

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

ELEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, February 17, 2006

The House of Representatives was called to order at 10:00 A.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	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Crane	Johns	St. Germain
Cravins	Katz	Strain
Crowe	Kennard	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White

Durand
Erdey
Fannin
Farrar
Total - 103

McDonald
McVea
Montgomery
Morrell

Winston
Wooton

ABSENT

Jefferson
Total - 1

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Dr. Ken Ward.

Ms. Angela Perry sang *The Battle Hymn of the Republic*.

Pledge of Allegiance

Rep. Mickey Guillory 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. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Dartez, and under a suspension of the rules, the Journal of February 16, 2006, was corrected to reflect her as voting yea on final passage of Senate Bill Nos. 8 and 9.

On motion of Rep. Robideaux, the Journal of February 16, 2006, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

February 17, 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. 12

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.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

February 17, 2006

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

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

Senate Bill Nos. 1, 2, 3, 4, 5, 22, 31, 32, and 50

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 Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

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. 7—

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

AN ACT

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

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 7 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 22:1220(B)(5) and to"

AMENDMENT NO. 2

On page 1, line 3, delete "the public policy in"

AMENDMENT NO. 3

On page 1, line 10, delete "or which deny coverage"

AMENDMENT NO. 4

On page 1, line 13, after "Section 1." and before "R.S. 22:658.2" delete "R.S. 22:1220(B)(5) is hereby amended and reenacted and "

AMENDMENT NO. 5

On page 1, line 15, after "property" delete the remainder of the line and delete line 16 in its entirety

AMENDMENT NO. 6

On page 1, delete line 17 in its entirety

AMENDMENT NO. 7

On page 2, delete lines 1 through 4 in their entirety

AMENDMENT NO. 8

On page 2, line 5, at the beginning of the line before "(1)" insert "A."

AMENDMENT NO. 9

On page 2, lines 5 and 6, delete "as exclusive proof" and insert in lieu thereof "without considering other evidence,"

AMENDMENT NO. 10

On page 2, line 9, delete "as exclusive proof" and insert in lieu thereof "without considering other evidence"

AMENDMENT NO. 11

On page 2, delete lines 11 through 13, both inclusive and in their entirety.

AMENDMENT NO. 12

On page 2, line 16, change "the portion of damages excluded" to "an exclusion"

AMENDMENT NO. 13

On page 2, delete lines 20 through 25 in their entirety

AMENDMENT NO. 14

On page 2, line 26, change "E." to "D."

AMENDMENT NO. 15

On page 3, delete lines 4 through 11 in their entirety

AMENDMENT NO. 16

On page 3, line 12, at the end of the line before the period "." insert "when such failure is arbitrary, capricious, or without probable cause"

* * *

AMENDMENT NO. 17

On page 3, line 16, after "Act.", delete the remainder of the line and delete line 17.

Reported with amendments by the Legislative Bureau.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 7 by Senator Quinn

AMENDMENT NO. 1

On page 2, between lines 27 and 28, insert " * * "

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

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

Under the rules, placed on the regular calendar.

House Bills and Joint Resolutions Returned from the Senate with Amendments

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

HOUSE BILL NO. 2—

BY REPRESENTATIVES PINAC, BOWLER, ALEXANDER, ARNOLD, BAUDOUIN, BAYLOR, BRUCE, BURRELL, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, E. GUILLORY, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, PIERRE, PITRE, T. POWELL, QUEZAIRE, RITCHIE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, STRAIN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 22:1430.6(E), relative to bonds issued by the Louisiana Citizens Property Insurance Corporation; to provide for the payment of bonds; to provide for authority of the board; to provide for federal funds; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 2 by Representative Pinac

AMENDMENT NO. 1

On page 1, at the end of line 14, insert the following:

"In the event the governing board of the corporation receives federal funds from the United States Department of Housing and Urban Development under the Community Development Block Grant Program, the corporation shall credit such amounts on a pro rata basis to assessable insurers who were subject to an assessment as provided for pursuant to R.S. 22:1430 et seq., and who will thereafter return such amount to the insured."

Rep. Pinac moved that the amendments proposed by the Senate be rejected.

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
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bruce	Heaton	Scalise
Bruneau	Hebert	Schneider

Burns
Burrell
Carter, K.
Carter, R.
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar

Total - 98

Hill
Honey
Hunter
Hutter
Johns
Katz
Kennard
Kenney
Kleckley
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish

NAYS

Total - 0

ABSENT

Bowler
Cravins
Total - 6

Hopkins
Jackson
Jefferson
LaBruzzo

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2: Reps. Pinac, Karen Carter, and Bowler.

HOUSE BILL NO. 4—

BY REPRESENTATIVES LAFONTA, BRUNEAU, RICHMOND, ALARIO, BADON, BARROW, BAYLOR, BEARD, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DORSEY, FARRAR, FAUCHEUX, GLOVER, GRAY, GREENE, E. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LAFLEUR, MARCHAND, MARTINY, MCDONALD, MORRELL, ODINET, PIERRE, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, WADDELL, AND WOOTON

AN ACT

To enact R.S. 6:337 and to repeal R.S. 10:9-211, relative to insurance; to provide for handling and distribution of insurance settlement payments on homeowners' insurance claims; to provide for distribution of insurance settlement payment in excess of unpaid portion of secured indebtedness; to provide for enforcement; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 4 by Representative LaFonta

AMENDMENT NO. 1

On page 1, line 5 after "enforcement;" insert "to provide for penalties; to authorize the commissioner to promulgate rules and regulations;"

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AMENDMENT NO. 2

On page 1, line 13 after "endorsement," insert the following:

"and the mortgage holder receives a written request from the borrower to release excess funds, then"

AMENDMENT NO. 3

On page 1, line 13 after "such" insert "request and such"

AMENDMENT NO. 4

On page 1, line 17 after "funds" delete the remainder of the line and insert the following:

"considered to be excess funds. For purposes of this Section, the term "excess funds" shall mean insurance funds in excess of the following:"

AMENDMENT NO. 5

On page 2, line 2 after "thirtieth day" delete "of the deadline" and insert "following receipt of the request and check or draft as outlined in Subsection A of this Section"

AMENDMENT NO. 6

On page 2, line 4 between "loans" and the period "." insert "and calculated from the date of the payoff explained in Paragraph (B)(1) of this Section"

AMENDMENT NO. 7

On page 2, delete lines 5 through 13 in their entirety and insert the following:

"C.(1) The commissioner may impose civil money penalties of up to one hundred fifty dollars per day of each day a mortgage holder subject to his jurisdiction fails to comply with the requirements of Subsection B of this Section.

(2) Penalties shall be due and payable upon notice of their assessment to the mortgage holder, unless set aside after administrative hearing pursuant to the provisions of the Louisiana Administrative Procedure Act. The assessment of civil money penalties shall be final and definitive and subject to enforcement by the commissioner through judicial proceedings."

AMENDMENT NO. 8

On page 2, between lines 16 and 17, insert the following:

"E. The commissioner shall have the power to enact and promulgate rules and regulations as may be necessary or appropriate to implement the provisions of this Section."

Rep. LaFonta moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinet
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.

Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
Burns	Hebert	Schneider
Burrell	Hill	Smiley
Carter, K.	Honey	Smith, G.
Carter, R.	Hopkins	Smith, J.D.-50th
Cazayoux	Hunter	Smith, J.H.-8th
Crane	Johns	Smith, J.R.-30th
Crowe	Katz	St. Germain
Curtis	Kennard	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	LaFonta	Townsend
DeWitt	Lambert	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Tucker
Dove	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	

Total - 95

NAYS

Total - 0

ABSENT

Bowler	Jackson	LaBruzzo
Cravins	Jefferson	Walsworth
Hutter	Kleckley	Wooton

Total - 9

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 17—

BY REPRESENTATIVES LABRUZZO AND KATZ

AN ACT

To enact R.S. 22:682, relative to homeowners' insurance damage claims; to provide for presumption of coverage; to provide for disaster related claims; to prohibit automatic denial of coverage; to provide for proof of losses; to provide for repairs; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 17 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 14 change "one hundred fifty days" to "one hundred eighty days." and delete the rest of the line

AMENDMENT NO. 2

On page 1, delete lines 15 through 23

AMENDMENT NO. 3

On page 2, after line 8, insert the following:

"C. The provisions of this Section shall be applicable to all new policies and renewal policies delivered in the state of Louisiana after the effective date of this act."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 17 by Representative LaBruzzo

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on February 13, 2006, on line 10 change "act" to "Act"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Reengrossed House Bill No. 17 by Representative LaBruzzo

AMENDMENT NO. 1

On page 1, line 14, after "days" insert the following:

"The time limit shall not commence as long as a declaration of emergency is in existence and civil authorities are denying the insured access to the property."

