

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

**EIGHTH 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

Tuesday, February 14, 2006

The House of Representatives was called to order at 3:00 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	Odinet
Ansardi	Geymann	Pierre
Arnold	Glover	Pinac
Badon	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Baylor	Hammett	Richmond
Beard	Harris	Ritchie
Bowler	Heaton	Robideaux
Bruce	Hebert	Romero
Bruneau	Hill	Scalise
Burns	Honey	Schneider
Burrell	Hopkins	Smiley
Carter, K.	Hunter	Smith, G.
Carter, R.	Hutter	Smith, J.D.—50th
Cazayoux	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Lancaster	Walker
Downs	Marchand	Walsworth
Durand	Martiny	White

Erdey	McDonald	Winston
Fannin	McVea	Wooton
Farrar	Montgomery	

Total - 104

ABSENT

Total - 0

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

**Prayer**

Prayer was offered by Rep. Badon.

**Pledge of Allegiance**

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

**Reading of the Journal**

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

On joint motion of Reps. Jane Smith and Waddell, and under a suspension of the rules, the Journal of February 13, 2006, was corrected to reflect them as voting yea on the adoption of the House Floor Amendments by Rep. Odinet to House Bill No. 82 by Rep. Schneider.

On motion of Rep. Jackson, and under a suspension of the rules, the Journal of February 12, 2006, was corrected to reflect him as voting yea on final passage of House Bill No. 32.

On motion of Rep. Walker, the Journal of February 13, 2006, was adopted.

**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. 7—**  
BY REPRESENTATIVE QUEZAIRE  
A RESOLUTION

To commend Toby Gerhold upon the occasion of his retirement from Rubicon after twenty-eight years of service to the company.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 41—**  
BY REPRESENTATIVES BRUCE AND MONTGOMERY  
A CONCURRENT RESOLUTION

To commend Brian Joseph Touts of Mansfield for his outstanding accomplishments which include earning appointment to the United States Military Academy at West Point, New York.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 42—**  
BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission not to reduce the current creel limit for spotted seatrout.

Read by title.

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

Ordered to the Senate.

**HOUSE CONCURRENT RESOLUTION NO. 43—**

BY REPRESENTATIVE SALTER

**A CONCURRENT RESOLUTION**

To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2006, as the eighth annual PAISA Day in the state of Louisiana.

Read by title.

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

Ordered to the Senate.

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 10—**

BY SENATOR JONES

**A CONCURRENT RESOLUTION**

To create a task force to identify and locate displaced Louisiana citizens and to aid in their return to Louisiana.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 16—**

BY SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to authorize the prompt construction of hurricane and tidal water protection for southwest Louisiana.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 19—**

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

**A CONCURRENT RESOLUTION**

To commend the Bermuda Department of Tourism for their significant contribution to the Louisiana Legislative Black Caucus' Katrina Fund.

Read by title.

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

**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. 36—**

BY SENATORS MOUNT AND NEVERS

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 47:293(3)(b)(i) and to enact R.S. 47:293(6)(f), relative to individual income tax; to provide for the taxable periods

covered by the tax benefits granted in Act 23 of the First Extraordinary Session of 2005 and other Acts of the legislature; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 37—**

BY SENATORS MOUNT AND NEVERS AND REPRESENTATIVE ARNOLD

**AN ACT**

To amend and reenact R.S. 47:1978.1(A)(1)(b) and (3)(b), (B)(1) and (2), (C)(1)(a), and (D), relative to ad valorem property tax; to provide for a limitation on the authority of certain parishes to prorate certain taxes; to authorize taxpayers to elect the treatment of certain ad valorem property taxes for certain tax purposes; and to provide for related matters.

Read by title.

**Motion**

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

**SENATE BILL NO. 48—**

BY SENATOR SHEPHERD

**AN ACT**

To enact R.S. 11:323, relative to provisions affecting more than one retirement system; to provide with respect to participation in Deferred Retirement Option Plans by certain employees of city, parish, and other public elementary and secondary school systems; to allow such employees furloughed or terminated to adjust the periods applicable to their participation in the plan under certain circumstances; to provide for participation in the plan upon reemployment by a city, parish, or other public elementary or secondary school system within one year of such termination; to provide for an effective date; and to provide for related matters.

Read by title.

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

**Suspension of the Rules**

On motion of Rep. Gray, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

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

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

**Regular Calendar**

**SENATE BILL NO. 1—**

BY SENATORS 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**

On motion of Rep. Karen Carter, the bill was returned to the 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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 14 by Senator Cain

AMENDMENT NO. 1

Delete House Floor amendments 1 through 24 proposed by Representative Carter and adopted by the House on February 10, 2006.

**Point of Order**

Rep. Bowler asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

**Ruling of the Chair**

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

**Motion**

Rep. Bowler moved that the bill be recommitted to the Committee on Insurance.

As a substitute motion, Rep. Karen Carter moved that the bill be returned to the calendar.

Which motion was agreed to.

