVES SCHNEIDER, BEARD, DOWNS, ERDEY, GREENE, KATZ, AND KENNARD

#### A JOINT RESOLUTION

Proposing to amend Article VI, Section 39 of the Constitution of Louisiana, to prohibit the governing authority of certain levee districts from levying a tax without voter approval; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 72 by Representative Schneider

##### AMENDMENT NO. 1

On page 2, at the end of line 16, delete "November 7," and on line 17, delete "2006." and insert "September 30, 2006."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 74—**

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 11:558(A)(7), relative to retirement of certain district judges; to provide for a retirement incentive program and abolition of vacated judicial positions; to provide with respect to benefit calculation and retirement eligibility; to provide conditions and limitations; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 74 by Representative Toomy

AMENDMENT NO. 1

On page 2, line 26, after "the" and before "for" delete "appropriate legislative committees" and insert "House Committee on Judiciary and the Senate Committee on Judiciary A"

AMENDMENT NO. 2

On page 2, between lines 27 and 28, insert the following:

"(d) Nothing in this Paragraph shall be construed to allow recalculation of benefits for any retiree or of base benefit as defined in R.S. 11:450(D) for any Deferred Retirement Option Plan participant or any person who continued in employment after completing participation in the plan; however, calculation of a supplemental benefit amount based upon the service credit for additional employment after termination in the plan shall be governed by this Paragraph."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 82—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 38:291.1, 291.2, and 291.3 and to repeal R.S. 38:291(D), (G), (K), and (R), 304.2, 304.3, 307, 326.2, 327, 328, 335, 336, 337, and 421(F), relative to levee districts; to consolidate the East Jefferson, Lake Borgne Basin, Orleans, and West Jefferson Levee Districts into the Southeast Louisiana Levee District; to create the Southeast Louisiana Levee District; to provide relative to such district's jurisdiction and purpose; to establish a board of commissioners; to provide relative to the nomination, appointment, qualifications, terms, vacancies, and compensation of such commissioners; to provide relative to the powers and duties of the board; to repeal all rights, powers, and authority of the East Jefferson, Lake Borgne Basin, Orleans, and West Jefferson Levee Districts; to provide relative to the debts, assets, property, and employees of the East Jefferson, Lake Borgne Basin, Orleans, and West Jefferson Levee Districts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 82 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 13 in their entirety and insert the following:

"amend and reenact R.S. 38:291(D)(2), (G)(2), and (K), 301(B), 304(A) and (B), and 305, R.S. 42:808(A)(10), and R.S. 49:213.1(C), 213.4(A)(2), 213.5(A)(10), and 213.6(A)(2)(b), to enact R.S. 38:291(V), 304(D), and Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:330.1 through 330.12, and to repeal R.S. 38:291(D)(3) and 304.3, relative to flood protection; to establish the Pontchartrain Basin Levee Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional director; to create and provide for the St. Tammany Levee District; to provide for funding; to transfer and provide for the management and control of certain facilities and improvements of levee districts within the authority that are not related to flood protection and to provide for the allocation of revenue derived therefrom; to provide for applicability; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 15 through 20 in their entirety and delete pages 2 through 7 in their entirety and delete lines 1 through 15 from page 8 and insert the following:

"Section 1. R.S. 38:291(D)(2), (G)(2), and (K), 301(B), 304(A) and (B), and 305 are hereby amended and reenacted and R.S. 38:291(V), 304(D), and Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:330.1 through 330.12, are hereby enacted to read as follows:

§291. Naming; limits of districts; composition of boards

\* \* \*

D. East Jefferson Levee District.

\* \* \*

(2) In accordance with the provisions of R.S. 38:304 the governor shall appoint five persons to serve as levee commissioners. On and after September 1, 2006, the district shall be governed by the board of commissioners of the Pontchartrain Basin Levee Authority as provided in this Chapter.

\* \* \*

G. Lake Borgne Basin Levee District.

\* \* \*

(2) The governor shall appoint in accordance with the provisions of R.S. 38:304 three persons from the parish of St. Bernard. On and

after September 1, 2006, the district shall be governed by the board of commissioners of the Pontchartrain Basin Levee Authority as provided in this Chapter.

\* \* \*

K. Orleans Levee District. (1) The parish of Orleans on the east side of the Mississippi River is formed into a public levee district, to be known as the Orleans Levee District. These lands and all property thereon situated, not exempt from taxation, shall be subject to the provisions of this Chapter.

~~(2) The board shall consist of eight members. The governor shall appoint six persons to serve as levee commissioners, who shall possess the qualifications provided in R.S. 38:304. The terms of all such commissioners whether heretofore or hereafter appointed, shall, after July 10, 1986, be subject to Senate confirmation and serve at the pleasure of the governor making the appointment. Two commissioners shall be ex officio the mayor of the city of New Orleans, or his designee and one member appointed by the mayor from a list of three city councilmen selected by the members of the city council of New Orleans. On and after September 1, 2006, the district shall be governed by the board of commissioners of the Pontchartrain Basin Levee Authority as provided in this Chapter.~~

\* \* \*

V. St. Tammany Levee District. (1) All territory contained within the parish of St. Tammany within the boundaries of the coastal zone pursuant to R.S. 49:214.24 shall be embraced in the limits of a levee district to be known as the St. Tammany Levee District. These lands and all property thereon situated, not exempt from taxation, shall be subject to the provisions of this Chapter. However, no tax shall be levied in the district unless it is approved by a majority of the electors of the district voting in an election held for such purpose.

~~(2) The district shall be governed by the board of commissioners of the Pontchartrain Basin Levee Authority.~~

\* \* \*

§301. Construction and maintenance of levees and drainage; care and inspection of levees; measure of compensation; right of entry; bicycle paths and walkways

\* \* \*

B. ~~The~~ Except as provided in R.S. 38:330.2(I), the care and inspection of levees shall devolve on resident commissioners, assisted by such inspectors and watchmen as may be appointed pursuant to regulations, which the boards are hereby authorized to adopt. Each resident commissioner and any inspector or watchman who may be appointed shall attend once during his term of office an educational training program conducted by the ~~office of public works or its successor~~ Department of Transportation and Development.