Rep. LaBruzzo moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinet
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Arnold	Gray	Pitre
Badon	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Baylor	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	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	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
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Fauchoux	Morrell	
Frith	Morrish	
Total - 100		

NAYS

Total - 0

ABSENT

Ansardi	Cravins
Bruneau	Jefferson
Total - 4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 21—

BY REPRESENTATIVES HAMMETT, DORSEY, SALTER, SCALISE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:293(3)(b)(i) and to enact R.S. 47:293(6)(f), 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 for federal income tax purposes; to extend the state income tax exemption for certain military personnel; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Barham and Nevers to Reengrossed House Bill No. 21 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "(i)" insert "and (7)" and after "(6)" and before "(f)", insert "(a)(ix) and"

AMENDMENT NO. 2

On page 1, line 5, between "purposes;" and "to" insert "to provide for the deduction of expenses disallowed for federal income tax purposes;"

AMENDMENT NO. 3

On page 2, line 15, after "Section 2." insert "R.S. 47:293(7) is hereby amended and reenacted" and after "(6)" and before "(f)", insert "(a)(ix) and"

AMENDMENT NO. 4

On page 2, line 15, change "is" to "are"

AMENDMENT NO. 5

On page 2, delete line 20 in its entirety and insert in lieu thereof the following:

"(6)(a) "Tax Table Income", for resident individuals, means adjusted gross income plus interest on obligations of a state or political subdivision thereof, other than Louisiana and its municipalities, title to which obligations vested with the resident individual on or subsequent to January 1, 1980, and less:

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* * *

(ix) A deduction for expenses disallowed by I.R.C. Section 280(C). In computing net income, a deduction shall be allowed for expenses which would otherwise be deductible under federal law, but for the disallowance provisions of I.R.C. Section 280(C), relative to certain expenses for which federal credits are allowable."

AMENDMENT NO. 6

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

"(7) "Tax table income", for nonresident individuals, means the amount of Louisiana income, as provided in this Part, allocated and apportioned under the provisions of R.S. 47:241 through 247, plus the total amount of the personal exemptions and deductions already included in the tax tables promulgated by the secretary under authority of R.S. 47:295, less the proportionate amount of the federal income tax liability, the exclusion provided for in R.S. 47:297.3 for S Bank shareholders, the deduction for expenses disallowed by I.R.C. Section 280 (C), and personal exemptions and deductions provided for in R.S. 47:294. The proportionate amount is to be determined by the ratio of Louisiana income to federal adjusted gross income. When federal adjusted gross income is less than Louisiana income, the ratio shall be one hundred percent."

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 103

NAYS

Total - 0

ABSENT

Jefferson

Total - 1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 27—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact Section 2 of Act No. 70 of the 2005 First Extraordinary Session of the Legislature, relative to the proposed constitutional amendment to provide for the continuation of the homestead exemption and special assessment level under certain specified circumstances; to change the date on which the proposed amendment shall be submitted to the electors; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 27 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 3, after "Legislature" insert "and to direct the Louisiana Tax Commission to take certain actions to protect taxpayers and assessors until such Act is voted on"

AMENDMENT NO. 2

On page 1, between lines 12 and 13, insert:

"Section 2.(A) It is the intention of the Legislature by enacting Act No. 70 of the 2005 First Extraordinary Session of the Legislature that taxpayers whose homes were lost or destroyed in the recent hurricanes should not have to suffer the levy of ad valorem property tax or the loss of their special assessment level because of their temporary inability to occupy their homes. Because of the unavoidable delay until September of submission to voters of Act No. 70 as provided for in this Act, there is a possibility that some taxpayers may be assessed tax without the benefit of those two exemptions.

(B) Therefore, the Legislature of Louisiana hereby directs the Louisiana Tax Commission to provide for the following:

(1) The continuation of the Homestead Exemption and the Special Assessment Level for taxpayers who may not be able to occupy their homes because they were damaged or destroyed during the disaster or emergency declared by the governor because of the hurricanes until such time as the constitutional amendment proposed in Act No. 70 becomes effective. If Act No. 70 is not approved by the electorate, the authorization provided in this Subparagraph shall cease.

(2) A procedure for and requirement for the keeping of such records by assessors in the event Act No. 70 is not approved by the voters.

(3) Such procedures to ensure, insofar as it is possible, that no more than one homestead exemption or special assessment level extend or apply to any person in this state."

AMENDMENT NO. 3

On page 1, line 13, change "Section 2." to "Section 3."

Rep. Lancaster moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 100

NAYS

Total - 0

ABSENT

Hammett	Johns
Jefferson	Odinet

Total - 4

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 46—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 47:1978.1(A)(1)(b) and (3)(b), (B)(1) and (2), and (C)(1)(a), to enact R.S. 47:1978.1(C)(4), and to repeal R.S. 47:1978.1(D), relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to limit the application of certain assessment procedures; and to provide for related matters.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill No. 46 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 5, after "procedures" insert:

"to authorize taxpayers to elect the treatment of certain ad valorem property taxes for certain tax purposes;"

AMENDMENT NO. 2

On page 3, after line 10 insert the following:

"Section 4. For purposes of R.S. 47:6006, 6006.1, and 6014, a taxpayer may elect to treat payments of ad valorem taxes described in R.S. 47:6006(A), 6006.1(A), and 6014(A) that are paid after December 31, 2005, but before April 16, 2006, as being paid on December 31, 2005. This provision shall be effective for all taxable periods beginning after December 31, 2004."

Rep. Arnold moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Ansardi	Greene	Johns
Bowler	Jefferson	

Total - 5

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The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 47—

BY REPRESENTATIVES TRICHE, BALDONE, DOVE, AND PITRE AND
SENATORS CHAISSON, DUPRE, B. GAUTREAUX, AND ROMERO
AN ACT

To amend and reenact R.S. 38:291(F)(1) and (2)(introductory paragraph) and (f), (P)(1), and (T)(1), to enact R.S. 38:329.1 through 329.3, and to repeal R.S. 38:291(F)(2)(g), relative to the consolidation 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 and its powers and duties; to provide relative to boards of commissioners; to provide for the transfer of certain property and documents; to provide relative to certain payments; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 47 by Representative Triche

AMENDMENT NO. 1

On page 1, line 3, change "through 329.3" to "and 329.2"

AMENDMENT NO. 2

On page 1, line 13, change "through 329.3" to "and 329.2"

AMENDMENT NO. 3

On page 4, line 12, change "fifty" to "thirty-five"

AMENDMENT NO. 4

On page 4, line 15, change "thirty-five" to "twenty-five"

AMENDMENT NO. 5

On page 4, line 18, change "twenty-five" to "fifteen"

AMENDMENT NO. 6

On page 4, delete line 27, and on line 28, delete "collected and" and insert:

"(1) For the tax year 2007, thirty-five percent of both the amount of the 2006 ad valorem property taxes received by the levee district from the first five mills of such tax that it levies for levee protection and the"

AMENDMENT NO. 7

On page 5, delete line 3 and on line 4, delete "collected and" and insert:

"(2) For the tax year 2008, twenty-five percent of both the amount of the 2007 ad valorem property taxes received by the levee district from the first five mills of such tax that it levies for levee protection and the"

AMENDMENT NO. 8

On page 5, delete lines 7 and 8 and insert:

"(3) For the tax year 2009 and thereafter, fifteen percent of both the amount of the ad valorem property taxes received by the levee district for the tax year 2008 and thereafter from the first five mills of such tax that it levies for levee protection and the mineral revenues"

AMENDMENT NO. 9

On page 5, delete lines 12 through 16 in their entirety

Rep. Triche moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Downs	Katz	Smith, G.
Jefferson	Pinac	
Total - 5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 49—

BY REPRESENTATIVES ANSARDI AND TOOMY
AN ACT

To enact R.S. 38:85, relative to contracts for hurricane protection and flood control projects in Jefferson Parish; to authorize the parish governing authority to let a single contract combining the design

and construction phases of any such project; to provide procedures, requirements, and limitations; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 49 by Representative Ansardi

AMENDMENT NO. 1

On page 4, between lines 13 and 14, insert the following:

"(6)(a) An adjusted score approach shall be used by the parish in determining the winning proposal. An adjusted score shall be determined using the following components:

(i) The technical score determined by the technical review committee. Weighing factors may be assigned to each element depending on its relative magnitude or significance to the overall project. Each technical review committee member shall rate his assigned element of the proposal from each of the entities on the short list and shall submit such scores to the chairman of the technical review committee. The schedule and price bid shall not be made known to the technical review committee during the scoring process. The chairman of the technical review committee shall adjust the scores for any applicable weighing factors and shall determine the total technical score for each proposal.

