

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

SIXTH 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

Sunday, February 12, 2006

The House of Representatives was called to order at 4:00 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

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

Durand
Erdey
Fannin
Farrar
Total - 104

Martiny
McDonald
McVea
Montgomery

White
Winston
Wooton

ABSENT

Total - 0

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rep. Tucker.

Pledge of Allegiance

Rep. Cazayoux 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. Fannin, the reading of the Journal was dispensed with.

On motion of Rep. DeWitt, the Journal of February 10, 2006, was adopted.

**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. 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.

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

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.

Motion

Rep. Hebert moved that Senate Bill No. 5 be designated as a duplicate of House Bill No. 5.

Which motion was agreed to.

Rep. Hebert moved that Senate Bill No. 5 be amended to conform with House Bill No. 5 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 5 by Senator N. Gautreaux (Duplicate of House Bill No. 5)

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AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and on line 3, delete "certain inspections and inspectors;" and insert "the State Uniform Construction Code;"

AMENDMENT NO. 2

On page 1, line 14, after "architect" insert a comma "," and "contractor,"

AMENDMENT NO. 3

On page 1, line 16, after "40:1730.27." delete the remainder of the line and delete line 17 in its entirety and on page 2, delete lines 1 through 5 in their entirety and insert "a third-party"

AMENDMENT NO. 4

On page 2, line 7, after "registration." insert "Contractors shall not inspect their own work."

AMENDMENT NO. 5

On page 2, line 15, after "providers." delete the remainder of the line and delete lines 16 through 19 in their entirety

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

Motion

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

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.

Motion

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

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.

Motion

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

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.

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

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.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

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.

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

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To urge and request President George W. Bush, Governor Kathleen Babineaux Blanco, and the Louisiana congressional delegation to ensure enactment of legislation to require the Federal Emergency Management Agency to provide the same level of assistance to the residents of Iberia Parish who were affected by Hurricane Rita as the residents of Louisiana affected by Hurricane Katrina, including funding assistance with demolition and removal of damaged housing.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Original House Concurrent Resolution No. 20 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 18, after "Iberia", insert the following:

"Beauregard, Allen, Evangeline, Calcasieu, Jefferson Davis, Acadia, St. Landry, St. Martin, Lafayette, Cameron, Vermilion, and St. Mary"

AMENDMENT NO. 2

On page 2, line 18, change "Parish" to "parishes"

On motion of Rep. Hebert, the amendments proposed by the Senate were concurred in.

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. 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.

Suspension of the Rules

On motion of Rep. Schneider, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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 the offices of the registrars in certain parishes 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.

Suspension of the Rules

On motion of Rep. Lancaster, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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.

Suspension of the Rules

On motion of Rep. Tucker, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

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NAYS

Total - 0

ABSENT

Baylor

Burrell

Downs

Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 44—

BY REPRESENTATIVE BURNS

AN ACT

To enact R.S. 38:291.1, 291.2, 291.3, 291.4, and 291.5 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.

Suspension of the Rules

On motion of Rep. Burns, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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), (F)(1)(a), 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 provide relative to the authority of the East Jefferson, Lake Borgne Basin, Orleans, South Lafourche, West Jefferson, and Grand Isle Independent Levee Districts; to provide relative to the authority of 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.

Suspension of the Rules

On motion of Rep. Martiny, and under a suspension of the rules, consideration of the above bill was deferred at this time.

HOUSE BILL NO. 61—

BY REPRESENTATIVES THOMPSON, DORSEY, HAMMETT, AND SALTER AND SENATORS HINES, MOUNT, AND NEVERS

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 powers, duties, functions, responsibilities, property, and employees and to otherwise provide for implementation; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Beard to Engrossed House Bill No. 61 by Representative Thompson

AMENDMENT NO. 1

On page 12, after line 7, insert the following:

"Section 10. The provisions of this Act shall terminate on July 1, 2012."