\* \* \*

§304. Appointment of members; residency requirements; filling of vacancies

A. Any person appointed a levee commissioner or levee and drainage commissioner must have resided in this state the preceding two years, resided in the levee district the preceding year, be a qualified voter of one of the parishes included in the district, and reside in the district while serving as a member of the board, ~~except as provided in R.S. 38:304.1.~~

B.(1) Notwithstanding any law to the contrary, every vacancy now or hereafter created whether by reason of death, resignation, expiration of term, or any other cause occurring in any levee district

or levee and drainage district shall be filled by the governor from panels of names submitted as follows: each member of the House of Representatives representing a parish or part of a parish lying within a levee district or levee and drainage district shall submit one name for each vacancy to be filled from the parish, which he represents in the legislature within said levee district or levee and drainage district, and each member of the Senate shall submit one name for each vacancy to be filled from the parish or parishes, which he represents in the legislature within said levee district or levee and drainage district, except as provided in R.S. 38:291(P), 291(T), and 304.2 ~~and 304.3.~~

(2) In making appointments the governor shall not appoint any person to the board of commissioners to represent a specific parish who was not recommended by one or more of the legislators who represent that specific parish in the legislature except as provided in R.S. 38:291(P), 291(T), and 304.2 ~~and 304.3.~~ All members of the boards of commissioners of levee districts or levee and drainage districts shall be appointed by the governor to serve at the pleasure of the governor making the appointment.

\* \* \*

D. This Section shall not apply to the Pontchartrain Basin Levee Authority.

\* \* \*

§305. Employment of attorney

~~Each~~ Except as provided in R.S. 38:330.5, each levee board and levee and drainage board for a levee district or levee and drainage district may employ one or more attorneys to represent it and to offer advice and assistance of a legal nature and one or more engineers. The salary of each attorney shall be determined by the board.

\* \* \*

PART III-A. PONTCHARTRAIN BASIN LEVEE AUTHORITY

§330.1. Pontchartrain Basin Levee Authority; territorial jurisdiction; board of commissioners; appointments; terms; compensation; vacancy; officers; meetings; domicile

A.(1) The Pontchartrain Basin Levee Authority, hereafter referred to as "levee authority" or "authority" is hereby established as a levee district.

(2) The authority shall act as local sponsor for the construction, operation, and maintenance of all hurricane, storm damage reduction, and flood control projects in its jurisdiction.

(3) The authority shall be subject to Part II of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950.

B. On and after September 1, 2006, the levee authority, through its board of commissioners as provided for in this Section, shall exercise all authority over and have management, oversight, and control of the following territories as provided by law for the boards of commissioners of such levee districts to which the authority is a successor and to the extent provided for in this Part. The following levee districts shall be included within the authority:

- (1) East Jefferson Levee District.
- (2) Lake Borgne Basin Levee District.
- (3) Orleans Levee District.
- (4) St. Tammany Levee District.

C.(1) There is hereby created a board of commissioners of the levee authority composed of nine members, of whom there shall be

at least, and not more than, two members from each parish within the territorial jurisdiction of the authority. The members shall be appointed by the governor from nominations submitted by the nominating committee as follows:

(a) Five members who shall either be an engineer or a professional in a related field such as geotechnical, hydrological, or environmental science.

(b) Three members who shall be a professional in a discipline other than that occurring in Subparagraph (a) of this Paragraph with at least ten years of professional experience in that discipline.

(c) One member who shall be at large.

(2)(a) The nominating committee shall be composed as follows:

(i) A member designated by the Public Affairs Research Council of Louisiana.

(ii) A member designated by the Council for A Better Louisiana.

(iii) A representative of the Louisiana Geological Survey at Louisiana State University.

(iv) A member of the Association of State Floodplain Managers designated by the association.

(v) A member of the National Academy of Engineering designated by the academy.

(vi) A member of the National Society of Black Engineers designated by the society.

(vii) A member of the American Institute of Hydrology designated by the institute.

(viii) The dean of the College of Engineering at the University of New Orleans or his designee.

(ix) The dean of the School of Science and Engineering at Tulane University or his designee.

(x) The dean of the College of Engineering at Southern University and Agricultural and Mechanical College or his designee.

(xi) A member of the National Society of Professional Engineering designated by the society.

(xii) A member of the American Society of Civil Engineers designated by the society.

(b) The secretary of state shall be the custodian of the records of the nominating committee. The chairman of the committee or, in his absence, the secretary of state, shall call the meeting of the nominating committee. The secretary of state or his designee shall serve as secretary for the nominating committee.

(3)(a) Within ten days after the effective date of this Section, the governor shall advise the secretary of state of the vacancies on the board. Within ten days after the occurrence of a vacancy on the board, the authority shall advise the secretary of state of the vacancy. Within fourteen days after being advised of a vacancy on the board, the secretary of state shall publish notice of the vacancy in the official journal of the state and of each parish within the territorial jurisdiction of the authority.

(b) No sooner than thirty days after the latest date of publication in any of the journals set forth in Subparagraph (a) of this Paragraph nor later than sixty days after that date, the nominating committee shall meet to determine two nominations to send to the governor to

fill each vacancy. The committee shall consider each name submitted to the committee from whatever source and the committee members may propose names of persons to be considered. After review, the committee shall select the nominees for each vacancy who meet the requirements of this Section. A majority vote of the total membership of the nominating committee shall be required to nominate persons to positions on the board. The committee shall submit its nominations for each vacancy to the governor for consideration no later than ninety days after the occurrence of the vacancy. The governor shall appoint one of the nominees submitted by the committee.

(c) If the nominating committee fails to submit a nominee within ninety days after the occurrence of a vacancy, the governor shall appoint a person meeting the requirements of this Section.

(4) Each appointment made to the board shall be subject to confirmation by the Senate.

D. The members of the board initially appointed shall at their first meeting determine by lot their terms of office, which terms shall commence immediately upon their appointment and shall expire, respectively, as follows: three members in two years, three members in three years, and three members in four years, from the first day of July immediately succeeding such appointment. All commissioners thereafter appointed, except a commissioner appointed to fill an unexpired term, shall be appointed as provided in Subsection C of this Section for staggered terms of four years. No member shall serve more than two consecutive four-year terms.

E. Immediately after the members of the board of commissioners have been appointed, or as soon as thereafter is practicable, they shall meet and organize by electing from their number a president, vice president, and secretary who shall perform the duties normally required of such officers. In case of death or resignation of the president, the vice president shall call the board together to fill the vacancy. In case of absence, inability, or failure to act of the president, the vice president shall perform all the duties of the president.

F.(1) A majority of the commissioners of the board shall constitute a quorum to do business. They shall designate the time and select the place for holding their regular sessions, which shall be convened each month. Special meetings may be convened at any time upon the call of the president. Regular monthly meetings of the board shall be convened on a rotating basis at a place to be determined by the board in a levee district under the jurisdiction of the authority.

(2)(a) In recognition that the primary purpose of the authority is regional coordination of flood protection and in order to promote such coordination over parochial concerns, approval of a proposed project shall require the favorable vote of at least two-thirds of the total membership of the board, regardless of whether the project is limited to one or more levee districts within the territorial jurisdiction of the authority or one region of the authority.