**SENATE BILL NO. 5—**  
BY SENATOR N. GAUTREUX

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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 5 by Senator N. Gautreaux

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Hebert and adopted by the House of Representatives on February 12, 2006.

Rep. Hebert moved the adoption of the amendments.

Rep. Beard objected.

By a vote of 100 yeas and 0 nays, the amendments were adopted.

**Acting Speaker Cazayoux in the Chair**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Crowe to Engrossed Senate Bill No. 5 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 2, line 7, after "registration." insert the following:

"No architect, contractor, or engineer shall inspect the work of a contractor who is an "immediate family member" during the duration of the emergency provisions. For the purposes of this Section, an "immediate family member" is a parent, child, sibling, or spouse of the architect, contractor, or engineer."

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Geymann	Odinet
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baudoin	Guillory, E.	Powell, M.
Baylor	Guillory, M.	Quezaire
Bowler	Hammett	Richmond
Bruce	Harris	Ritchie
Bruneau	Heaton	Robideaux
Burns	Hebert	Romero
Burrell	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	Jefferson	Smith, J.R.—30th
Curtis	Johns	St. Germain
Damico	Katz	Strain
Dartez	Kennard	Thompson
DeWitt	Kenney	Toomy

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Doerge	Kleckley	Townsend
Dorsey	LaBruzzo	Trahan
Dove	LaFonta	Triche
Downs	Lambert	Waddell
Durand	Lancaster	Walker
Erdey	Marchand	Walsworth
Fannin	Martiny	White
Farrar	McDonald	Winston
Fauchoux	McVea	Wooton
Frith	Morrell	
Gallot	Morrish	
Total - 94		

NAYS

Alexander	Daniel	Powell, T.
Beard	Montgomery	
Total - 5		

ABSENT

Mr. Speaker	Barrow	Tucker
Baldone	LaFleur	
Total - 5		

The Chair declared the above bill was finally passed.

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.

**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.

Called from the calendar.

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 Reengrossed Senate Bill No. 14 by Senator Cain

AMENDMENT NO. 1

On page 4, line 22, change "13-A" to "13"

AMENDMENT NO. 2

On page 4, line 23, change "1431" to "1421"

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

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 14 by Senator Cain

AMENDMENT NO. 1

On page 1, line 3, change "1430.16(G) and 1430.17" to "and 1430.16(G)"

AMENDMENT NO. 2

On page 1, line 14, after "1430.6(D)(5)," and before "1430.16(G)" insert "and"

AMENDMENT NO. 3

On page 1, line 15, at the beginning of the line delete "and 1430.17"

AMENDMENT NO. 4

On page 5, after line 14 delete the remainder of page in its entirety.

AMENDMENT NO. 5

On page 6, delete lines 1 through 11, both inclusive and in their entirety.

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

Alario	Fauchoux	Montgomery
Alexander	Frith	Morrell
Ansardi	Gallot	Morrish
Arnold	Geymann	Odinot
Badon	Glover	Pierre
Baldone	Gray	Pinac
Barrow	Greene	Pitre
Baudoin	Guillory, E.	Powell, M.
Baylor	Guillory, M.	Powell, T.
Beard	Hammett	Quezaire
Bowler	Harris	Richmond
Bruce	Heaton	Ritchie
Bruneau	Hebert	Robideaux
Burns	Hill	Romero
Burrell	Honey	Scalise
Carter, K.	Hopkins	Schneider
Carter, R.	Hunter	Smiley
Cazayoux	Hutter	Smith, G.
Crane	Jackson	Smith, J.D.—50th
Cravins	Jefferson	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	St. Germain
Damico	Kennard	Strain
Daniel	Kenney	Thompson
Dartez	Kleckley	Toomy
DeWitt	LaBruzzo	Townsend
Doerge	LaFleur	Trahan
Dorsey	LaFonta	Triche
Dove	Lambert	Tucker
Downs	Lancaster	Walker
Durand	Marchand	Walsworth
Erdey	Martiny	White
Fannin	McDonald	Winston
Farrar	McVea	Wooton
Total - 102		

NAYS

Total - 0

**ABSENT**

Mr. Speaker Waddell  
Total - 2

The Chair declared the above bill was finally passed.

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.

**SENATE BILL NO. 4—**

BY SENATORS B. GAUTREAU, AMEDEE, CAIN, DUPRE, N. GAUTREAU, 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.

Rep. Quezairé moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario	Faucheux	Morrish
Alexander	Frith	Odinot
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Badon	Glover	Pitre
Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezairé
Baylor	Guillory, M.	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	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
Dartez	LaFonta	Trahan
DeWitt	Lambert	Triche
Doerge	Lancaster	Tucker
Dove	Marchand	Waddell
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	White
Fannin	Montgomery	Winston
Farrar	Morrell	Wooton

Total - 99

**NAYS**

Total - 0

**ABSENT**

Mr. Speaker Hammett LaFleur  
Dorsey Jackson  
Total - 5

The Chair declared the above bill was finally passed.