On motion of Rep. Beard, the amendments were withdrawn.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kleckley to Engrossed House Bill No. 61 by Representative Thompson

AMENDMENT NO. 1

On page 3, line 21, change "five" to "ten"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Beard to Engrossed House Bill No. 61 by Representative Thompson

AMENDMENT NO. 1

On page 12, after line 7, add the following:

"Section 10. The provisions of this Act shall terminate on July 1, 2008."

Rep. Beard moved the adoption of the amendments.

Rep. Thompson objected.

By a vote of 53 yeas and 43 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Pinac
Alario	Fannin	Pitre
Alexander	Farrar	Quezaire
Ansardi	Faucheux	Richmond
Badon	Frith	Ritchie
Baldone	Gallot	Robideaux
Barrow	Guillory, E.	Romero
Baudoin	Guillory, M.	Schneider
Bruce	Hammett	Smith, G.
Bruneau	Heaton	Smith, J.D.—50th
Burns	Hill	Smith, J.H.—8th
Carter, R.	Honey	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Kenney	Strain
Crowe	LaFleur	Thompson
Curtis	Lambert	Toomy
Damico	Lancaster	Townsend
Dartez	Marchand	Waddell
DeWitt	Martiny	Walker
Doerge	McDonald	White
Dorsey	Montgomery	Wooton
Downs	Pierre	
Total - 65		

NAYS

Beard	Hebert	Odinet
Bowler	Hutter	Powell, M.
Carter, K.	Johns	Powell, T.
Daniel	Katz	Scalise
Dove	Kleckley	Triche
Erdey	LaBruzzo	Tucker
Geymann	LaFonta	Walsworth
Gray	McVea	Winston
Greene	Morrell	
Harris	Morrish	
Total - 28		

ABSENT

Arnold	Glover	Kennard
Baylor	Hopkins	Smiley
Burrell	Hunter	Trahan
Cravins	Jefferson	
Total - 11		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Suspension of the Rules

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

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), (15), and (16), 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; to provide for time limitations for the office to comply; to provide for reporting by the office to legislative committees; and to provide for related matters.

Read by title.

Rep. Gray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dorsey	Lambert	Triche
Dove	Lancaster	Tucker
Downs	Marchand	Waddell
Durand	Martiny	Walker
Erdey	McDonald	Walsworth
Fannin	McVea	White
Farrar	Montgomery	Winston
Faucheux	Morrell	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Arnold	Burrell	Kennard
Baylor	Jefferson	

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gray 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.

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.

Suspension of the Rules

On motion of Rep. Schneider, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 74 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 4, after "eligibility;" and before "to provide" insert "to provide for amortization and assessment of resulting unfunded accrued liability;"

AMENDMENT NO. 2

On page 1, line 18, after "abolished" delete the comma "," and "provided that the" and insert a period "." and "The"

AMENDMENT NO. 3

On page 1, line 19, after "Paragraph" delete "does" and insert "shall"

AMENDMENT NO. 4

On page 2, line 19, after "(b)" insert "(i)"

AMENDMENT NO. 5

On page 2, line 20, after "before" delete "July" and insert "June"

AMENDMENT NO. 6

On page 2, between lines 23 and 24, insert:

"(ii) As soon as is practicable after June 30, 2006, the system actuary for the Louisiana State Employees' Retirement System will perform an assessment of the actuarial liability to establish the additional unfunded accrued liability to the system that results from the exercise of the early retirement provisions of this Paragraph. Such additional unfunded accrued liability will be amortized in accordance with R.S. 11:102(B)(3)(d)(v) as a separate unfunded accrued liability and will be assessed as additional employer contribution to the judicial employer contribution rate."

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

Speaker Pro Tempore Dorsey in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 74 by Representative Toomy

AMENDMENT NO. 1

On page 2, delete lines 22 and 23 and insert the following: "ninety days following the date of application for such retirement."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 74 by Representative Toomy

AMENDMENT NO. 1

On page 2, delete lines 24 through 27

AMENDMENT NO. 2

On page 2, line 28 change "(d)" to "(c)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McDonald
Alario	Faucheux	Montgomery
Ansardi	Frith	Odinot
Arnold	Gallot	Pierre
Badon	Glover	Pinac
Baldone	Gray	Pitre
Barrow	Greene	Powell, M.