(ii) Prior to determining the adjusted score, the chairman of the technical review committee shall notify each design-build proposer, in writing, of each proposer's final total technical score. A proposer may request, in writing, a review of its final total technical score by the chief engineer or his designated representative. If any proposer requests a review of its total technical score, the chief engineer shall hold a hearing to review such within a reasonable time after the request has been received by the chief engineer. The chief engineer shall give the requesting proposer reasonable notice of the time and place of such hearing. The requesting proposer may appear at the hearing and present facts and arguments in support of the request for review of its final total technical score.

(iii) The individual scoring of each member of the technical review committee shall be considered a public record and available for public view.

(iv) The chief engineer shall present his findings from the hearing to the parish council. The council shall determine what action shall be taken regarding the proposer's request to review its final total technical score. Except as provided for in Subsection D of this Section, the council's decision shall be final and not subject to appeal by any legal process.

(v) The time value, consisting of the product of the proposed contract time expressed in calendar days multiplied by the value-per-calendar-day expressed in dollars established by the department and included in the "Scope of Services Package".

(vi) The price proposal.

(b) The chairman of the technical review committee shall recommend the proposal with the lowest adjusted score to the parish council. The adjusted score for each entity's design-build proposal shall be determined by the following formula: Adjusted Score = (Price Bid + Time Value) divided by Technical Score. If the Time Value is not used, the Adjusted Score shall be determined by the following formula: Adjusted Score = Price Bid divided by Technical Score."

AMENDMENT NO. 2

On page 4, at the end of line 15, delete "or the" and at the beginning of line 16 delete "council administrator"

AMENDMENT NO. 3

On page 4, at the end of line 26, after "thereof" and before the period "." insert ", provided any change is related to the original project and scope of services"

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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	Smiley
Burrell	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.-50th
Cazayoux	Hutter	Smith, J.H.-8th
Crane	Jackson	Smith, J.R.-30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kennard	Thompson
Damico	Kenney	Toomy
Daniel	Kleckley	Townsend
Darte	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 - 101

NAYS

Total - 0

ABSENT

Carter, K.	Jefferson	Schneider
Total - 3		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 61—

BY REPRESENTATIVES THOMPSON, DORSEY, HAMMETT, SALTER, ALARIO, ANSARDI, CAZAYOUX, DAMICO, DOERGE, DURAND, GALLOT, HILL, KENNEY, LAFLEUR, MARTINY, MCDONALD, MONTGOMERY, PIERRE, PINAC, QUEZAIRE, JACK SMITH, JOHN SMITH, ST. GERMAIN, AND WOOTON AND SENATORS HINES, MOUNT, AND NEVERS AND REPRESENTATIVE FRITH AND SENATORS DUPRE AND JONES

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)

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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.

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 5 after "enact" insert "R.S. 29:525(H) and"

AMENDMENT NO. 2

On page 1, line 19 after "reenacted" insert "and R.S. 29:525(H) is hereby enacted"

AMENDMENT NO. 3

On page 4, between lines 27 and 28 insert the following:

"H. The Governor's Office of Homeland Security and Emergency Preparedness shall operate pursuant to rules developed, adopted, and promulgated as provided for state agencies in the Administrative Procedure Act. Such rules shall be subject to the authority of the legislature to oversee their development as provided in such Act, and for such purpose shall be submitted to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs."

AMENDMENT NO. 4

On page 11, line 10 after "office." insert the following:

"There is no intent to reallocate or redirect funds which have, as of the effective date of this Act, been allocated to a local government provided that the funds are used or expended consistent with the requirements of the applicable state or federal guidelines in which the funds were originally allocated."

AMENDMENT NO. 5

On page 11, line 18, change "performed. Subject to state civil service" to "performed, subject to"

AMENDMENT NO. 6

On page 11, line 19, change "service laws, rules, and regulation" to "laws, rules, and regulations governing employees in the unclassified civil service"

AMENDMENT NO. 7

On page 12, line 2, change "and 9" to ", 9, and 10"

AMENDMENT NO. 8

On page 12, line 6, change "and 9" to ", 9, and 10"

AMENDMENT NO. 9

On page 12, line 8, after "terminate" delete the remainder of the line and insert "and have no effect on and after July 1, 2010, and on and after such date the law shall revert to the law in effect prior to the amendments provided in this Act."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 61 by Representative Thompson

AMENDMENT NO. 1

In Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 15, 2006, change "525" to "725"

AMENDMENT NO. 2

Delete Senate Committee Amendment No. 6 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 15, 2006

AMENDMENT NO. 3

On page 11, delete lines 18, 19, and 20 and insert the following:

"office and shall continue to perform the duties heretofore performed, subject to laws, rules, and regulations governing employees in unclassified state service. Such employees shall remain in unclassified state service."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 61 by Representative Thompson

AMENDMENT NO. 1

In Senate Committee amendments proposed by the Senate Committee on Governmental Affairs and adopted February 15, 2006, at the beginning of line 11, after "Committee" delete the remainder of the line and line 12, and insert in lieu of "on Homeland Security and the House Committee on Homeland Security."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 61 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 2, after "724(B)(3)" and before "725" insert ", (C), and (D)"

AMENDMENT NO. 2

On page 1, line 10, after "to the governor;" and before "to provide" insert "to provide for the power of the governor;"

AMENDMENT NO. 3

On page 2, between lines 32 and 33 insert the following:

"C. The declaration of an emergency or disaster by the governor shall:

(1) Activate the state's emergency response and recovery program under the command of the director of the state office of homeland security and emergency preparedness.

(2) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery.

(3) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein.

D. In addition to any other powers conferred upon the governor by law, he may do any or all of the following:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.

(2) Utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the disaster or emergency.

(3) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services.

(4) Subject to any applicable requirements for compensation, commandeering or utilize any private property if he finds this necessary to cope with the disaster or emergency.

~~(5) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other disaster mitigation, response, or recovery.~~

~~(6)(5)~~ Prescribe routes, modes of transportation, and destination in connection with evacuation.

~~(7) Control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein.~~

~~(8)(6)~~ Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

~~(9)(7)~~ Make provision for the availability and use of temporary emergency housing.

* * *

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Montgomery
Alario	Fannin	Morrell
Ansardi	Fauchaux	Odinot
Arnold	Frith	Pierre
Badon	Gallot	Pinac
Baldone	Glover	Pitre
Barrow	Gray	Powell, T.
Baudoin	Guillory, E.	Quezaire

Baylor	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Johns	Thompson
Cravins	Kennard	Toomy
Crowe	Kenney	Townsend
Curtis	LaFleur	Triche
Damico	LaFonta	Walker
DeWitt	Lancaster	White
Doerge	Marchand	Winston
Dorsey	Martiny	Wooton
Dove	McDonald	
Downs	McVea	
Total - 79		

NAYS

Alexander	Hebert	Schneider
Beard	Katz	Trahan
Daniel	LaBruzzo	Tucker
Erdey	Morrish	Waddell
Farrar	Powell, M.	Walsworth
Geymann	Romero	
Greene	Scalise	
Total - 19		

ABSENT

Dartez	Jefferson	Lambert
Guillory, M.	Kleckley	Strain
Total - 6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 70—

BY REPRESENTATIVES JEFFERSON, BURRELL, DORSEY, FAUCHEUX, GALLOT, GREENE, M. POWELL, RICHMOND, SMILEY, AND WHITE AND SENATORS BAJOE, DUPLESSIS, FIELDS, FONTENOT, JACKSON, AND SHEPHERD

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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 70 by Representative Jefferson