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

**SENATE BILL NO. 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.

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Crowe to Engrossed Senate Bill No. 31 by Senator Schedler

**AMENDMENT NO. 1**

On page 2, line 11, after "more than" delete "sixty" and insert "thirty"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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Fannin  
Farrar  
Total - 101

McVea  
Montgomery  
  
NAYS

Wooton

Total - 0

ABSENT

Mr. Speaker  
Total - 3

Frith

Odinot

The Chair declared the above bill was finally passed.

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

## 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.

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

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.	Quezair
Baylor	Hammitt	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  
Fauchoux  
Total - 103

Martiny  
McDonald  
McVea  
Montgomery  
Morrell

White  
Winston  
Wooton

Total - 0

NAYS

ABSENT

Mr. Speaker  
Total - 1

The Chair declared the above bill was finally passed.

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

### Recess

On motion of Rep. Pinac, the Speaker declared the House at recess upon the call of the House.

### After Recess

Speaker Salter called the House to order at 5:55 P.M.

## Petitions, Memorials and Communications

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

## Message from the Senate

### SENATE BILLS

February 14, 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. 8, 9, and 45

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, under a suspension of the rules, referred to the committees as follows:

### SENATE BILL NO. 8—

BY SENATORS BOASSO, ADLEY, AMEDEE, BAJOE, BARHAM, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH AND THEUNISSEN AND REPRESENTATIVES K. CARTER, DORSEY, JACKSON, SALTER AND SCALISE

#### 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), 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, 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 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.

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

**SENATE BILL NO. 9—**

BY SENATOR BOASSO AND REPRESENTATIVE K. CARTER AND SENATOR MOUNT AND REPRESENTATIVES DORSEY AND SALTER  
A JOINT RESOLUTION

Proposing to amend Section 38(A) and Section 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, 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; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

**SENATE BILL NO. 45—**

BY SENATORS BAJOEI AND MURRAY AND REPRESENTATIVE DORSEY  
AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.71 through 600.75, relative to housing recovery centers; to provide for definitions; to provide for the creation, powers, duties, functions and responsibilities of such centers; to provide for a termination date; 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.

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

February 14, 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. 36  
Returned without amendments

House Concurrent Resolution No. 37  
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

February 14, 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. 12

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Reports of Committees**

The following reports of committees were received and read:

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

February 14, 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:

Senate Bill No. 2, by Theunissen  
Reported favorably. (9-0) (Regular)

Senate Bill No. 16, by Jones  
Reported with amendments. (9-0) (Regular)

Senate Bill No. 22, by Shepherd  
Reported with amendments. (5-4) (Regular)

Senate Bill No. 50, by Jones  
Reported with amendments. (9-0) (Regular)

CHARLES D. LANCASTER, JR.  
Chairman

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

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## Report of the Committee on Judiciary

February 14, 2006

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 3, by Fields  
Reported favorably. (8-0-1) (Regular)

Senate Bill No. 42, by Lentini  
Reported with amendments. (8-0-1) (Regular)

JOSEPH F. TOOMY  
Chairman

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

## Report of the Committee on Municipal, Parochial and Cultural Affairs

February 14, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Bill No. 98, by Dorsey  
Reported with amendments. (10-0-1) (Regular)

House Bill No. 99, by Gallot  
Reported with amendments. (10-0-1) (Regular)

Senate Bill No. 32, by Mount  
Reported favorably. (6-0-1) (Regular)

ERNEST BAYLOR, JR.  
Chairman

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

## Suspension of the Rules

On motion of Rep. Baylor, the rules were suspended in order to take up House Bills contained in the above committee reports 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. 98— BY REPRESENTATIVE DORSEY AND SENATOR BAJOIE AN ACT

To enact R.S. 40:600.75, relative to housing recovery centers; to provide for the creation, powers, duties, functions, and responsibilities of such centers; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 98 by Representative Dorsey

### AMENDMENT NO. 1

On page 1, line 3, after "centers;" and before "to provide" insert "to provide for a termination date;"

### AMENDMENT NO. 2

On page 1, at the end of line 14, after "shortage" and before "throughout" insert "for both homeowners and renters"

### AMENDMENT NO. 3

On page 1, line 18, delete "United States Department of Housing and Urban Development or the"

### AMENDMENT NO. 4

On page 2, line 12, after "programs," delete "advising on"

### AMENDMENT NO. 5

On page 2, line 14, after "displaced persons" and before "and property" insert a comma "," and "who were homeowners or renters."

### AMENDMENT NO. 6

On page 2, delete lines 18 and 19 in their entirety

### AMENDMENT NO. 7

On page 2, at the beginning of line 20, change "(2)" to "(1)"

### AMENDMENT NO. 8

On page 2, at the end of line 21, delete "as a community housing" and delete line 22 in its entirety, and at the beginning of line 23, delete "subdivision"

### AMENDMENT NO. 9

On page 2, at the beginning of line 26, change "(3)" to "(2)"

### AMENDMENT NO. 10

On page 2, at the beginning of line 27, change "(4)" to "(3)"

### AMENDMENT NO. 11

On page 2, at the beginning of line 28, change "(5)" to "(4)"

### AMENDMENT NO. 12

On page 3, between line 22 and 23, insert the following:

"F. The provisions of this Section shall be null and void and of no effect on and after June 30, 2011."