Baudoin	Guillory, E.	Quezaire
Beard	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Carter, K.	Hill	Smith, G.
Carter, R.	Honey	Smith, J.D.—50th
Cazayoux	Hopkins	Smith, J.H.—8th
Crowe	Hunter	St. Germain
Curtis	Hutter	Strain
Damico	Jackson	Thompson
Daniel	Johns	Toomy
DeWitt	Katz	Townsend
Doerge	Kenney	Tucker
Dorsey	LaFleur	Waddell
Dove	LaFonta	Walker
Downs	Lambert	Walsworth
Durand	Lancaster	White
Erdey	Marchand	Wooton
Fannin	Martiny	
Total - 80		

NAYS

Alexander	LaBruzzo	Smiley
Burns	McVea	Smith, J.R.—30th
Crane	Morrish	Trahan
Geymann	Powell, T.	Winston
Hebert	Scalise	
Kleckley	Schneider	
Total - 16		

ABSENT

Baylor	Dartez	Morrell
Burrell	Jefferson	Triche
Cravins	Kennard	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

Suspension of the Rules

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

HOUSE BILL NO. 82—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To 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.

Read by title.

Suspension of the Rules

On motion of Rep. Schneider, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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.

Suspension of the Rules

On motion of Rep. Karen Carter, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pitre to Engrossed House Bill No. 85 by Representative Pitre

AMENDMENT NO. 1

On page 1, line 3, after "(T)(1)", insert a comma "," and "to enact R.S. 38:329.1 through 329.3,"

AMENDMENT NO. 2

On page 1, line 6, after "District" delete the semicolon ";" and insert "and its powers and duties;"

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AMENDMENT NO. 3

On page 1, line 8, after "documents;" and before "and to" insert "to provide relative to certain payments; to provide for an effective date;"

AMENDMENT NO. 4

On page 1, line 11, after "reenacted" insert " and R.S. 38:329.1 through 329.3 are hereby enacted"

AMENDMENT NO. 5

On page 3, between lines 19 and 20, insert as follows:

"§329.1. South Lafourche Levee District; additional powers and duties; certain payments

A. In addition to any other powers and duties provided by law, the primary duty of the district shall be to establish, construct, operate, or maintain flood control works as they relate to hurricane protection, tidewater flooding, saltwater intrusion, and conservation. As a secondary duty, the district shall have the authority to establish flood control, adequate drainage relating to tidal or riverine flooding, and water resources development including but not limited to construction of reservoirs, diversion canals, gravity and pump drainage systems, erosion control measures, and marsh management. The district shall have the authority to construct and maintain drainage works of all types as they relate to tidewater flooding, hurricane protection, conservation, and saltwater intrusion, either in cooperation with one or more parishes, municipalities, levee districts, drainage districts, or other special districts within its jurisdiction, or upon its own undertaking.

B. Because the Lafourche Basin Levee District continues to provide mainline Mississippi River levee protection which is beneficial to Lafourche Parish, the South Lafourche Levee District shall make payments to the Lafourche Basin Levee District as follows:

(1) For the year 2007, fifty percent of the 2006 mineral revenues received on any lands within the boundaries of the South Lafourche Levee District that were previously owned by the Lafourche Basin Levee District.

(2) For the year 2008, thirty-five percent of the 2007 mineral revenues received on any lands within the boundaries of the South Lafourche Levee District that were previously owned by the Lafourche Basin Levee District.

(3) For the year 2009 and thereafter, twenty-five percent of the mineral revenues received on any lands within the boundaries of the South Lafourche Levee District that were previously owned by the Lafourche Basin Levee District.

§329.2. North Lafourche Conservation, Levee and Drainage District; certain payments

Because the Lafourche Basin Levee District continues to provide mainline Mississippi River levee protection which is beneficial to Lafourche Parish, the North Lafourche Conservation, Levee and Drainage District shall make payments to the Lafourche Basin Levee District as follows:

(1) For the year 2007, fifty percent of both the 2006 ad valorem taxes collected and mineral revenues received on any lands within the boundaries of the North Lafourche Conservation, Levee and Drainage District that were previously owned by the Lafourche Basin Levee District.