AMENDMENT NO. 1

On page 1, line 4, after "and" delete "requirements" and insert "regulations"

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AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "to follow"

AMENDMENT NO. 3

On page 1, at the beginning of line 8, delete "to follow"

AMENDMENT NO. 4

On page 1, line 19, after "May" delete "1" and insert "31" and after "and" delete "requirements" and insert "regulations in accordance with the Administrative Procedure Act"

AMENDMENT NO. 5

On page 1, line 20, after "governments" delete "to implement and follow"

AMENDMENT NO. 6

On page 2, line 7, delete the entire line

AMENDMENT NO. 7

On page 2, line 8, change "(b)" to "(a)" on line 9, change "(c)" to "(b)" on line 10, change "(d)" to "(c)" and on line 11, change "(e)" to "(d)"

AMENDMENT NO. 8

On page 2, line 12, after "May" delete "1" and insert "31" and after "and" delete "requirements" and insert "regulations in accordance with the Administrative Procedure Act"

AMENDMENT NO. 9

On page 2, line 13, after "governments" delete "to implement and follow"

AMENDMENT NO. 10

On page 2, line 16, after "Committee on" delete "Judiciary" and insert "Municipal, Parochial, and Cultural Affairs"

AMENDMENT NO. 11

On page 2, line 17, after "on" delete "Judiciary A" and insert "Local and Municipal Affairs" and after "May" delete "1" and insert "31"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed House Bill No. 70 by Representative Jefferson

AMENDMENT NO. 1

On page 2, after line 21, insert the following:

"Section 2. The standards and regulations promulgated by the office shall be in accordance with guidelines issued by the United States Department of Homeland Security or the Federal Emergency Management Agency."

Rep. Gray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	McVea
Alario	Faucheux	Montgomery
Alexander	Frith	Morrell

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

NAYS

Total - 0

ABSENT

Daniel	Morrish	White
Jefferson	Odinot	
Total - 5		

The amendments proposed by the Senate were concurred in by the House.

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.

Motion

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

HOUSE BILL NO. 93—

BY REPRESENTATIVES HAMMETT, DORSEY, AND SALTER AND SENATORS BAJIOE, HINES, AND MOUNT

AN ACT

To enact the Supplemental Omnibus Bond Authorization Act, relative to an omnibus bond authorization; to provide for the issuance of bonds of the state to provide relief from natural catastrophes; to provide for implementation of certain bond provisions of the Gulf Opportunity Zone Act of 2005; to provide

a program to provide relief from natural catastrophes to certain affected political subdivisions of the state; to provide procedures for the issuance of the bonds; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 93 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 7, after "bonds;" insert:

"to authorize the Department of Economic Development to formulate a program for certain businesses for small business recovery;"

AMENDMENT NO. 2

On page 3, line 20, after "municipality," insert:

"board, commission, department, or public corporation of the state created by the Constitution of Louisiana or statute, or created pursuant thereto,"

AMENDMENT NO. 3

On page 8, between lines 5 and 6, insert:

"Section 11.A. The Department of Economic Development is hereby authorized to formulate a program for small businesses attempting to recover from damage or destruction caused by wind, water, fire, business interruption, or criminal acts as a result of Hurricane Katrina or Rita. Such program may provide loan guarantees or credit enhancements of up to fifty percent of each loan amount and may use proceeds from funds received or appropriated, not to exceed a total liability of seventy million dollars to the state.

B. The program shall be developed by the Secretary of the Department of Economic Development in consultation with the Commissioner of Administration for final approval by the State Bond Commission. However, prior to implementation of the program, the program shall be approved by the House Ways and Means and the Senate Revenue and Fiscal Affairs committees meeting jointly."

AMENDMENT NO. 4

On page 8, line 6, change "Section 11." to "Section 12."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Reengrossed House Bill No. 93 by Representative Hammett

AMENDMENT NO. 1

In Senate Committee Amendment No. 3, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on February 13, 2006, on page 1, line 12, after "small businesses" insert ", including any child care business,"

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrell
Alario	Frith	Morrish

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

Total - 102

Gallot
Geymann
Glover
Gray
Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery

NAYS

Total - 0

ABSENT

Daniel
Total - 2

Jefferson

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

February 17, 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. 52
Returned with amendments.

Odinet
Pierre
Pinac
Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
Robideaux
Romero
Scalise
Schneider
Smiley
Smith, G.
Smith, J.D.-50th
Smith, J.H.-8th
Smith, J.R.-30th
St. Germain
Strain
Thompson
Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walsworth
White
Winston
Wooton

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House Bill No. 59
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Alario asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 59—

BY REPRESENTATIVES ALARIO, DORSEY, MCDONALD, SALTER, ANSARDI, BADON, BALDONE, BAUDOUIN, BAYLOR, BRUCE, BURRELL, K. CARTER, CURTIS, DAMICO, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FRITH, GLOVER, GRAY, E. GUILLORY, HARRIS, HILL, HUNTER, JACKSON, JEFFERSON, JOHNS, KENNEY, LAFLEUR, LAFONTA, LANCASTER, PIERRE, PINAC, PITRE, QUEZAIRE, RITCHIE, ST. GERMAIN, THOMPSON, AND WALKER AND SENATORS BAJOE, HINES, AND MOUNT

AN ACT

To enact R.S. 36:4(H) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:220.1 through 220.7, and to repeal R.S. 36:4(H) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:220.1 through 220.7, relative to the Louisiana Recovery Authority; to establish the Louisiana Recovery Authority in the office of the governor; to provide for the authority and its powers, functions, and duties; to provide for an executive director and the powers, functions, and duties of the executive director; to provide for the Louisiana Recovery Authority Board and its membership, powers, functions, and duties; to provide for the effectiveness of the provisions; to repeal all provisions relative to the Louisiana Recovery Authority; and to provide for related matters.

Read by title.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

On page 1, line 19 after "shall be placed" delete "within the division of administration" and after "office of the governor" insert "as provided in R.S. 36:801"

AMENDMENT NO. 2

On page 3, line 12 after "within the" delete "division of administration,"

AMENDMENT NO. 3

On page 3, line 26, after "B.(1)" insert "(a)"

AMENDMENT NO. 4

On page 4, line 1 after "shall be appointed" delete "from each" and delete line 2 and insert the following:

"from the Fourth, Fifth, and Sixth Congressional districts. As the existing members leave their appointments, the governor shall make appointments to the board to ensure that no less than three members each are representing the First, Second, Third, and Seventh congressional districts. However, the first appointments to fill board vacancies following the effective date of this Part shall ensure representation from the parishes of Lafourche or Terrebonne and also from St. Tammany, Washington, or Tangipahoa, such that both regions have representation on the authority. The board shall be composed of members who reflect the diversity of the state as to race and gender as nearly as practicable."

AMENDMENT NO. 5

On page 4, between lines 2 and 3, insert the following:

"(b) Notwithstanding any provision of law to the contrary, any member of the board of the Louisiana Recovery Authority, as it was established by executive order prior to the effective date of this Part, who is appointed to or remains appointed to the board of the authority as established in this Part shall be subject to the confirmation of the Senate."

AMENDMENT NO. 6

On page 4, delete lines 14 and 15 and insert the following:

"(5) Official action of the board shall require action by a majority of a quorum. A quorum shall be a majority of the number of voting members authorized by law."

AMENDMENT NO. 7

On page 5, line 29, delete "lending institution."

AMENDMENT NO. 8

On page 6, line 13, delete the period and insert "as follows:"

AMENDMENT NO. 9

On page 6, between lines 13 and 14, insert the following:

"(a) Any rule adopted by the board for its operation or governance shall be subject to the oversight of the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs in the manner provided for legislative oversight in the Administrative Procedure Law."

"(b) Any rule of the board or the authority, other than those provided for in Subparagraph (a) of this Paragraph shall be submitted for oversight to the committees of the Senate and the House of Representatives according to the subject matter as determined by the president of the Senate and the speaker of the House of Representatives."