(b) As used in this Paragraph, "project" means a program or engineering activity, either new or continuing that will be planned and implemented with the primary goal being the reduction of existing flood damages. "Program" means the flood control system which may include but not be limited to flood proofing, waterproofing, ring dikes, relocation assistance, information programs, formulation of codes, and engineering studies. "Engineering activities" means functions which may include but not be limited to dams, reservoirs, levees, dikes, flood walls, diversions, channel alterations such as snagging and channel straightening, on-site detention, spillways, and land treatment.

(3) Except as provided in Paragraph (2) of this Subsection, a favorable vote of a majority of the total membership of the board shall be required to take action.



G. In case of neglect of duty by any board member or of his failure, without good cause, to attend three successive regular meetings, on request of the board, the governor shall remove the commissioner.

H. A vacancy created by reason of death, resignation, expiration of term, removal, or any other cause shall be filled in the same manner as the original appointment.

I.(1) The official domicile of the authority shall be determined by the board. The authority shall maintain an office at its domicile for the transaction of its business.

(2) The authority may also maintain branch offices within the territorial jurisdiction of the authority.

J. No member of the board, or any of the immediate family of the member, shall own or have any interest or part in any business, company, or entity conducting business of any kind with the authority or with any region established by this Part or levee district within the territorial jurisdiction of the authority or any of the facilities controlled by the authority or any such region or district. "Immediate family" as used in this Subsection means his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

K.(1) No former board member may qualify as a candidate for any elected office within twelve months of the termination of his term on the board.

(2) No elected official or former elected official may serve as a member of the board within twenty-four months of the termination of his term.

(3) No public employee or former public employee shall serve as a member of the board within twelve months of the termination of his employment other than as a member of the board.

(4) No person shall be eligible for selection who has been registered as a lobbyist before the legislature within two calendar years of the date of appointment. Should any member serving on the board thereafter register as a lobbyist, he shall immediately resign his position on the board.

(5) No member of the board and no officer or employee of the board shall participate or engage in an effort to support or oppose the election of a candidate for political office or to support a particular party or issue in an election; be a member of any national, state, or local committee of any political party or faction; make or solicit contributions for any political party, faction, candidate, or issue; or take active part in the management of the affairs of a political party, faction, candidate, or any political campaign, except to exercise his right as a citizen to express his opinion privately and to cast his vote as he desires.

(6) Notwithstanding any provision of law to the contrary, no member of the board shall serve at the same time on any other board or commission, the membership of which is appointed in whole or in part by an elected official or by a public body, the majority of the membership of which consists of elected officials. "Elected official" as used in this provision means any person holding an office in a governmental entity which is filled by the vote of the appropriate electorate and includes any person appointed to fill a vacancy in such offices.

(7) No person shall be eligible for selection who is a party to any contract with the authority or with any region established by this Part or levee district within the territorial jurisdiction of the authority.

L. In lieu of the compensation provided in R.S. 38:308, the members of the board shall receive a per diem equal to the rate

allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United States Code for its official domicile during their attendance on that body. In addition to the per diem, each member shall be paid a mileage allowance for going to and from meetings and for other travel authorized by the board equal to the rate established as the standard mileage rate for business travel for purposes of Section 162(a) of Title 26 of the United States Code.

#### §330.2. Board of commissioners, powers and duties

A.(1) The authority shall be governed by a board of commissioners. The board shall be the successor to the boards of commissioners of the East Jefferson Levee District, Lake Borgne Basin Levee District, and Orleans Levee District.

(2)(a) The board may, in addition to any other powers and duties provided by law for the boards of commissioners of levee districts, establish on its behalf or for the regions or the levee districts under its authority adequate drainage, flood control, and water resources development, including but not limited to the planning, maintenance, operation, and construction of reservoirs, diversion canals, gravity and pump drainage systems, erosion control measures, marsh management, coastal restoration, and other flood control works as such activities, facilities, and improvements relate to tidewater flooding, hurricane protection, and saltwater intrusion. Neither the authority nor any levee district within the territorial jurisdiction of the authority shall own, operate, or control any facility or improvement not directly related to such purposes, except as provided in R.S. 38:330.12.

(b) Nothing in this Paragraph shall transfer authority to operate flood control pump operations from any public entity authorized by law to conduct such activities.

B. The board may enter into contracts and agreements of any nature on behalf of the authority or on behalf of any levee districts within the territorial jurisdiction of the authority for the purposes of this Chapter with any person or persons, corporation, association, or other entity, including public corporations, port authorities, the state and agencies thereof, levee districts, parishes, other political subdivisions, the United States government and agencies thereof, or any combination thereof, or with instrumentalities of any kind to carry out the purposes of and the powers granted in this Chapter.

C. The board may enter into contracts or other agreements on behalf of the authority or on behalf of any levee districts within the territorial jurisdiction of the authority with any person or entity concerning the providing of lands, servitudes, rights-of-way, and relocations, and may engage the levee districts under its authority jointly with any person or entity in the exercise of any power to include the construction, operation, and maintenance of any facilities and improvements for the purpose of the projects under this Chapter.

D. The board on behalf of the authority or on behalf of any levee districts within the territorial jurisdiction of the authority may construct and maintain drainage works of all types as such works relate to tidewater flooding, hurricane protection, and saltwater intrusion, either in cooperation with one or more parishes, municipalities, drainage districts, or other special districts within its territorial jurisdiction, or upon its own undertaking.

E. The board may buy and sell property of the authority or of any levee district within its territorial jurisdiction, make and execute all contracts on behalf of the authority or on behalf of any such levee district, and perform any and all things necessary to carry out the objects of this Chapter, subject to the limitations and duties provided in this Section.

F. Subject to any local ordinance for the construction, erection, and maintenance of back and side levees to protect any portion of a levee district within the territorial jurisdiction of the authority from

tidal overflow, the board shall work in conjunction with the appropriate parish governing authority to manage the construction and maintenance of the levees, pursuant to R.S. 38:143.

G. The board shall adopt bylaws for the management and regulation of its affairs, for the governance of the board and its officers and employees, and for the operation and governance of the authority in accordance with the Administrative Procedure Act and subject to legislative rule oversight by the Senate and House Committees on Transportation, Highways, and Public Works. It shall devise and adopt rules and regulations for the carrying into effect and perfecting of a comprehensive levee system, having for its object the protection of the entire territory of the authority from overflow. Such bylaws may include the establishment of any standing committees of the board as may be necessary to carry out the functions of the board.