(2) For the year 2008, thirty-five percent of both the 2007 ad valorem taxes collected and mineral revenues received on any lands

within the boundaries of the North Lafourche Conservation, Levee and Drainage District that were previously owned by the Lafourche Basin Levee District.

(3) For the year 2009 and thereafter, twenty-five percent of both the ad valorem taxes collected for the tax year 2008 and thereafter and mineral revenues received on any lands within the boundaries of the North Lafourche Conservation, Levee and Drainage District that were previously owned by the Lafourche Basin Levee District.

§329.3. Limit on certain payments to Lafourche Basin Levee District

In any year, the amount paid pursuant to R.S. 38:329.1(B) and 329.2 shall not exceed the amount of ad valorem taxes collected from millages for levee protection in effect on January 1, 2007, from any parish within the Lafourche Basin Levee District which does not border the Mississippi River."

AMENDMENT NO. 6

On page 4, after line 2, insert:

"Section 5. This Act shall become effective on January 1, 2007."

Rep. Pitre moved the adoption of the amendments.

Rep. Quezaire objected.

By a vote of 77 yeas and 14 nays, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 92

NAYS

Pierre
Total - 2

Quezaire

ABSENT

Baylor
Burrell
Curtis
Dartez
Total - 10

Glover
Hopkins
Jefferson
Kennard

Lambert
Morrell

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

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

HOUSE BILL NO. 86—

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

AN ACT

To amend and reenact R.S. 38:291(D)(2), (K), and (L)(1), 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) and (W) 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) 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 St. Tammany Levee District; to create and provide for the Tangipahoa 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.

Read by title.

Suspension of the Rules

On motion of Rep. Karen Carter, and under a suspension of the rules, consideration of the above bill was deferred at this time.

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burns to Engrossed House Bill No. 88 by Representative Gray

AMENDMENT NO. 1

On page 1, line 7, after "agencies;" and before "and" insert "to specify certain components of the comprehensive communications plan;"

AMENDMENT NO. 2

On page 3, line 17, after "plan" and before the period "." insert "which plan shall include an emergency alert system between all branches of state and local government and communications by state and local authorities directly to the media, citizens of the state, all branches of law enforcement, emergency responders, and hospitals and nursing homes from a centralized Internet-based control center."

On motion of Rep. Burns, the amendments were withdrawn.

Motion

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

HOUSE BILL NO. 5—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 40:1730.24(B), relative to the State Uniform Construction Code; 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.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 21—

BY REPRESENTATIVES HAMMETT, DORSEY, SALTER, AND SCALISE AND SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:293(3)(b)(i)(introductory paragraph), relative to the state income tax; to change the taxable periods for which the federal income tax deduction will not be reduced when an individual carries back a casualty loss resulting from a loss in a presidentially declared disaster area for federal income tax purposes; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Engrossed House Bill No. 21 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "(introductory paragraph)" and before the comma ",", insert "and to enact R.S. 47:293(6)(f)"

AMENDMENT NO. 2

On page 1, at the end of line 5, insert "extend the state income tax exemption for certain military personnel; to"

AMENDMENT NO. 3

On page 2, between lines 8 and 9, insert the following:

"Section 2. R.S. 47:293(6)(f) is hereby enacted to read as follows:

§293. Definitions

The following definitions shall apply throughout this Part, unless the context requires otherwise:

* * *

(6)

* * *

(f) The taxable period for the tax benefits granted in Subparagraph (e) of this Paragraph shall be extended to taxable periods ending before January 1, 2008.

Section 3. The provisions of Section 2 shall be retroactive to December 31, 2004."