AMENDMENT NO. 10

On page 7, line 2, change "At the same time as" to "Before"

AMENDMENT NO. 11

On page 7, delete line 7, and insert "objects to the proposal, the proposal shall be denied. If the appropriate oversight committee approves the proposal, the proposal shall be forwarded to the Legislative Committee on the"

AMENDMENT NO. 12

On page 7, line 11, after "(2)" insert "(a)"

AMENDMENT NO. 13

On page 7, between lines 15 and 16 insert the following:

"(b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph, whenever the proposal seeks approval to expend ten million dollars or more, the authority shall seek and obtain approval of a majority of the elected members of each house of the legislature. If the legislature is in session, the approval shall be by resolution. If the legislature is not in session, approval shall be obtained using the same mail ballot procedure used to obtain such approval of action of the interim emergency board."

AMENDMENT NO. 14

On page 9, line 18 delete "2008" and insert "2010"

AMENDMENT NO. 15

On page 9, line 19 after "Legislature" delete "every two years"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

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

"(4) The authority and the office of community development within the division of administration shall establish a clear and effective process for implementation of action plans for the CDBG program, including but not limited to providing for the preparation and review of draft plans, fiscal management, reporting, technical support, and all other support activities necessary to administration and complying with any other federal or state requirements."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

On page 8, on lines 21 and 22, delete "the division of administration, in"

AMENDMENT NO. 2

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 13, 2006 on page 1, line 11, delete "existing" and after "members" insert "serving on the Louisiana Recovery Authority as it was established by executive order prior to the effective date of this Part"

AMENDMENT NO. 3

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 13, 2006 on page 1, line 29, after "shall be" insert "not less than"

AMENDMENT NO. 4

In Senate Committee Amendment No. 14, proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 13, 2006, on page 2, line 29, after "2008" insert "or every two years thereafter, until July 1, 2016"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

On page 5, line 26, after "(6)" insert "(a)"

AMENDMENT NO. 2

On page 5, after line 29, insert:

"(b) No performance-based energy efficiency contract for any state or non-state purpose shall be made or executed by or on behalf of the authority, and no Community Development Block Grant Funds shall be expended, unless the contract complies with the provisions of R.S. 39:1496.1 and any rules or regulations promulgated thereunder and any evaluation of a contract proposal and the recommendation of the commissioner of administration is first approved by both the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 and 2 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 12, 2006

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 12 and 13 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 12, 2006

AMENDMENT NO. 2

On page 6, line 24, change "C.(1)" to "C.(1)(a)"

AMENDMENT NO. 3

On page 7, line 6, change "If the" to "(b) If the"

AMENDMENT NO. 4

On page 7, delete line 8 and insert the following:

"Budget. Whenever any proposal amounts to ten million dollars or more and is approved by the Joint Legislative Committee on the Budget, the authority shall submit the proposal for approval of a majority of the elected members of each house of the legislature. If the legislature is in session, the approval shall be by resolution. If the legislature is not in session, approval shall be obtained using the same mail ballot procedure used to obtain such approval of action of the interim emergency boards."

(c) If a proposal is approved as provided by Subparagraphs (a) and (b) of this Paragraph."

AMENDMENT NO. 5

On page 7, at the beginning of line 8, delete "Budget."

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

On page 8, between lines 2 and 3, insert the following:

"E. The Louisiana Recovery Authority shall work in partnership with the Coastal Protection and Restoration Authority, which has responsibilities for directing coastal protection and restoration efforts. The Coastal Protection and Restoration Authority shall be required to participate actively in the Louisiana Recovery Authority long-term planning process so that community and coastal protection plans are developed in a coordinated manner. The Louisiana Recovery Authority and the Coastal Protection and Restoration Authority shall jointly support requests for federal funding for the state's coastal protection and restoration needs."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 59 by Representative Alario

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 1 proposed by Senator Jones and adopted by the Senate on February 16, 2006.

Rep. Alario moved that the amendments proposed by the Senate be rejected.

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
Baylor	Hammett	Robideaux
Beard	Harris	Romero
Bowler	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Smiley
Burns	Honey	Smith, G.
Burrell	Hopkins	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kennard	Toomy
Damico	Kenney	Townsend
Daniel	Kleckley	Trahan
Dartez	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White
Durand	McDonald	Winston
Erdey	McVea	Wooton

Fannin
Farrar
Total - 100

Montgomery
Morrish

NAYS

Total - 0

ABSENT

Cravins
Jefferson
Total - 4

Lambert
Morrell

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 59: Reps. Alario, Salter, and DeWitt.

Suspension of the Rules

On motion of Rep. Baylor, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet upon recess of the House on Friday, February 17, 2006, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

Senate Bill No. 49

Recess

On motion of Rep. Dorsey, the Speaker declared the House at recess until 1:30 P.M.

After Recess

Speaker Salter called the House to order at 2:00 P.M.

House Bills and Joint Resolutions Returned from the Senate with Amendments

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

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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 88 by Representative Gray

AMENDMENT NO. 1

On page 1, line 5 after "include" insert "proposed"

AMENDMENT NO. 2

On page 1, line 16 change "Include an" to "Include a proposed"

AMENDMENT NO. 3

On page 2, line 1 between "The" and "evacuation" insert "proposed"

AMENDMENT NO. 4

On page 2, line 12 after "Include a" insert "proposed"

AMENDMENT NO. 5

On page 2, line 16 between "The" and "shelter" insert "proposed"

AMENDMENT NO. 6

On page 2, line 28 after "Include a" insert "proposed"

AMENDMENT NO. 7

On page 3, line 3 between "This" and "component" insert "proposed"

AMENDMENT NO. 8

On page 3, line 6 between "The" and "post-disaster" insert "proposed"

AMENDMENT NO. 9

On page 3, line 25 change "Assign" to "Propose the assignment of"

AMENDMENT NO. 10

On page 3, delete lines 27 and 28, and on page 4, delete lines 1 through 5 and insert the following:

"(b) Work in coordination with parish governing authorities to facilitate parish evacuation plans.

(c) Provide assistance to parish offices of emergency preparedness in the preparation of parish emergency operations plans."

AMENDMENT NO. 11

On page 4, line 12 after "Provide" delete "an" and before "initial" insert "proposed" and between "initial" and "report" insert "progress"

AMENDMENT NO. 12

On page 4, line 12 change "House Committee on Judiciary" to "House Committee on House and Governmental Affairs" and on line 13, change "Senate Committee on Judiciary A" to "Senate Committee on Senate and Governmental Affairs"

Rep. Gray moved that the amendments proposed by the Senate be concurred in.

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
Baldone
Baudoin
Beard
Bowler
Bruce
Bruneau
Burns
Carter, K.
Carter, R.
Cazayoux
Crane
Cravins
Crowe
Curtis
Damico
Daniel
Dartez
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar
Fauchaux
Frith

Total - 98

Greene
Guillory, E.
Guillory, M.
Hammett
Harris
Heaton
Hebert
Hill
Honey
Hopkins
Hunter
Hutter
Jackson
Johns
Katz
Kennard
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell

Pitre
Powell, M.
Powell, T.
Quezaire
Richmond
Ritchie
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
White
Winston
Wooton

NAYS

Total - 0

ABSENT

Badon
Barrow
Total - 6

Baylor
Burrell

Jefferson
Robideaux

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Gray, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate**APPOINTMENT OF
CONFERENCE COMMITTEE**

February 17, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 2: Senators Cain, Marionneaux, and N. Gautreaux.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
APPOINTMENT OF
CONFERENCE COMMITTEE

February 17, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 59: Senators Hines, Bajoie, and Ellington.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Introduction of Resolutions,
House and House Concurrent

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

HOUSE CONCURRENT RESOLUTION NO. 73—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, Crescent City Connection Division, to review the feasibility of restoring the Neville Levy Ferry to service between Chalmette and Algiers.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Toomy, 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

Suspension of the Rules

On motion of Rep. Toomy, the rules were suspended in order to call from the calendar Senate Bill No. 42 at this time.

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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Toomy to Engrossed Senate Bill No. 42 by Senator Lentini

AMENDMENT NO. 1

Delete House Committee Amendment No. 3 proposed by the House Committee on Judiciary and adopted by the House of Representatives on February 14, 2006.

AMENDMENT NO. 2

Delete Legislative Bureau Amendment No. 2 proposed by the Legislative Bureau and adopted by the House of Representatives on February 14, 2006.

AMENDMENT NO. 3

On page 1, line 10, change "February 1" to "March 1"

AMENDMENT NO. 4

On page 1, line 11, after "district court" delete the remainder of the line.