H. The authority and each levee district within the territorial jurisdiction of the authority shall comply with all applicable federal and state law and regulations, particularly regarding federal rehabilitation assistance for flood control works damaged by flood or coastal storm.

I.(1) For each levee district within the territorial jurisdiction of the authority, care and inspection of levees shall devolve on commissioners and assisted by such inspectors and watchmen as may be appointed pursuant to regulations, which the board is hereby authorized to adopt. Each commissioner and any inspector or watchman who may be appointed shall attend once during his term of office an educational training program conducted by the Department of Transportation and Development.

(2) Each commissioner and appointed inspector or watchman, upon presenting appropriate credentials, may enter any private premises within the territorial jurisdiction of the authority to care for and inspect levees. If the owner of the premises or his agent refuses to admit the commissioner, inspector, or watchman, the authority may obtain from any state court of competent jurisdiction and venue an appropriate order to submit the premises to entry for such purpose.

§330.3. Levee district and board reorganization; transfer of authority; obligations; taxes; employees; lands

A.(1)(a) Any legal proceeding to which the East Jefferson Levee District, Lake Borgne Basin Levee District, or Orleans Levee District is a party and which is filed, initiated, or pending before any court on September 1, 2006, and all documents involved in or affected by said legal proceeding, shall retain its effectiveness and shall be continued in the name of the district. Other than the district or districts originally named as party to the proceedings, neither the authority nor any region or district within the territorial jurisdiction of the authority shall have any liability for actions pending or claims arising prior to the effective date of this Section.

(b) Neither the authority nor any district within the territorial jurisdiction of the authority shall have any liability for actions or claims other than the region or district against which the actions or claims arise.

(c) No provision of law providing the Pontchartrain Basin Levee Authority with any authority over and management, oversight, and control of the levee districts provided for in R.S. 38:330.2(A) shall be construed or interpreted to make the taxes levied by, or other revenue of, a levee district within the territorial jurisdiction of the authority payable for the liability of another levee district, or for any liability of the authority when acting on behalf of another levee district.

(2) All obligations and unfinished business of the East Jefferson Levee District, Lake Borgne Basin Levee District, and Orleans Levee District shall be managed on behalf of the districts by the authority.

(3) All outstanding indebtedness of the East Jefferson Levee District, Lake Borgne Basin Levee District, and Orleans Levee District shall remain with the district and shall not be a liability of the authority.

B.(1) The proceeds of all taxes collected on all property taxed in the parishes of Jefferson, Orleans, and St. Bernard for the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, by or on behalf of the East Jefferson Levee District, Lake Borgne Basin Levee District, or Orleans Levee District and, except as provided in R.S. 38:330.12, any other revenue from operations of such districts shall be administered by the board of commissioners of the authority; however, the taxes and other revenues of each such levee district shall only be used and expended for the purposes of such district.

(2) The proceeds from a tax levied, or revenue received, by a levee district may only be used or expended for a purpose of the levee district where the tax is levied and revenue is collected.

(3) The proceeds of such taxes collected shall be deposited into a separate account established in the name of a district in which the taxes are levied and collected. There shall be no commingling of funds in such accounts.

C.(1) Any books, records, documents, funds, movable property, lands, or immovable property owned by the East Jefferson Levee District, Lake Borgne Basin Levee District, or Orleans Levee District shall be retained as property of the respective levee district in which such property is situated, but shall be managed by the authority, except as provided in R.S. 38:330.12.

(2) Except as provided in R.S. 38:330.12, any property acquired or improvements constructed with funds of a levee district within the territorial jurisdiction of the authority and all income derived from property or improvements owned by the levee district shall belong to the levee district, but shall be managed by the authority.

§330.4. Regional director

A. The board may employ a regional director who shall serve at the pleasure of the board. The board shall fix the qualifications, duties, and salary of the regional director.

B. In addition to the qualifications fixed by the board pursuant to Subsection A of this Section, the regional director shall:

(1) No later than ninety days after and for the remainder of his appointment, reside within the territorial jurisdiction of the authority.

(2) Have a bachelor's degree, at a minimum, in the area of business, engineering, geology, hydrology, natural sciences, environmental sciences, renewable resources, or any similar academic field.

(3) Have a minimum of ten years senior executive experience in business, engineering or hydrology, or in the performance of public works functions related to flood and drainage control, flood plain management, water resources, soil conservation, land surveying and mapping, disaster relief, or any related function.

C. In addition to the duties prescribed by the board, the regional director shall keep records of all proceedings, preserve all books, maps, documents, papers, records, and reports entrusted to its care, and keep them open for public inspection.

§330.5. Employees

A. The authority may employ such employees as it deems necessary for its proper functioning, which employees shall not be

civil service. However, in a levee district existing on August 31, 2006, with civil service employees, the district's employees shall continue to be civil service.

B. Any person employed by the East Jefferson Levee District, the Lake Borgne Basin Levee District, or the Orleans Levee District on September 1, 2006, may, insofar as practicable, continue as an employee of the levee district at the pleasure of the flood protection authority created in this Part and may, insofar as practicable, retain all rights, privileges, and benefits.

#### §330.6. Counsel to authority

The state attorney general and his assistants shall be and are hereby designated as counsel for the flood protection authority in the execution of the purposes of this Chapter and are hereby charged with the responsibility of representing the authority in any and all matters when called upon to do so.

#### §330.7. Police officers

The authority shall not directly employ police security personnel. However, the authority may enter into cooperative endeavor agreements with appropriate local law enforcement agencies to provide necessary police security services for levees or may assume the rights and responsibilities of any existing cooperative endeavor agreements for police security services.

#### §330.8. Funding; appropriations

A. The authority or any levee district within the territorial jurisdiction of the authority, for the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, or for any other purpose incidental thereto, or for any other purpose related to its authorized powers and functions as specified by law, may levy or increase a tax. However, the necessity, purpose, and the rate of the levy or increase shall be submitted to the electors of the authority or district within which the levy or increase will apply, and the levy or tax increase shall take effect only if approved as required by the Constitution of Louisiana. Proceeds from taxes levied and collected pursuant to this Subsection shall only be used as provided in the tax proposition and only within the authority or district in which the tax is levied.

B. The authority may seek, accept, and expend funds from any source, including private business, industry, foundations, and other groups as well as any federal or other governmental funding available for any of the purposes set forth in Subsection A of this Section.

#### §330.9. Defense and indemnification of commissioners, officers, or employees

A. The authority may defend, indemnify against loss or liability, and save harmless any of its commissioners, officers, or employees whenever a claim or demand is made or threatened, or whenever proceeded against in any investigation or before any court, board, commission, or other public body to defend or maintain his official position or a position taken in the course of the execution of his duties or because of any act or omission arising out of the performance of his official duties if it is determined that the commissioner, officer, or employee acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the authority. Such determination shall be made by the board of commissioners by a majority vote of the board who were not parties to such action, suit, proceeding, investigation, or claim. The provisions of this Subsection shall not apply in the event a commissioner, officer or employee is adjudged liable for malfeasance in office or an intentional tort.