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

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

Under the rules, placed on the regular calendar.



**HOUSE BILL NO. 99—**

BY REPRESENTATIVE GALLOT

AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.50 through 600.62, relative to the Louisiana Housing and Land Trust; to create and provide for such trust and its board of directors and their powers, duties, functions, and responsibilities; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 99 by Representative Gallot

**AMENDMENT NO. 1**

On page 1, line 3 after "Trust" and before the semi-colon ";" insert "Corporation"

**AMENDMENT NO. 2**

On page 1, line 10, after "TRUST" insert "CORPORATION"

**AMENDMENT NO. 3**

On page 2, line 7, after "properties" and before "The Louisiana" delete the period "." and insert "and help resettle displaced residents."

**AMENDMENT NO. 4**

On page 2, line 7, after "Trust" insert "Corporation"

**AMENDMENT NO. 5**

On page 2, line 11, delete "trust" and insert "the Louisiana Housing and Land Trust Corporation"

**AMENDMENT NO. 6**

On page 2, delete lines 12 through 16 in their entirety and insert the following:

"A. There is hereby created the Louisiana Housing and Land Trust Corporation, referred to in this Chapter as the "trust", a nonprofit corporation incorporated under the laws of the state of Louisiana, domiciled in the parish of East Baton Rouge, state of Louisiana. The corporation shall apply for tax-exempt status under Section 501 of the Internal Revenue Code. The primary mission and purpose of the corporation is the economic stabilization and redevelopment of areas within Louisiana that were devastated or significantly distressed by Hurricane Katrina or Hurricane Rita."

**AMENDMENT NO. 7**

On page 2, delete line 20 in its entirety

**AMENDMENT NO. 8**

On page 2, delete lines 21 through 26 in their entirety and insert the following:

"C. The activities of the trust shall be limited to the parishes designated for individual assistance by the Federal Emergency Management Agency as a result of Hurricane Katrina or Hurricane Rita. The parishes shall be divided into the following areas:

(1) Southwest Region, which shall include the parishes of Acadia, Allen, Beauregard, Calcasieu, Cameron, Evangeline, Iberia, Jefferson Davis, Lafayette, Sabine, St. Landry, St. Martin, St. Mary, Vermilion, and Vernon.

(2) Southeast Region, which shall include the parishes of Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Jefferson, Lafourche, Plaquemines, Pointe Coupee, St. Bernard, St. Charles, St. James, St. John the Baptist, Terrebonne, West Baton Rouge, and West Feliciana.

(3) North Shore Region, which shall include the parishes of Livingston, St. Helena, St. Tammany, Tangipahoa, and Washington.

(4) Orleans Region, which shall include the parish of Orleans."

**AMENDMENT NO. 9**

On page 2, line 29, change "seven" to "eleven"

**AMENDMENT NO. 10**

On page 3, delete lines 2 and 3 in their entirety

**AMENDMENT NO. 11**

On page 3, line 4, change "(3)" to "(2)"

**AMENDMENT NO. 12**

On page 3, line 5, change "(4)" to "(3)"

**AMENDMENT NO. 13**

On page 3, line 6, change "(5)" to "(4)"

**AMENDMENT NO. 14**

On page 3, at the end of line 6, delete the period "." and insert "who, by virtue of his education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, is especially qualified to serve on the board."

**AMENDMENT NO. 15**

On page 3, line 7, change "(6)" to "(5)"

**AMENDMENT NO. 16**

On page 3, at the end of line 7, delete the period "." and insert "who, by virtue of his education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, is especially qualified to serve on the board."

**AMENDMENT NO. 17**

On page 3, line 8, change "(7)" to "(6)"

**AMENDMENT NO. 18**

On page 3, at the end of line 8, delete "each"

**AMENDMENT NO. 19**

On page 3, line 9, after "the" delete the remainder of the line and insert "colleges or schools of urban and public affairs at any Louisiana college or university"

**AMENDMENT NO. 20**

On page 3, between lines 12 and 13, insert the following:

"(7) One person appointed by the governor from a list of three names submitted by the Louisiana Association of General Contractors of individuals who, by virtue of their education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, are especially qualified to serve on the board."

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(8) One person appointed by the governor from a list of three names submitted by the Louisiana Bankers Association of individuals who, by virtue of their education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, are especially qualified to serve on the board.

(9) One person appointed by the governor from a list of three names submitted by the Louisiana Mortgage Lenders Association of individuals who, by virtue of their education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, are especially qualified to serve on the board.

(10) One person appointed by the governor from two lists of three names each submitted by the Council for a Better Louisiana and the Public Affairs Research Council of individuals who, by virtue of their education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, are especially qualified to serve on the board.