AMENDMENT NO. 5

On page 1, at the beginning of line 12, delete "and traffic court"

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

Downs
Durand
Erdey
Fannin
Farrar
Total - 97

McDonald
McVea
Morrell
Morrish
Odinet

White
Winston
Wooton

NAYS

Total - 0

ABSENT

Barrow
Cravins
Gallot
Total - 7

Glover
Jefferson
LaBruzzo

Montgomery

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 45—

BY SENATORS BAJOE 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dorsey to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

On page 3, below line 14, insert the following:

"E. The provisions of this Section shall be null and void and of no effect on and after June 30, 2009."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Romero to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

On page 2, at the end of line 11 insert:

"Centers in Iberia, Vermillion, and Cameron Parishes shall have at least one french speaking worker to assist displaced persons."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 16, after "organizations" and before "registered" insert "exempt from federal taxation under Section 501(c) of the Internal Revenue Code and"

AMENDMENT NO. 2

On page 3, below line 14, insert the following:

"E. Funding. (1) Any funds received in order to carry out the provisions of this Section shall be allocated among the impacted parishes in the proportion of sixty-percent to parishes impacted by Hurricane Katrina and forty-percent to parishes impacted by Hurricane Rita.

(2) No more than five percent of any funds received to carry out the provisions of this Chapter shall be allocated to administrative costs.

F. Termination. The provisions of this Section shall be null and void and of no effect on and after June 30, 2008 unless reenacted by the Louisiana Legislature for an additional period not to exceed two years."

Rep. Winston asked for and obtained a division of the question.

Rep. Hebert moved adoption of Amendment No. 1.

Rep. Dorsey objected.

By a vote of 52 yeas and 51 nays, the amendment was adopted.

Rep. Hebert moved adoption of Amendment No. 2.

Rep. Dorsey objected.

By a vote of 39 yeas and 61 nays, the amendment was rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katz to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

In House Floor Amendment No. 9 proposed by Representative Dorsey to Reengrossed Senate Bill No. 45 by Senator Bajoie (Duplicate of House Bill No. 98) and adopted by the House on February 15, 2006, on page 1, delete lines 23 through 28 in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert the following:

"B. Establishment of housing recovery centers.(1) The state housing agency shall develop criteria to be used to establish housing recovery centers throughout the state, which criteria shall be published in the official journal of each parish of the state.

(2) Not later than the thirtieth day of April of each year, commencing April 30, 2006, the state housing agency shall publish in the official journal of each parish a list of approved housing recovery centers.

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(3) No more than thirty housing recovery centers shall be established pursuant to the provisions of this Section.

(4) The state housing agency shall also develop a training program for all approved housing recovery centers."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

On page 4, between lines 9 and 10 insert:

"Section 3. The provisions of this Act are subject to the plan developed by the Louisiana Housing and Land Trust Corporation as provided for in the Act which originated as Senate Bill No. 49 of this Session."

Rep. Walsworth moved the adoption of the amendments.

Rep. Dorsey objected.

By a vote of 34 yeas and 68 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

On page 3, after line 29, add the following:

"C. No legislator nor member of a legislator's immediate family may receive funds or benefits provided for the program or from a non profit organization established pursuant to this Act."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Johns to Reengrossed Senate Bill No. 45 by Senator Bajoie

AMENDMENT NO. 1

On page 3, below line 14, insert the following:

"E. Funding. No more than five percent of any funds received to carry out the provisions of this Chapter shall be allocated to administrative costs."

Motion

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

Suspension of the Rules

On motion of Rep. Martiny, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

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

HOUSE BILL NO. 52—

BY REPRESENTATIVES MARTINY, BEARD, DANIEL, DOWNS, KATZ, SCHNEIDER, TUCKER, WOOTON, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BOWLER, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRANE, DAMICO, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FAUCHEUX, FRITH, M. GUILLORY, HAMMETT, HEATON, HILL, HOPKINS, JOHNS, KLECKLEY, LAMBERT, LANCASTER, McDONALD, MORRISH, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SMILEY, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, AND WHITE

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.

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 2, after "508.3" delete the remainder of the line, and on line 3, delete "38:291(A)(1), (F)(1)(a), and (L)(1),"

AMENDMENT NO. 2

On page 1, line 4, delete "508.4 and"

AMENDMENT NO. 3

On page 1, delete lines 6 and 7, and insert "through 248, relative to hurricane"

AMENDMENT NO. 4

On page 1, line 8, after "provide for the" delete the remainder of the line, and on line 9, delete "protection" and insert:

"reorganization of the office of public works and intermodal transportation into the office of public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 5

On page 1, line 9, after "Development" delete the remainder of the line, and delete lines 10 and 11, and insert:

"and provide for the office's powers, duties, and functions with respect to hurricane flood protection; to create the Hurricane Flood"

AMENDMENT NO. 6

On page 1, line 16, after "Protection" insert "Advisory"

AMENDMENT NO. 7

On page 2, delete lines 2 through 5, and insert "and to provide for"

AMENDMENT NO. 8

On page 2, delete line 8, and on line 9, delete "reenacted and" and insert "Section 1."

AMENDMENT NO. 9

On page 2, line 10, change "250" to "248"

AMENDMENT NO. 10

On page 2, delete lines 11 through 28, and on page 3, delete lines 1 through 24

AMENDMENT NO. 11

On page 5, line 16, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 12

On page 5, line 17, change "responsible" to "charged with the responsibility"

AMENDMENT NO. 13

On page 5, line 21, after "Protection" insert "Advisory"

AMENDMENT NO. 14

On page 5, delete lines 25 through 27

AMENDMENT NO. 15

On page 6, line 9, after "Protection" insert "Advisory"

AMENDMENT NO. 16

On page 6, line 10, change "systematically evaluate" to "advise and consult and recommend to the office with respect to"

AMENDMENT NO. 17

On page 6, line 19, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 18

On page 6, line 23, after "Protection" insert "Advisory"

AMENDMENT NO. 19

On page 6, line 25, after "Protection" insert "Advisory"

AMENDMENT NO. 20

On page 6, line 26, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 21

On page 7, line 25, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 22

On page 7, line 28, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 23

On page 7, line 29, change "the first meeting" to "meetings"

AMENDMENT NO. 24

On page 8, line 1, after "chairman." delete the remainder of the line, and delete lines 2 and 3

AMENDMENT NO. 25

On page 8, line 6, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 26

On page 9, delete lines 28 and 29, and on page 10, delete lines 1 through 6, and insert:

"F. The commission shall cease to exist after June 30, 2008, unless re-created by the legislature."

AMENDMENT NO. 27

On page 10, line 12, change "hurricane flood" to "public works, hurricane flood protection, and intermodal transportation" and on line 13, delete "protection"

AMENDMENT NO. 28

On page 11, line 16, after "office of" delete the remainder of the line, and delete line 17, and on line 18, delete "systematically evaluate" and insert:

"public works, hurricane flood protection, and intermodal transportation and shall be submitted to the commission for its advice and consultation. The"

AMENDMENT NO. 29

On page 11, line 18, at the end of the line change "and shall" to the following:

"shall be evaluated by the office of public works, hurricane flood protection, and intermodal transportation which shall"

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AMENDMENT NO. 30

On page 12, line 12, change "commission" to "office"

AMENDMENT NO. 31

On page 12, delete line 18 and on line 19, delete "commission" and insert:

"be compiled by the office and shall be considered by the"

AMENDMENT NO. 32

On page 12, delete line 21, and insert "B.(1) The"

AMENDMENT NO. 33

On page 12, line 22, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 34

On page 13, line 17, change "hurricane" to "public works, hurricane flood protection, and intermodal transportation" and on line 18, delete "flood protection"

AMENDMENT NO. 35

On page 14, line 15, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 36

On page 14, line 16, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 37

On page 14, line 17, change "solely be responsible for administering" to "have oversight of the administration of"

AMENDMENT NO. 38

On page 14, line 23, delete "care and"

AMENDMENT NO. 39

On page 14, line 26, change "hurricane flood protection" to "public works, hurricane flood protection, and intermodal transportation"

AMENDMENT NO. 40

On page 15, delete lines 7 through 29, and delete lines 16 through 22, and on page 23, delete lines 1 through 22

AMENDMENT NO. 41

On page 23, line 23, change "§250" to "§248"

AMENDMENT NO. 42

On page 24, line 1, after "508.3" delete "(A)"

AMENDMENT NO. 43

On page 24, line 2, change "36:508.4 and 509(B)(5) are" to "36:509(B)(5) is"

AMENDMENT NO. 44

On page 24, delete lines 18 and 19, and insert:

"of operations, the office of public works, hurricane flood protection, and intermodal transportation, and such other offices as shall be created by law."