B. To the extent that a commissioner, officer, or employee of the authority has been successful on the merits or otherwise in

defense of any action, suit, or proceeding referred to in or in defense of any claim, issue, or matter therein, he shall be indemnified against expenses, including attorney fees, actually and reasonably incurred by him in connection therewith.

C. Expenses, including attorney fees, incurred in defending a civil action, suit, or proceeding may be paid by the authority in advance of the final disposition of such action, suit, or proceeding as authorized in the manner provided in this Section upon receipt of an undertaking by or on behalf of the commissioner, officer, or employee, to repay such amount unless it shall ultimately be determined that he is entitled to be indemnified by the authority as authorized in this Section.

D. The indemnification provided by this Section shall not be deemed exclusive of any other rights to which those indemnified may be entitled, both as to action in his official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be a commissioner, officer, or employee, and shall inure to the benefit of the heirs, executors, and administrators of such a person.

E. The authority may purchase and maintain insurance on behalf of any person who is or was a commissioner, officer, or employee of the authority against any liability asserted against him and incurred by him in any such capacity or arising out of his status as such, whether or not the authority would have the power to indemnify him against such liability under the provisions of this Section.

#### §330.10. Statutory reference

A. Subject to the limitations of liability as set forth in R.S. 38:330.3, whenever a reference to the "board of commissioners", "levee board", or "board of levee commissioners" of the East Jefferson Levee District, Lake Borgne Basin Levee District, or Orleans Levee District appears in any statute, or in a contract, or a legal pleading, or in any other document, that reference shall be deemed to be a reference to the board of commissioners of the Pontchartrain Basin Levee Authority.

B. Subject to the limitations of liability as set forth in R.S. 38:330.3, whenever a reference to the "board of commissioners", "levee board", or "board of levee commissioners" or "levee district" appears in any statute, that reference shall be deemed to include the board of commissioners of the Pontchartrain Basin Levee Authority.

#### §330.11. Exception to jurisdiction of authority

Notwithstanding any provision of law to the contrary, this Part shall not apply to any levee district or board that has been reorganized, merged into, or consolidated with a parish pursuant to Article VI, Sections 16 and 38 of the Constitution of Louisiana. Such levee district shall continue to have any rights, revenues, resources, jurisdiction, powers, authority, functions, and duties, including the levy and collection of any local assessment or forced contribution, authorized by law at the time of the reorganization, merger, and consolidation with a parish.

#### §330.12. Management of non-flood protection functions and activities

A. On and after the effective date of this Section, any facility or improvement within a levee district within the territorial jurisdiction of the authority, which facility or improvement is not directly related to providing adequate drainage, flood control, or water resources development pertaining to tidewater flooding, hurricane protection, or saltwater intrusion, that is owned or operated by a board of commissioners of the levee district, including all land, rights-of-way, servitudes, and improvements situated thereon, or connected therewith, for such purpose, shall be managed and

controlled by the state, through the division of administration, without the necessity of any other act or instrument. For the purpose of this Section only, the division of administration shall be the successor to the board of commissioners of such levee district.

B.(1) The division of administration may enter into contracts, agreements, or cooperative endeavors of any nature, on behalf of the state with a state agency, political subdivision, or other legal entity or person, or any combination thereof, for the operation and maintenance of any facility or improvement, which it manages or controls pursuant to Subsection A of this Section.

(2) The division of administration may sell, lease, or otherwise transfer any such property and perform any and all things necessary to carry out the objects of this Section.

C. The expense of operating any facility or improvement referred to in Subsection A of this Section, which produces revenue for the levee district shall be collected by the division of administration and, after deducting an amount for the expense of managing and controlling such facility or improvement, the remaining revenues therefrom shall be disbursed to the authority to the credit of the levee district in which the facility or improvement is located.

D. The division of administration may otherwise provide for the implementation of this Section by the adoption of rules and regulations pursuant to the Administrative Procedure Act.

E. Notwithstanding any provision of law to the contrary, the Orleans Levee District shall continue to be responsible for maintaining the grounds of the facilities and improvements of the district placed under the management and control of the division of administration pursuant to this Section.

Section 2. R.S. 42:808(A)(10) is hereby amended and reenacted to read as follows:

§808. Eligibility in group programs

A. For the purposes of participating in life, health, or other programs sponsored by the Office of Group Benefits, an employee is defined as:

\* \* \*

(10) Notwithstanding any other provision of law to the contrary, any official holding an appointed position with the West Jefferson Levee District for more than eight years prior to September 1, 2006.

\* \* \*

Section 3. R.S. 49:213.1(C), 213.4(A)(2), 213.5(A)(10), and 213.6(A)(2)(b) are hereby amended and reenacted to read as follows:

§213.1. Statement of intent

\* \* \*

C. The state must act to develop, implement, and enforce a comprehensive coastal protection plan. The state must act to ensure that the plan integrates hurricane protection and coastal restoration efforts in order to achieve long-term and comprehensive coastal protection. Comprehensive coastal protection must proceed in a manner that recognizes that the proper functioning of each protective element is critical to the overall success of the plan and that without such proper functioning the safety of the state and its citizens and the viability of the entire plan are threatened. Further, comprehensive coastal protection must further proceed in a manner that recognizes the powers and duties of political subdivisions, including levee authorities, and levee districts, to fund and manage local activities that are consistent with the goals of a comprehensive coastal protection plan. The state must act to conserve, restore, create, and enhance wetlands and barrier shorelines or reefs in coastal Louisiana

while encouraging use of coastal resources and recognizing that it is in the public interest of the people of Louisiana to establish a responsible balance between development and conservation. Management of renewable coastal resources must proceed in a manner that is consistent with and complementary to the efforts to establish a proper balance between development and conservation.

\* \* \*

§213.4. Powers and duties

A. The authority shall:

\* \* \*

(2) Develop, coordinate, make reports on, and provide oversight for a comprehensive coastal protection master plan and annual coastal protection plans, working in conjunction with state agencies, political subdivisions, including levee authorities, levee districts, and federal agencies. The master plan shall include a comprehensive strategy addressing the protection, conservation, and restoration of the coastal area through the construction and management of hurricane protection projects and coastal restoration projects and programs, all consistent with the legislative intent as expressed in R.S. 49:213.1. The annual coastal protection plan shall be developed as the annual implementation of the comprehensive master plan and shall be submitted to the legislature for approval as set forth in R.S. 49:213.6. The annual coastal protection plan shall include a description and status of all projects and programs pertaining to hurricane protection and coastal restoration, including privately funded wetland enhancement projects or plans, and addressing those activities requiring a coastal use permit which significantly affect projects set forth in the plan, all consistent with the legislative intent as expressed in R.S. 49:213.1.