(11) One person appointed by the governor from a list of three names submitted by the Louisiana Association of Nonprofit Organizations of individuals who, by virtue of their education, training, or experience in banking, mortgage financing, housing development, or land use or urban planning, are especially qualified to serve on the board.

## AMENDMENT NO. 21

On page 3, line 13, change "two" to "five"

## AMENDMENT NO. 22

On page 3, line 14, delete "the Gulf Opportunity Zone Act of 2005." and insert the following:

"R.S. 40:600.52(C). One member shall be from the North Shore region of the state, one member shall be from the Southwest Region of the state, one member shall be from the Southeast Region of the state, and two members shall be from the Orleans Region of the state."

## AMENDMENT NO. 23

On page 3, at the end of line 25, insert the following:

"Each member of the board, officer or employee of the trust, or member of his immediate family shall comply with R.S. 42:1113(B)."

## AMENDMENT NO. 24

On page 4, between lines 2 and 3, insert "G. The board and its records shall be subject to the Open Meetings Law and the Public Records Law."

## AMENDMENT NO. 25

On page 4, between lines 12 and 13, insert the following:

"D. All funding received, expended, or disbursed by the trust shall be subject to audit, review, and examination by an independent accounting firm or firms engaged by the state or any agency of the state to oversee the receipt and disbursement of funds as well as audit by the legislative auditor pursuant to R.S. 24:513.

E. To the extent consistent with allocation restrictions imposed by the sources of any funds received, the trust shall allocate all funds among the impacted parishes in proportion to the total amount of property damage in and the number of residents displaced for more than forty-five days from the parishes, respectively."

## AMENDMENT NO. 26

On page 4, line 20, after "for" and before "such other" insert "a chief executive officer, a chief financial officer, and"

## AMENDMENT NO. 27

On page 4, at the end of the line 21, insert "The chief executive officer and the chief financial officer shall be subject to Senate confirmation."

## AMENDMENT NO. 28

On page 5, between lines 7 and 8, insert the following:

"(8) Acquire and alienate real property and interest therein."

## AMENDMENT NO. 29

On page 5, line 8, change "(8)" to "(9)"

## AMENDMENT NO. 30

On page 5, at the end of line 20, insert "However, when the policy of a local or regional planning authority that provides for rebuilding and recovery allows for rebuilding in an area that has been determined by the Louisiana Recovery Authority to be unsafe due to safety, flood control, or environmental restoration, then the trust shall adhere to the policy guidelines of the Louisiana Recovery Authority."

## AMENDMENT NO. 31

On page 5, at the end of line 26, insert "The trust shall utilize Chapter 16 of Title 39 of the Louisiana Revised Statutes of 1950 in procuring services pursuant to this Subsection."

## AMENDMENT NO. 32

On page 5, between lines 26 and 27, insert the following:

"F. A plan of operation shall be adopted by the board of the trust and shall be filed with and approved by the Joint Legislative Committee on the Budget. The Joint Legislative Committee on the Budget may reject or order that a portion of the plan be rewritten to ensure compliance with the provisions of this Chapter. Any amendment to the plan of operation adopted by the governing board of the trust shall be filed with and approved by the Joint Legislative Committee on the Budget."

## AMENDMENT NO. 33

On page 5, at the beginning of line 28, insert "A."

## AMENDMENT NO. 34

On page 5, line 29, after "trust" and before "and the" insert a comma "," and "the Senate Committee on Finance, the House Committee on Appropriations,"

## AMENDMENT NO. 35

On page 6, between lines 2 and 3, insert the following:

"B. The board of directors shall solicit and receive an external audit on an annual basis. The board of directors shall issue a request for proposals to prospective accounting firms who are qualified to perform such an audit of the trust. The name and qualifications of the accounting firm chosen shall be submitted to the Senate Committee on Finance and the House Committee on Appropriations along with a copy of the report. The report shall also be made to the board of directors, Louisiana Recovery Authority, and the legislative auditor pursuant to R.S. 24:513."

## AMENDMENT NO. 36

On page 6, delete lines 7 through 9 in their entirety

AMENDMENT NO. 37

On page 6, line 10, change "C." to "B."

AMENDMENT NO. 38

On page 6, line 14, after "shall" and before "negotiate" insert "have the power to"

AMENDMENT NO. 39

On page 6, line 20, after "property" insert a colon ":" and delete the remainder of the line

AMENDMENT NO. 40

On page 6, delete lines 25 through 29 in their entirety

AMENDMENT NO. 41

On page 7, line 1, change "D." to "C."

AMENDMENT NO. 42

On page 7, line 4, change "E." to "D."

AMENDMENT NO. 43

On page 7, line 6, after "(1)" delete the remainder of the line and delete lines 7 and 8, and insert the following:

"The seller of the property was the owner, heir of the owner, mortgagee, or primary lienholder of the property on August 28, 2005, for those properties located in the Southeast Region, the North Shore Region, or Orleans Region, or on September 23, 2005, for those properties located in the Southwest Region."