AMENDMENT NO. 4

On page 2, line 9, change "Section 2" to "Section 4"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Robideaux to Engrossed House Bill No. 21 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, delete "(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 4, after "loss" delete the remainder of the line and at the beginning of line 5, delete "loss in a presidentially declared disaster area"

AMENDMENT NO. 3

On page 1, line 8, delete "(introductory paragraph)"

AMENDMENT NO. 4

On page 2, line 2, after "credits" delete the remainder of the line and delete line 3 in its entirety and insert a period "."

AMENDMENT NO. 5

On page 2, line 6, after "losses" delete the remainder of the line and delete line 7 in its entirety and insert a period "."

Rep. Robideaux moved the adoption of the amendments.

Rep. Hammett objected.

By a vote of 73 yeas and 24 nays, 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	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Glover	Powell, M.
Badon	Gray	Powell, T.
Baldone	Greene	Quezaire
Barrow	Guillory, E.	Richmond
Baudoin	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bowler	Harris	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.--50th
Cazayoux	Jackson	Smith, J.H.--8th
Crane	Johns	Smith, J.R.--30th
Cravins	Katz	St. Germain
Crowe	Kenney	Strain
Curtis	Kleckley	Thompson
Damico	LaBruzzo	Toomy
Daniel	LaFleur	Townsend
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	

Total - 98

NAYS

Total - 0

ABSENT

Baylor	Heaton	Jefferson
Burrell	Hopkins	Kennard
Total - 6		

The Chair declared the above bill 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. 32—BY REPRESENTATIVE RICHMOND AND SENATOR MURRAY
AN ACT

To enact R.S. 42:808(A)(11) and 851(Q), relative to state group insurance; to provide insurance coverage for certain persons retired from the employment with or employed by certain city or parish public school boards; to provide relative to the eligibility of such persons to participate in programs sponsored by the Office of Group Benefits; to provide for limitations; to provide for a program of insurance for such persons; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Richmond and Alario to Engrossed House Bill No. 32 by Representative Richmond

AMENDMENT NO. 1

On page 1, line 15, after "before" delete the remainder of the line, delete lines 16 through 18 in their entirety, and insert the following:

"February 1, 2006 from employment with the Orleans Parish School Board, and who were insured through that board's self-insurance program of health insurance as of that date, are deemed"

AMENDMENT NO. 2

On page 2, line 1, after "42:851(E)" and before "or other" delete "and (H)(5)."

AMENDMENT NO. 3

On page 2, line 3, after "contributions" and after the comma "1" delete the remainder of the line, delete lines 4 and 5 in their entirety, and insert a period "2."

AMENDMENT NO. 4

On page 2, line 10, after "contrary" and after the comma "1" insert "the premium for coverage of"

AMENDMENT NO. 5

On page 2, line 12, after "42:808(A)(11)" delete the remainder of the line, delete lines 13 and 14 in their entirety, and on line 15, delete "coverage of persons in such group"

AMENDMENT NO. 6

On page 2, at the beginning of line 16, delete "(1) For retirees,"

AMENDMENT NO. 7

On page 2, delete lines 19 and 20 in their entirety

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

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Harris	Richmond
Ansardi	Heaton	Ritchie
Arnold	Hebert	Romero

Badon	Honey
Baldone	Hopkins
Barrow	Hunter
Bowler	Hutter
Carter, K.	Jackson
Curtis	LaFonta
Farrar	Lancaster
Faucheux	Marchand
Frith	Morrell
Gallot	Odinot
Glover	Pierre
Gray	Pinac
Guillory, E.	Quezaire
Total - 46	

NAYS

Mr. Speaker	Downs	McDonald
Alexander	Durand	McVea
Baudoin	Erdey	Montgomery
Beard	Fannin	Morrish
Bruneau	Geymann	Pitre
Burns	Greene	Powell, M.
Carter, R.	Guillory, M.	Powell, T.
Cazayoux	Hammett	Robideaux
Crane	Hill	Schneider
Crowe	Johns	Smiley
Damico	Katz	Smith, J.R.—30th
Daniel	Kenney	Strain
Dartez	Kleckley	Thompson
DeWitt	LaBruzzo	Trahan
Doerge	LaFleur	Walsworth
Dorsey	Lambert	Winston
Dove	Martiny	Wooton
Total - 51		

ABSENT

Baylor	Cravins	White
Bruce	Jefferson	
Burrell	Kennard	
Total - 7		

The Chair declared the above bill failed to pass.