\* \* \*

§213.5. Coastal Protection and Restoration Authority; members

A. The Coastal Protection and Restoration Authority shall consist of the following members:

\* \* \*

(10) Three members selected from among and by the presidents of the ~~twelve~~ following levee districts in the Louisiana Coastal Zone grouped in three regions as follows: Region 1 - Pontchartrain Levee District, Orleans Levee District, and East Jefferson Levee District, and the Pontchartrain Basin Levee Authority. Region 2 - Atchafalaya Levee District, Lafourche Basin Levee District, North Lafourche Conservation, Levee and Drainage District, Terrebonne Levee and Conservation District, and South Lafourche Levee District. Region 3 - ~~Lake Borgne Basin Levee District, West Jefferson Levee District,~~ Grand Isle Independent Levee District, and the Plaquemines Parish Government. The member from each region shall serve as a member for a term of one year. The members serving under the provisions of this Paragraph may designate a person to serve as a proxy.

\* \* \*

§213.6. Coastal protection annual plans; development; priorities

A.

\* \* \*

(2) The authority shall develop the plans in accordance with the following procedure:

\* \* \*

(b) At least two weeks prior to each public hearing the authority shall contact the parish governing authorities, regional levee

authorities, levee districts, and the state legislators of the parishes in the coastal zone for the purpose of soliciting their comments and recommendations and notifying them of the public hearing to be held in their area.

\* \* \*

Section 4. R.S. 38:291(D)(3) and 304.3 are hereby repealed.

Section 5. The terms of the boards of commissioners of the East Jefferson Levee District, the Lake Borgne Basin Levee District, and the Orleans Levee District serving on August 31, 2006, shall terminate on that date.

Section 6. The board of commissioners of the Pontchartrain Basin Levee Authority shall conduct a study of pump drainage systems operated by public entities within the territorial boundaries of the authority to determine the challenges, benefits, and opportunities of developing a plan to fully coordinate the systems and shall submit a written report of its findings and recommendations to the Senate and House Committees on Transportation, Highways and Public Works by April 1, 2007.

Section 7. R.S. 38:330.1(A)(1), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), and (L), 330.2(G), 330.4, 330.5, 330.6, 330.8(B), 330.9, and 330.12 as amended and reenacted or enacted in Section 1 of this Act and Sections 5, 6, 7, and 8 of this Act shall take effect and become operative if and when the proposed constitutional amendment contained in the Act, which originated as House Bill No. \_\_\_\_\_ of the 2006 First Extraordinary Session of the Legislature is adopted at the statewide election to be held on September 30, 2006, and at the same time that the amendment becomes effective.

Section 8. Except as provided in Section 7 of this Act, Sections 1, 2, 3, and 4 of this Act shall take effect and become operative on October 1, 2006, if and when the proposed constitutional amendment contained in the Act, which originated as House Bill No. \_\_\_\_\_ of the 2006 First Extraordinary Session of the Legislature is adopted at the statewide election to be held on September 30, 2006."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 84—

BY REPRESENTATIVES K. CARTER, SALTER, DORSEY, BADON, JEFFERSON, LABRUZZO, QUEZAIRE, SCALISE, AND WALKER AND SENATORS BOASSO AND MOUNT

##### A JOINT RESOLUTION

Proposing to amend Sections 38(A) and 39(A) and to add Section 38.1 of Article VI of the Constitution of Louisiana and to redesignate the title to Part III of said Article, relative to flood protection; to provide for the establishment of a regional flood protection authority and its governing authority, powers, duties, and functions; to provide for the governing authority of levee districts within the territorial jurisdiction of the regional flood protection authority; to provide for the establishment of regions within the authority; to provide for taxing authority; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 85—

BY REPRESENTATIVE PITRE

##### AN ACT

To amend and reenact R.S. 38:291(F)(1) and (2)(introductory paragraph) and (f), (P)(1), and (T)(1) and to repeal R.S. 38:291(F)(2)(g), relative to the reorganization of certain levee districts in Lafourche Parish; to change the boundaries of the North Lafourche Conservation, Levee and Drainage District and the Lafourche Basin Levee District; to provide for exclusive jurisdiction of the South Lafourche Levee District; to provide relative to boards of commissioners; to provide for the transfer of certain property and documents; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 86—

BY REPRESENTATIVES K. CARTER, SALTER, DORSEY, BADON, LABRUZZO, QUEZAIRE, SCALISE, AND WALKER AND SENATORS BOASSO AND MOUNT

##### AN ACT

To amend and reenact R.S. 38:291(D)(2), (G)(2), (K)(2), (L)(1), and (R)(2), 301(B), 304(A) and (B), 305, and 313(C), R.S. 42:808(A)(10), and R.S. 49:213.1(C), 213.4(A)(2), 213.5(A)(10), and 213.6(A)(2)(b), to enact R.S. 38:291(V), (W), (X), and (Y) and 304(D) and Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:330.1 through 330.12, and to repeal R.S. 38:291(D)(3), 304.2, and 304.3, relative to flood protection; to establish the Southeast Louisiana Flood Protection Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to establish regions within the authority and provide for its governance, powers, and duties; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional executive director; to create and provide for the Livingston Levee District; to create and provide for the St. Tammany Levee District; to create and provide for the Tangipahoa Levee District; to create and provide for the West Lake Pontchartrain Levee District; to create and provide for the Mississippi River East Region within the authority; to create and provide for the Mississippi River West Region within the authority; to provide for funding; to transfer and provide for the management and control of certain facilities and improvements of levee districts within the authority that are not related to flood protection and to provide for the allocation of revenue derived therefrom; to provide for applicability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 86 by Representative K. Carter

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## AMENDMENT NO. 1

On page 1, line 2, after "R.S. 38:291(D)(2)," delete the remainder of the line and insert "(K) and (L)(1), 301(B), 304(A)"

## AMENDMENT NO. 2

On page 1, line 4, after "R.S. 38:291(V)" delete the remainder of the line and insert "and (W) and"

## AMENDMENT NO. 3

On page 1, line 7, after "38:291(D)(3)" delete the comma "," and "304.2,"

## AMENDMENT NO. 4

On page 1, line 18, after "director;" delete the remainder of the line and delete "Levee District;" from the beginning of line 19