AMENDMENT NO. 45

On page 24, at the end of line 24, change "and" to a comma ","

AMENDMENT NO. 46

On page 24, delete line 25, and insert:

"hurricane flood protection, and intermodal transportation, each"

AMENDMENT NO. 47

On page 24, delete line 29, and on page 25, line 1, delete "protection" and insert:

"public works, hurricane flood protection, and intermodal transportation,"

AMENDMENT NO. 48

On page 25, line 11, after "operations," insert "or" and after "public works" insert ", hurricane flood protection," at the end of the line, delete "or"

AMENDMENT NO. 49

On page 25, delete line 12 and insert "or any other office in the"

AMENDMENT NO. 50

On page 25, line 19, after "public works" insert ", hurricane flood protection,"

AMENDMENT NO. 51

On page 25, line 22, after "public works" insert ", hurricane flood protection,"

AMENDMENT NO. 52

On page 25, line 25, after "regulation of" insert:

"hurricane flood protection, including but not limited to the construction and design of a hurricane flood protection system consisting of levees and associated elements to provide protection against tidal surges within the Louisiana coastal zone as defined in R.S. 49:214.24, and other special hurricane flood protection programs as may be directed by the secretary, and with respect to"

AMENDMENT NO. 53

On page 25, line 27, delete ", except as provided by R.S. 36:508.4"

AMENDMENT NO. 54

On page 26, delete lines 3 through 28, and on page 27, delete lines 1 through 21, and insert:

"B. The office of public works, hurricane flood protection, and intermodal transportation shall be under the immediate supervision of the assistant secretary of the office of public works, hurricane flood protection, and intermodal transportation, who shall be appointed by the governor. He shall serve at the pleasure of the secretary. He shall be a competent engineer of recognized ability and standing who is experienced in the engineering duties pertaining to public works, hurricane flood protection, and intermodal transportation. He shall be licensed to practice civil engineering in Louisiana. He shall give his whole time to the duties of his office.

C. The assistant secretary shall have authority subject to approval of the secretary in accordance with applicable rules and

regulations of the civil service commission to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of the public works, hurricane flood protection, and intermodal transportation programs of the state.

D. He shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session, payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

E. Before entering upon the duties of his office he shall take the prescribed oath and give bond to the governor in the sum of ten thousand dollars, conditioned upon the faithful performance of his duties. This bond shall be approved by the governor and filed with the secretary of state. The cost of this bond may be paid by the department with approval of the secretary.

F. The assistant secretary of public works, hurricane flood protection, and intermodal transportation shall approve all plans, specifications, and estimates for the construction of all facilities and projects for which his office is responsible. He also shall have such other duties as may be assigned to him by the secretary, by the provisions of this Chapter, or by the laws of this state. He shall report the proceedings of his office annually to the secretary of the department and at such other times as the secretary may designate, and he shall make any additional reports as are required by the secretary.

G. The secretary is specifically authorized and empowered to perform any of the duties of the assistant secretary of public works, hurricane flood protection, and intermodal transportation when the assistant secretary is absent or incapacitated or when in the opinion of the secretary it would be in the best interest of the department. The assistant secretary of public works, hurricane flood protection, and intermodal transportation with approval of the secretary may designate a licensed engineer in the office of public works, hurricane flood protection, and intermodal transportation to perform any duties required of the assistant secretary.

* * *

AMENDMENT NO. 55

On page 28, line 2, change "R.S. 36:802" to "Part III of Chapter 22 of this Title"

AMENDMENT NO. 56

On page 28, line 23, after "office of" insert "public works,"

AMENDMENT NO. 57

On page 28, line 24, after "protection" insert ", and intermodal transportation"

AMENDMENT NO. 58

On page 29, line 20, after "office of" insert "public works,"

AMENDMENT NO. 59

On page 29, line 21, after "protection" insert ", and intermodal transportation"

AMENDMENT NO. 60

On page 30, delete lines 15 and 16, and insert:

"Section 4. The Louisiana State Law Institute is hereby directed to change the term "office of public works and intermodal

transportation" to "the office of public works, hurricane flood protection, and intermodal transportation" wherever it appears in the Louisiana Revised Statutes of 1950."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 52 by Representative Martiny

AMENDMENT NO. 1

Delete Amendment No. 12 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on February 15, 2006

AMENDMENT NO. 2

On page 5, line 17, change "responsible for" to "charged with oversight of"

AMENDMENT NO. 3

In Amendment No. 31 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on February 15, 2006, delete line 23 and insert in lieu thereof the following:

"be compiled by the office and shall be considered"

AMENDMENT NO. 4

In Amendment No. 40 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on February 15, 2006, change "delete lines 16 through 22" to "delete pages 16 through 22"

AMENDMENT NO. 5

On page 6, line 27, after "responsibility of" insert "advising the secretary relative to"

AMENDMENT NO. 6

On page 14, at the end of line 5, delete "by the" and at the beginning of line 6, delete "Department of Transportation and Development"

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

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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	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White
Fannin	McVea	Winston
Farrar	Montgomery	Wooton
Total - 102		

NAYS

Total - 0

ABSENT

Downs	Jefferson
Total - 2	

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Harris, 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. 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed Senate Bill No. 48 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 5, after "systems" and before "to allow" delete the semi-colon ";" and insert "and public postsecondary education institutions and systems;"

AMENDMENT NO. 2

On page 1, line 8, after "system" insert "or a public postsecondary education institution or system"

AMENDMENT NO. 3

On page 2, line 2, after "system" and before "who" insert "or of a public postsecondary education institution or system"

AMENDMENT NO. 4

On page 2, line 9, after "system" and before "and" insert "or of a public postsecondary education institution or system"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinot
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Badon	Glover	Powell, M.
Baldone	Gray	Powell, T.
Barrow	Greene	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kennard	Strain
Crowe	Kenney	Thompson
Curtis	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Trahan
Dartez	LaFonta	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Fannin	Morrell	
Total - 101		

NAYS

Total - 0

ABSENT

Guillory, M.	Hunter	Jefferson
Total - 3		

The Chair declared the above bill was finally passed.

Rep. Harris 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.

Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

HOUSE BILL NO. 2—

BY REPRESENTATIVES PINAC, BOWLER, ALEXANDER, ARNOLD, BAUDOIN, BAYLOR, BRUCE, BURRELL, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, E. GUILLORY, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LANCASTER, MARTINY, McDONALD, MCVEA, MORRISH, PIERRE, PITRE, T. POWELL, QUEZAIRE, RITCHIE, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, STRAIN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 22:1430.6(E), relative to bonds issued by the Louisiana Citizens Property Insurance Corporation; to provide for the payment of bonds; to provide for authority of the board; to provide for federal funds; and to provide for related matters.

Read by title.

CONFERENCE COMMITTEE REPORT**House Bill No. 2
by Representative Pinac**

February 17, 2006

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 2 by Representative Pinac, recommend the following concerning the Engrossed bill:

1. On page 1, line 9, after "E." insert "(1)"
2. In Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on February 16, 2006, on page 1, line 5, after "Program," insert "for those funds remaining after the bonds are paid off, satisfied, or defeased."
3. In Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on February 16, 2006, on page 1, after line 8, insert the following:

"(2) The governing board of the corporation shall report annually to the House Committee on Insurance and the Senate Committee on Insurance on its usage of any funds received pursuant to Paragraph (1) of this Subsection."

Respectfully submitted,

Representative Gil Pinac
Representative Shirley Bowler
Representative Karen R. Carter
Senator James David Cain
Senator Nick Gautreaux
Senator Robert "Rob" Marionneaux

Rep. Pinac moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Odinot
Alario	Faucheux	Pierre
Alexander	Frith	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.

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

Total - 100

NAYS

Total - 0

ABSENT

Guillory, M.	Jefferson
Hopkins	Kennard
Total - 4	

The Conference Committee Report was adopted.

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.