AMENDMENT NO. 44

On page 7, at the beginning of line 12, insert "A."

AMENDMENT NO. 45

On page 7, line 15, at the end of the line insert the following:

"The packaging of property shall be approved by the board of directors prior to the package being sold. The board shall receive testimony from any supporters or opponents of any package."

AMENDMENT NO. 46

On page 7, between lines 26 and 27, insert the following:

"B.(1) The trust may designate the local redevelopment authority in any parish in the area specified in R.S. 40:600.52(C) to perform the activities specified in this Section within the parish, provided such local redevelopment authority is authorized by or pursuant to general or local law to perform such activities.

(2) If there exists more than one local redevelopment authority in any such parish, the governing authority of the parish shall designate the local redevelopment authority in the parish responsible for carrying out the provisions of this Section.

(3) A local redevelopment authority designated pursuant to the provisions of this Subsection shall perform the activities specified in this Section pursuant to the general oversight and supervision of the board of the trust."

AMENDMENT NO. 47

On page 8, line 12, after "below" delete the period "." and insert "in the jurisdiction where the property is located and fifteen percent of residential units on trust-recovered land be affordable housing to residents earning above sixty percent of such average median income."

AMENDMENT NO. 48

On page 8, line 15, change "shall" to "may"

AMENDMENT NO. 49

On page 8, line 15, after "its" and before "properties" insert "real estate"

AMENDMENT NO. 50

On page 8, line 16, delete "not-for-profit and faith-based organizations" and insert "as authorized by the Louisiana Constitution."

AMENDMENT NO. 51

On page 8, between lines 20 and 21, insert the following:

"D.(1) The trust may designate the local redevelopment authority in any parish in the area specified in R.S. 40:600.52 (C) to perform the activities specified in this Section within the parish, provided such local redevelopment authority is authorized by or pursuant to general or local law to perform such activities.

(2) If there exists more than one local redevelopment authority in any such parish, the governing authority of the parish shall designate the local redevelopment authority in the parish responsible for carrying out the provisions of this Section.

(3) A local redevelopment authority designated pursuant to the provisions of this Subsection shall perform the activities specified in this Section pursuant to the general oversight and supervision of the board of the trust."

AMENDMENT NO. 52

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

"Section 2. The board provided herein shall be seated no later than sixty days after the effective date of this Act. No later than June 30, 2006, the board shall submit its plan for implementation of the Louisiana Housing and Land Trust Corporation to the Joint Legislative Committee on the Budget for approval and funding. The board shall adhere to the following principles in developing its plan:

A. Staff and expertise shall be selected from existing state agencies. If particular expertise cannot be found within the state agencies, then the trust may hire or contract with individuals outside of state government.

B. The plan shall ensure the involvement of local officials in carrying out the activities of the trust. The trust must adhere to local ordinances in carrying out its activities.

C. The plan should ensure uniformity in the method of appraising property.

D. The trust should partner with and avoid competition with private sector businesses whenever it is feasible."

AMENDMENT NO. 53

On page 9, line 10, change "Section 2." to "Section 3."

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

On motion of Rep. Baylor, 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 14, 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. 3  
Reported without amendments.

Senate Bill No. 42  
Reported with amendments.

Respectfully submitted,  
CHARLES MCDONALD  
Chairman

**Privileged Report of the Legislative Bureau**

February 14, 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. 2  
Reported without amendments.

Senate Bill No. 16  
Reported without amendments.

Senate Bill No. 22  
Reported without amendments.

Senate Bill No. 32  
Reported without amendments.

Senate Bill No. 50  
Reported without amendments.

Respectfully submitted,  
CHARLES MCDONALD  
Chairman

**Suspension of the Rules**

Rep. Dorsey moved for a suspension of the rules in order to take up and act upon the Senate Bills just returned from the Legislative Bureau at this time.

Rep. Walsworth objected.

By a vote of 55 yeas and 27 nays, the rules were suspended.

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

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

**SENATE BILL NO. 2—**  
BY SENATOR THEUNISSEN  
AN ACT

To enact R.S. 17:65, relative to the election of and terms of service of school board members governing certain public school systems; to provide for the election of members in 2007 instead of 2006; to provide for the term of members effected by the change in election schedules; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**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.

Reported favorably by the Committee on Judiciary.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 16—**  
BY SENATORS JONES, BAJOIE 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.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 16 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" delete "amend and reenact R.S. 18:401.3(B) and to enact R.S. 18:401.4," and insert "enact R.S. 18:115(F)(2)(d),"

AMENDMENT NO. 2

On page 1, delete lines 4 through 7 and insert "to provide for absentee by mail voting for certain persons who registered by mail; to require an affidavit attesting to the voter's"

AMENDMENT NO. 3

On page 1, delete line 11 and insert the following:

"Section 1. R.S. 18:115(F)(2)(d) is hereby"

**AMENDMENT NO. 4**

On page 1, delete lines 13 through 17, and on page 2, delete lines 1 through 29, and on page 3, delete lines 1 through 10 and insert the following:

"§115. Registration by mail

\* \* \*

F.