## AMENDMENT NO. 5

On page 2, line 1, after "District;" delete the remainder of the line and delete lines 2 through 4 in their entirety and insert "to provide for funding; to transfer and provide for"

## AMENDMENT NO. 6

On page 2, line 10, after "Section 1." delete the remainder of the line and insert "R.S. 38:291(D)(2), (K), and (L)(1), 301(B), 304(A) and"

## AMENDMENT NO. 7

On page 2, line 11, after "R.S. 38:291(V)" delete the comma "," and the remainder of the line and delete (Y) from the beginning of line 12 insert "and (W)"

## AMENDMENT NO. 8

On page 2, delete lines 25 through 29 in their entirety and on page 3, delete lines 1 through 4 in their entirety

## AMENDMENT NO. 9

On page 3, delete lines 5 and 6 in their entirety and insert the following:

K. Orleans Levee District. (1) The parish of Orleans on the east side of the Mississippi River is formed into a public levee district, to be known as the Orleans Levee District. These lands and all property thereon situated, not exempt from taxation, shall be subject to the provisions of this Chapter.

## AMENDMENT NO. 10

On page 3, delete lines 25 through 29 in their entirety and delete page 4 in its entirety

## AMENDMENT NO. 11

On page 5, at the beginning of line 1, change "X." to "V."

## AMENDMENT NO. 12

On page 5, at the beginning of line 8, change "Y." to "W."

## AMENDMENT NO. 13

On page 6, line 14, after "R.S. 38:291(P)" delete the remainder of the line and insert a comma "," and "291(T), and 304.2 and 304.3."

## AMENDMENT NO. 14

On page 6, line 18, after "R.S. 38:291(P)" delete the remainder of the line and insert a comma "," and "291(T), and 304.2 and 304.3. All members of"

## AMENDMENT NO. 15

On page 7, line 11, after "Atchafalaya Levee District" delete the remainder of the line and delete lines 12 through 14 in their entirety and insert the following:

"the St. Tammany Levee District, the Tangipahoa Levee District, and the Southeast Louisiana Flood Protection Authority."

## AMENDMENT NO. 16

On page 8, delete lines 6 through 25 in their entirety and insert the following:

"(b) Orleans Levee District.

(c) St. Tammany Levee District.

(d) Tangipahoa Levee District."

## AMENDMENT NO. 17

On page 8, line 27, change "eleven" to "seven"

## AMENDMENT NO. 18

On page 8, line 29, after "authority," delete the remainder of the line and delete "the Mississippi River." from the beginning of line 1 on page 9

## AMENDMENT NO. 19

On page 9, line 3, change "Five" to "Four"

## AMENDMENT NO. 20

On page 9, line 5, change "Three" to "Two"

## AMENDMENT NO. 21

On page 9, line 8, change "Three" to "One"

## AMENDMENT NO. 22

On page 11, line 8, after "follows:" delete the remainder of the line and delete line 9 in its entirety and insert the following:

"three members in two years, two members in three years, and two"

## AMENDMENT NO. 23

On page 13, line 9, change "twelve" to "twenty-four"

## AMENDMENT NO. 24

On page 14, line 17, after "the East Jefferson Levee District," delete the remainder of the line and delete lines 18 through 21 in their entirety and insert the following:

"and the Orleans Levee District. The board shall also be the governing authority of the St. Tammany Levee District and the Tangipahoa Levee District."

## AMENDMENT NO. 25

On page 14, at the beginning of line 24, after "for" delete "the regions or"

AMENDMENT NO. 26

On page 15, line 8, after "behalf of any" delete "regions or"

AMENDMENT NO. 27

On page 15, line 16, after "behalf of any" delete "regions or"

AMENDMENT NO. 28

On page 15, line 22, after "behalf of any" delete "region or"

AMENDMENT NO. 29

On page 15, line 28, after "authority or of any" delete the remainder of the line

AMENDMENT NO. 30

On page 16, line 1, after "behalf of any such" delete "region or"

AMENDMENT NO. 31

On page 16, line 5, after "portion of a" delete "region or"

AMENDMENT NO. 32

On page 16, line 19, after "each" delete "region and"

AMENDMENT NO. 33

On page 16, line 23, after "each" delete "region and"

AMENDMENT NO. 34

On page 17, at the end of line 10, delete the comma and delete line 11 and from the beginning of line 12 delete "District" and insert "or the Orleans Levee District"

AMENDMENT NO. 35

On page 17, line 16, after "nor any" delete "region or"

AMENDMENT NO. 36

On page 17, line 19, after "nor any" delete "region or"

AMENDMENT NO. 37

On page 17, at the beginning of line 21, delete "the region or" and insert "the"

AMENDMENT NO. 38

On page 17, at the beginning of line 24 delete "regions and"

AMENDMENT NO. 39

On page 17, line 25, after "revenue of," delete "a region or" and insert "a"

AMENDMENT NO. 40

On page 17, at the beginning of line 27, delete "region or"

AMENDMENT NO. 41

On page 17, line 28, after "another" delete "region or"

AMENDMENT NO. 42

On page 18, delete lines 2 through 6 in their entirety and insert the following:

"District and the Orleans Levee District shall be managed on behalf of the districts by the authority.

(3) All outstanding indebtedness of the East Jefferson Levee District and the Orleans Levee District shall remain with the district and shall not be a liability of"

AMENDMENT NO. 43

On page 18, line 9, after "Jefferson" delete the comma "," and the remainder of the line and insert "and Orleans for the purpose of constructing and"

AMENDMENT NO. 44

On page 18, delete line 12 and from the beginning of line 13, delete "Jefferson Levee District" and insert "District or the Orleans Levee District"

AMENDMENT NO. 45

On page 18, line 18, after "received, by a" delete "region or a"

AMENDMENT NO. 46

On page 18, line 19, after "purpose of the" delete "region or"

AMENDMENT NO. 47

On page 18, line 22, after "each" delete "region or"

AMENDMENT NO. 48

On page 18, delete lines 25 and 26 and insert "immovable property owned by the East Jefferson Levee District or the Orleans Levee District shall be"

AMENDMENT NO. 49

On page 19, line 2, after "funds of a" delete "region or"

AMENDMENT NO. 50

On page 19, delete line 4 and insert "improvements owned by the district shall belong to the"

AMENDMENT NO. 51

On page 20, line 1, after "District" delete the comma "," and the remainder of the line and line 2 in its entirety and from the beginning of line 3, delete "District" and insert "or the Orleans Levee District"

AMENDMENT NO. 52

On page 20, delete lines 11 through 29 in their entirety and delete lines 1 through 13 from page 21 in their entirety and insert the following:

"§330.7. Security personnel; cooperative endeavor

The authority shall not directly employ police security personnel. However, the authority may enter into cooperative endeavor agreements with appropriate local law enforcement agencies to provide necessary police security services for levees or may assume the rights and responsibilities of any existing cooperative endeavor agreements for police security services."