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

HOUSE BILL NO. 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.

Called from the calendar.

Read by title.

Rep. Gray moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Montgomery
Alario	Gallot	Morrell

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Alexander
Ansardi
Arnold
Badon
Baldone
Barrow
Baudoin
Baylor
Beard
Bowler
Bruce
Bruneau
Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Curtis
Damico
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar
Fauchaux
Total - 99

Geymann
Glover
Gray
Greene
Guillory, E.
Guillory, M.
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

Morrish
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
Triche
Tucker
Waddell
Walker
Walsworth
Winston
Wooton

NAYS

Total - 0

ABSENT

Cravins
Crowe
Total - 5

Daniel
Odinet

White

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gray 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.

Speaker Salter in the Chair

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. 4—

BY REPRESENTATIVE JOHNS

A RESOLUTION

To commend LTC Daniel P. McLemore, outgoing commander of the 3rd Battalion, 156th Infantry Regiment, 256th Brigade Combat Team of the Louisiana Army National Guard, for his outstanding accomplishments.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the No Child Left Behind Act to provide that paraprofessionals who were employed in Title I schools prior to the enactment of the No Child Left Behind Act shall be deemed to have met the definition of "highly qualified" for purposes of such legislation due to such employment and the experience gained as a result of such employment.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 31—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To commend the banks of Louisiana for their extremely effective and able assistance to the victims of Hurricane Katrina and Hurricane Rita.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVES HUTTER, BADON, LAFONTA, AND MARCHAND

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to close the Mississippi River Gulf Outlet.

Read by title.

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

Ordered to the Senate.

Privileged Report of the Legislative Bureau

February 12, 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. 5
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Hebert 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. 5—

BY SENATOR N. GAUTREAU

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.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hebert, 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 12, 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. 26
Returned without amendments

House Concurrent Resolution No. 27
Returned without amendments

House Concurrent Resolution No. 28
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

February 12, 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 No. 15

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. LaFonta, 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. 15—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To urge and request the office of community development in the division of administration to provide to the board through any loan program which may be enacted, the maximum assistance in the repayment of its debt that is required by the Sewerage and Water Board of the City of New Orleans in order to avoid default.

Read by title.

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

February 12, 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 No. 13

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 12, 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 Resolutions have been properly enrolled:

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.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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6th Day's Proceedings - February 12, 2006

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

Privileged Report of the Committee on Enrollment

February 12, 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. 17—

BY REPRESENTATIVES DURAND, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUTTER, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to allow a five hundred dollar federal tax deduction for people who housed evacuees rent free for at least sixty continuous days as a result of Hurricane Rita.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To commend the organizers of and participants in Groundhog Job Shadow Day 2006 and to welcome those visiting the Louisiana State Capitol on this momentous occasion.

HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the superintendent of the Louisiana State Police to place additional troops in Troop L serving St. Tammany Parish to address the increased demands upon law enforcement resulting from the increased population following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVES ODINET, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BOWLER, BRUCE, BURNS, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GEYMAN, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, PIERRE, PINAC, PITRE, T. POWELL, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to immediately close the Mississippi River Gulf Outlet and return the area to essential coastal wetlands and marshes and to memorialize the Louisiana congressional delegation to file the necessary legislation to accomplish this closure.

HOUSE CONCURRENT RESOLUTION NO. 25—

BY REPRESENTATIVES WALSWORTH, FANNIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, R. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON AND SENATORS KOSTELKA, MOUNT, AND NEVERS

A CONCURRENT RESOLUTION

To urge and request that the governor include within the call of an Extraordinary Session of the Legislature called in 2006 an item to consider extending the state income tax exemption for military personnel.

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.

Adjournment

On motion of Rep. Kenney, at 7:43 P.M., the House agreed to adjourn until Monday, February 13, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, February 13, 2006.

ALFRED W. SPEER
Clerk of the House