\* \* \*

(2) The provisions of Paragraph (1) of this Subsection shall not apply in the case of the following:

\* \* \*

(d)(i) The Legislature of Louisiana recognizes that due to a recent common disaster and state of emergency in the state, an unprecedented number of persons have been temporarily displaced from their parishes of residence for an indefinite period of time. Because the right to vote is a right that is essential to the effective operation of a democratic government, the legislature finds that the state has a compelling interest in securing the right to vote for any person temporarily displaced by a disaster or emergency who may experience greater difficulty exercising his right due to his displaced status. The legislature, therefore, enacts this Subparagraph, which shall apply to any person temporarily displaced from his parish of residence by a gubernatorially declared state of emergency who registered to vote by mail on or after October 5, 2004, but prior to September 25, 2005, when he submits with the application to vote by mail an affidavit attesting that he is temporarily displaced from his parish of residence due to a state of emergency which has been declared by the governor, that he is eligible to vote in his parish of residence, and that he expects to be out of his parish of registration during early voting and on election day. He shall sign such affidavit before a notary public or two witnesses. If signed before two witnesses, the witnesses shall also sign the affidavit and such affidavit shall be made under penalty of perjury for providing false or fraudulent information. The provisions of this Item shall be effective until July 16, 2006.

(ii) Upon expiration of the effectiveness of Item (i) of this Subparagraph, any voter who has voted absentee by mail pursuant to this Subparagraph who has not voted during early voting or at the polls on election day shall not be considered to have previously voted in the parish in which he is registered for purposes of Paragraph (1) of this Subsection and shall be subject to the requirements of that Paragraph.

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**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.

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

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 22 by Senator Shepherd

**AMENDMENT NO. 1**

On page 1, line 2, after "To enact" and before "relative to early voting" change "R.S. 18:1319," to "R.S. 18:401.4,"

**AMENDMENT NO. 2**

On page 1, line 3, after "plan;" delete the remainder of the line and delete lines 4 and 5 and insert the following:

"to allow certain registered voters of an affected area to vote during early voting in 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; to provide relative to the effectiveness"

**AMENDMENT NO. 3**

On page 1, line 8, after "Section 1." and before "is hereby enacted" change "R.S. 18:1319" to "R.S. 18:401.4"

**AMENDMENT NO. 4**

On page 1, delete lines 9 through 17, and on page 2, delete lines 1 through 18, and insert the following:

"§401.4. Early voting in other parishes

A. For an election in an affected area for which the secretary of state has submitted an emergency plan to the legislature pursuant to R.S. 18:401.3(C), and such plan has been approved by the legislature pursuant to R.S. 18:401.3(D), any registered voter of the affected area, who has registered to vote on or before the date of the gubernatorially declared emergency or disaster, may vote during the early voting period for such election at any office of the registrar in any parish that has a population of one hundred thousand or more according to the most recent federal decennial census.

B. The registrars of voters shall conduct the early voting authorized by this Section in the same manner as provided in R.S. 18:1309(A). The secretary of state shall assist each registrar of voters, as necessary, in the preparation for and conduct of early voting authorized by this Section. 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.

C. The provisions of this Section shall be effective until July 16, 2006."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

**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.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

**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.

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 Engrossed Senate Bill No. 42 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 9, after "shall" and before "conduct" inert "have the authority to"

AMENDMENT NO. 2

On page 1, at the end of line 9, delete the comma ",."

AMENDMENT NO. 3

On page 10, at the beginning of line 10, delete "not later than February 1, 2007," and insert "to"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 42 by Senator Lentini

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Judiciary and adopted by the House of Representatives on February 14, 2006 on line 2, change "inert" to "insert"

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Judiciary and adopted by the House of Representatives on February 14, 2006 on line 6, change "page 10" to "page 1"

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

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

Under the rules, placed on the regular calendar.

**SENATE BILL NO. 50—**  
BY SENATOR JONES

AN ACT

To enact R.S. 18:1308.3, relative to absentee voting by mail by temporarily displaced persons; to provide for the application to such persons of certain provisions relative to absentee voting by mail by United States service members and persons residing outside the United States; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of the provisions; 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 Engrossed Senate Bill No. 50 by Senator Jones

AMENDMENT NO. 1

On page 1, line 17, after "displaced status." and before "The legislature," insert "(1)"

AMENDMENT NO. 2

On page 1, line 17, change "Section" to "Paragraph"

AMENDMENT NO. 3

On page 2, at the end of line 2, change "person" to "registered voter"

AMENDMENT NO. 4

On page 2, at the beginning of line 8, delete "18:115(F)(2)(a), 1303(B), and 1307(C)" and insert "18:1307(C) and 1311(D)(1)(a)"

AMENDMENT NO. 5

On page 2, line 10, after "Section." insert "The provisions of this Paragraph shall not apply to any person who has not previously voted in his parish of residence either during early voting in the office of the registrar or at the precinct in which he is registered to vote."