AMENDMENT NO. 53

On page 21, line 15, after "or any" delete "region or"

AMENDMENT NO. 54

On page 21, line 21, after "authority" delete the comma "," and delete "region or,"

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## AMENDMENT NO. 55

On page 21 line 25, after "authority" delete the comma "," and delete "region or,"

## AMENDMENT NO. 56

On page 23, line 13, after "District" delete the comma "," and delete the remainder of the line and delete 14 in its entirety and insert "or the Orleans Levee District appears in any"

## AMENDMENT NO. 57

On page 27, line 11, after "Region 1 -" insert "Orleans Levee District and"

## AMENDMENT NO. 58

On page 27, line 16, after "Region 3-" insert "Lake Borgne Basin Levee District, West Jefferson Levee District,"

## AMENDMENT NO. 59

On page 28, line 7, after "R.S. 38:291(D)(3)" delete the comma "," and "304.2"

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

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

Under the rules, placed on the regular calendar.

## **HOUSE BILL NO. 88—**

BY REPRESENTATIVES GRAY, BURRELL, DORSEY, FAUCHEUX, GALLOT, GREENE, HEBERT, M. POWELL, RICHMOND, SMILEY, AND WHITE

### AN ACT

To amend and reenact R.S. 29:726(E)(13) and to enact R.S. 29:726(E)(14), (15), (16), and (17), relative to the duties of the office of homeland security and emergency preparedness; to require the office to prepare and maintain a homeland security and state emergency operations plan to include components providing for evacuation, shelter, post-disaster response and recovery, and lead and support responsibilities of state agencies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Original House Bill No. 88 by Representative Gray

## AMENDMENT NO. 1

On page 3, line 20, change "administered" to "directed"

## AMENDMENT NO. 2

On page 3, line 23, after "(16)" and before "Assign" insert "(a)"

## AMENDMENT NO. 3

On page 3, between lines 24 and 25, insert the following:

"(b) Adopt standards and requirements for parish emergency operations plans which ensure coordination and consistency with the state emergency operations plan.

(c) Review parish emergency operations plans for consistency with the state emergency operations plan and the standards and requirements adopted pursuant to Subparagraph (b) of this Paragraph. If a municipality elects to establish an emergency operations plan, review that plan for compliance with all standards and requirements applicable to the parish emergency operation plan.

(d) Report biennially to the governor, president of the Senate, speaker of the House of Representatives, and the chairperson of both the House and Senate committees having jurisdiction over homeland security and emergency preparedness, no later than February first of every odd-numbered year on the status of the emergency management capabilities of the state and its political subdivisions along with the most recent copy of the emergency operations plan.

(e) Provide an initial report to the House Committee on Judiciary and the Senate Committee on Judiciary A by May 1, 2006."

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

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

Under the rules, placed on the regular calendar.

## **Privileged Report of the Legislative Bureau**

February 10, 2006

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. 1  
Reported without amendments.

Senate Bill No. 14  
Reported without amendments.

Respectfully submitted,  
CHARLES MCDONALD  
Chairman

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

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

### **SENATE BILL NO. 1—**

BY SENATORS NEVERS, HINES, JACKSON AND SCHEDLER  
AN ACT

To enact R.S. 23:1552 (B)(6) and (7), relative to unemployment compensation; to provide with respect to contributions; to provide for reimbursement of unemployment compensation benefits charged to state and local governments and eligible nonprofit organizations during a gubernatorially declared disaster or emergency; to provide for deferment of payments; to provide for the waiver of penalty and interest; to provide for extended payment terms; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.



**SENATE BILL NO. 14—**  
BY SENATOR CAIN

## AN ACT

To amend and reenact R.S. 22:1382(B)(7)(c), 1430.2(C), 1430.3(C), 1430.6(D)(5), 1430.16(G), and 1430.17 and to enact R.S. 22:1430.3(A)(12), 1430.3(E), 1430.6(E), 1430.19, 1430.20 and 1430.21, relative to the Louisiana Citizens Property Insurance Corporation, to prohibit the rehabilitation, liquidation or dissolution of the corporation; to authorize the corporation to assign and grant a security interest in assessment, insurance and reinsurance recoverable as security for loans or bonds; to clarify that any future statutory amendment or amendments to the plan of operation may not impair the obligation to any bond holders; to prohibit the corporation from filing bankruptcy; to authorize the corporation to borrow money from the Louisiana Insurance Guaranty Association; to reaffirm severability; to provide for an additional member to the board of directors; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Karen Carter, the bill 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****HOUSE CONCURRENT RESOLUTIONS**

February 10, 2006

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. 17  
Returned without amendments

House Concurrent Resolution No. 18  
Returned without amendments

House Concurrent Resolution No. 19  
Returned without amendments

House Concurrent Resolution No. 20  
Returned with amendments

House Concurrent Resolution No. 24  
Returned without amendments

House Concurrent Resolution No. 25  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate****SIGNED SENATE CONCURRENT RESOLUTIONS**

February 10, 2006

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. 7 and 11

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

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

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

**Privileged Report of the Committee on Enrollment**

February 10, 2006

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. 21—**

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD

**A CONCURRENT RESOLUTION**

To commend Anheuser-Busch Companies for the extensive and generous aid the company provided to hurricane victims on the Gulf Coast in 2005.

**HOUSE CONCURRENT RESOLUTION NO. 22—**

BY REPRESENTATIVE SCHNEIDER

**A CONCURRENT RESOLUTION**

To commend the volunteers of the Southeast Louisiana Chapter of the American Red Cross and Frances Barker, North Shore regional coordinator, for their outstanding efforts toward the recovery of Louisiana after Hurricane Katrina.

**HOUSE CONCURRENT RESOLUTION NO. 23—**

BY REPRESENTATIVES CRANE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

**A CONCURRENT RESOLUTION**

To commend Dr. William L. Jenkins for his outstanding accomplishments and singular contributions to Louisiana State

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University and the Louisiana State University System and to express gratitude to him for his exemplary term of dedicated and highly productive public service.

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.

### **Leave of Absence**

Rep. Dartez - 1 day

Rep. Doerge - 1 day

Rep. Triche - 1 day

### **Adjournment**

On motion of Rep. Kenney, at 5:36 P.M., the House agreed to adjourn until Sunday, February 12, 2006, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Sunday, February 12, 2006.

ALFRED W. SPEER  
Clerk of the House