AMENDMENT NO. 6

On page 2, delete lines 11 through 18 and insert the following:

"(2)(a) The legislature, therefore, additionally enacts this Paragraph to provide for the following provisions, applicable to members of the United States service or persons residing outside the United States, to apply to any registered voter, who registered to vote by mail on or after October 5, 2004 but prior to September 25, 2005, who is temporarily displaced from his parish of residence when he submits with an application to vote by mail an affidavit attesting that he is temporarily displaced from his parish of residence by reason of the state of emergency, that he is eligible to vote in his parish of residence, and that he expects to be out of his parish of registration during early voting and on election day: R.S. 18:115(F)(2)(a), 1307(C), and 1311(D)(1)(a), except that the application to vote by

mail shall be valid for a period of one year following the effective date of this Section.

(b) Upon expiration of Subparagraph (a) of this Paragraph, any voter who has voted absentee by mail pursuant to Subparagraph (a) who has not voted during early voting at the registrar's office or at the polls on election day shall not be considered to have previously voted in the parish in which he is registered for purposes of R.S. 18:115(F)(1) and shall be subject to the requirements of R.S. 18:115(F)(1).

B. The provisions of R.S. 18:1308(A)(2) shall not apply to absentee by mail voting conducted pursuant to this Section. The provisions of Subsection B, Paragraph (A)(1), and Subparagraph (A)(2)(a) of this Section shall be effective for a period of one year following the effective date of this Section."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

### **Suspension of the Rules**

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

### **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. 44—**

BY REPRESENTATIVE GLOVER

##### **A CONCURRENT RESOLUTION**

To commend Jerry Jones, Paul Tagliabue, Tom Benson, and other National Football League leaders who are involved in planning a preseason game between the New Orleans Saints and the Dallas Cowboys to benefit Hurricane Katrina relief efforts and to show support for the Saints as the team prepares to return to New Orleans.

Read by title.

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

Ordered to the Senate.

#### **HOUSE CONCURRENT RESOLUTION NO. 45—**

BY REPRESENTATIVE LAFONTA

##### **A CONCURRENT RESOLUTION**

To commend the National Basketball Association, Kenny Smith, and Nike for their contributions to the hurricane relief effort.

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. 46—**

BY REPRESENTATIVE GLOVER

##### **A CONCURRENT RESOLUTION**

To commend Mrs. Otis Dolton Whiten Emanuel of Shreveport for her outstanding accomplishments.

Read by title.

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

Ordered to the Senate.

#### **HOUSE CONCURRENT RESOLUTION NO. 47—**

BY REPRESENTATIVE MORRELL

##### **A CONCURRENT RESOLUTION**

To urge and request the United States Postal Service, particularly the Postmaster of New Orleans, to take necessary measures to restore regular mail service to the citizens of New Orleans, including regular home delivery.

Read by title.

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

Ordered to the Senate.

#### **HOUSE CONCURRENT RESOLUTION NO. 48—**

BY REPRESENTATIVE LAFONTA

##### **A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to reduce by twenty-five percent the amount of outstanding federal student loan debt of any college graduate who resides in certain areas of Louisiana most affected by Hurricane Katrina or Hurricane Rita for at least five consecutive years immediately following graduation and to memorialize congress to provide for the establishment of conditions and requirements for such debt reduction.

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. 49—**

BY REPRESENTATIVE PINAC

##### **A CONCURRENT RESOLUTION**

To commend Guy T. Williams upon being named a Community Banker of the Year.

Read by title.

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

Ordered to the Senate.

### **Petitions, Memorials and Communications**

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

### **Message from the Senate**

#### **HOUSE BILLS**

February 14, 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 House Bills:

House Bill No. 6  
Returned with amendments

House Bill No. 12  
Returned with amendments

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

February 14, 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. 17

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 14, 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. 5—**  
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH  
A RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to construct a westbank expressway along Louisiana Highway 3127 between Baton Rouge and New Orleans in order to create an alternate escape route during hurricane evacuations.

Respectfully submitted,  
DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

February 14, 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. 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.

**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.

**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.

Respectfully submitted,  
DONALD RAY KENNARD  
Chairman

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

**Privileged Report of the Committee on Enrollment**

February 14, 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 Bills have been properly enrolled:

**HOUSE BILL NO. 22—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 47:635(A)(3) and 640(B), relative to the severance tax on oil and gas; to provide that the one-time severance tax payment required by R.S. 47:635(A)(3) or 640(B) due on or before November 25, 2005, may be credited to the taxpayer's future liabilities; to provide for an effective date; and to provide for related matters.

Respectfully submitted,  
DONALD RAY KENNARD  
Chairman

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

**Suspension of the Rules**

On motion of Rep. Quezaire, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to



meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

Senate Bill Nos. 8 and 9

**Adjournment**

On motion of Rep. Kenney, at 6:09 P.M., the House agreed to adjourn until Wednesday, February 15, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, February 15, 2006.

ALFRED W. SPEER  
Clerk of the House