CONFERENCE COMMITTEE REPORT**Senate Bill No.14
by Senator Cain**

February 17, 2006

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

Ladies and Gentlemen:

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We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 14 by Senator Cain recommend the following concerning the Reengrossed bill:

1. That the House Floor Amendments, designated as HSASB14 425 383, No. 1 through 24 and which were proposed by Representative K. Carter and adopted by the House of Representative on February 10, 2006 be rejected.
2. That the House Floor Amendments, designated as HSASB14 200 355, No. 1 and 2 and which were proposed by Representative K. Carter and adopted by the House of Representative on February 14, 2006 be accepted.
3. That the House Floor Amendments, designated as HSASB14 200 501, No. 1 through 5 and which were proposed by Representative K. Carter and adopted by the House of Representative on February 14, 2006 be accepted.
4. That the following amendments to the Reengrossed Bill be adopted:

AMENDMENT NO. 1

On page 1, line 2 delete "1382(B)(7)(c), 1430.2(C),"

AMENDMENT NO. 2

On page 1, line 3 between "enact" and "R.S." insert "R.S. 12:202.1(E) and"

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 1, line 10 delete "from the Louisiana"

AMENDMENT NO. 5

On page 1, line 11 delete "Insurance Guaranty Association"

AMENDMENT NO. 6

On page 1, line 14 delete "22:1382(B)(7)(c), 1430.2(C)"

AMENDMENT NO. 7

On page 1, line 15 between "reenacted and" and "R.S." insert "R.S. 12:202.1(E)."

AMENDMENT NO. 8

On page 1, delete line 17 and insert the following:

"§202.1. Limitation on formation; exceptions

* * *

E. The provisions of this Section shall not apply to the Louisiana Citizens Property Insurance Corporation which was created and is governed by Subpart B of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 9

On page 2, delete lines 1 through 24

AMENDMENT NO. 10

On page 3, delete lines 2 through 6

AMENDMENT NO. 11

On page 3, line 8 after "Senate" insert "if the chairman is a designee of an elected official."

AMENDMENT NO. 12

On page 3, line 10 after "Senate." insert the following:

"No elected official who serves on the board will be confirmed by the Senate. Should any elected official designate a member who is not an elected official, that designee shall be confirmed by the Senate."

AMENDMENT NO. 13

On page 6, line 13 before "The" insert "A."

AMENDMENT NO. 14

On page 6, between lines 22 and 23 insert the following:

"B. The provisions of R.S. 12:202.1 shall not apply to the Louisiana Citizens Property Insurance Corporation."

AMENDMENT NO. 15

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

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

AMENDMENT NO. 16

On page 7, delete lines 1 and 2 and insert in lieu thereof the following:

"Code during such period. The provisions of this Section, shall be part of"

AMENDMENT NO. 17

On page 7, line 19 change "Section 2." to "Section 3."

Respectfully submitted,

Senator James D. Cain
Senator Donald R. Cravins
Senator Ed Murray
Representative Karen R. Carter
Representative Dan Morrish

Rep. Karen Carter moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrell
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.	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	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Darte	LaFleur	Trahan
DeWitt	LaFonta	Triche
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	White
Downs	Martiny	Winston
Durand	McDonald	Wooton
Erdey	McVea	
Fannin	Montgomery	
Total - 100		

NAYS

Total - 0

ABSENT

Guillory, M.	Tucker
Jefferson	Walsworth
Total - 4	

The Conference Committee Report 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. 14— BY REPRESENTATIVE DANIEL

A RESOLUTION

To urge and request the LSU Board of Supervisors and the search committee for a new system president to adhere to and maintain the highest of standards during the course of their search for that president.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 74— BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend the people of southeastern Pennsylvania for their generosity and compassion toward the citizens of Louisiana in the aftermath of Hurricanes Katrina and Rita.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Municipal, Parochial and Cultural Affairs

February 17, 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:

Senate Bill No. 49, by Duplessis
Reported with amendments. (10-0-1) (Regular)

ERNEST BAYLOR, JR.
Chairman

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

Privileged Report of the Legislative Bureau

February 17, 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. 49
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Suspension of the Rules

Rep. Gallot moved for a suspension of the rules in order to take
up and consider Senate Bill No. 49 at this time.

Rep. Walsworth objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Downs	Kenney
Alario	Durand	LaFleur
Ansardi	Fannin	LaFonta
Badon	Farrar	Marchand
Baldone	Faucheux	McDonald
Barrow	Frith	Montgomery
Baudoin	Gallot	Pierre
Baylor	Glover	Pinac
Burrell	Gray	Quezaire
Carter, K.	Guillory, E.	Richmond
Cazayoux	Guillory, M.	Ritchie
Crane	Hammett	Robideaux
Cravins	Harris	Romero
Curtis	Heaton	Smith, J.D.—50th
Damico	Hebert	Smith, J.R.—30th
Daniel	Hill	St. Germain
Darte	Honey	Thompson
DeWitt	Hunter	Townsend
Doerge	Hutter	Triche
Dorsey	Jackson	Winston
Total - 60		

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NAYS

Alexander	Kennard	Schneider
Beard	Kleckley	Smiley
Bowler	Lambert	Smith, J.H.—8th
Bruneau	Lancaster	Strain
Burns	Martiny	Toomy
Carter, R.	McVea	Trahan
Crowe	Morrish	Tucker
Erdey	Odinot	Waddell
Geymann	Pitre	Walker
Greene	Powell, M.	Walsworth
Johns	Powell, T.	White
Katz	Scalise	Wooton

Total - 36

ABSENT

Arnold	Hopkins	Morrell
Bruce	Jefferson	Smith, G.
Dove	LaBruzzo	

Total - 8

The motion not having received two-thirds vote of the members present and voting, the House refused to suspend the rules.

Suspension of the Rules

On motion of Rep. Toomy, 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

Suspension of the Rules

Rep. Toomy moved for a suspension of the rules in order to take up and consider Senate Bill No. 7 on the same legislative day it was reported by the Legislative Bureau.

Rep. Walsworth objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Powell, M.
Alexander	Guillory, E.	Powell, T.
Ansardi	Heaton	Ritchie
Baldone	Hebert	Robideaux
Baudoin	Hunter	Romero
Beard	Hutter	Scalise
Bruneau	Johns	Schneider
Burns	Katz	Smiley
Crane	Kennard	Smith, J.D.—50th
Crowe	Kenney	Smith, J.H.—8th
Curtis	Kleckley	Smith, J.R.—30th
Damico	LaBruzzo	Strain
Daniel	Lambert	Thompson
Dartez	Lancaster	Toomy
Dorsey	Martiny	Trahan

Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrish	Walsworth
Faucheux	Pierre	White
Frith	Pinac	Wooton
Geymann	Pitre	

Total - 65

NAYS

Alario	Doerge	LaFleur
Badon	Farrar	LaFonta
Barrow	Gallot	Marchand
Baylor	Gray	Morrell
Bowler	Greene	Odinot
Burrell	Guillory, M.	Quezaire
Carter, K.	Hammett	St. Germain
Carter, R.	Harris	Townsend
Cazayoux	Hill	Walker
Cravins	Honey	Winston
DeWitt	Jackson	

Total - 32

ABSENT

Arnold	Hopkins	Smith, G.
Bruce	Jefferson	
Dove	Richmond	

Total - 7

The rules were suspended.

SENATE BILL NO. 7—

BY SENATORS QUINN, ADLEY, BAJOE, BARHAM, BOASSO, BROOME, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, N. GAUTREAU, HINES, HOLLIS, JONES, LENTINI, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO AND REPRESENTATIVES ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BRUCE, BRUNEAU, BURRELL, CRANE, CRAVINS, DAMICO, DARTEZ, DORSEY, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GLOVER, GREENE, HARRIS, HEBERT, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARTINY, MCDONALD, MCVEA, PIERRE, PITRE, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JACK SMITH, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALSWORTH, WHITE AND WOOTON

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 7 by Senator Quinn

AMENDMENT NO. 1

Delete amendments 2, 3, 6, 7, 8, 13, and 14 proposed by the House Committee on Insurance and adopted by the House on February 16, 2006

Rep. Townsend moved the adoption of the amendments.

Rep. Toomy objected.

By a vote of 31 yeas and 66 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Reengrossed Senate Bill No. 7 by Senator Quinn

AMENDMENT NO. 1

On page 2, line 27, after "pursuant to" change "R.S. 22:1220." to "R.S. 22:658 or 1220, but not both."

Point of Order

Rep. Johns 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.

Rep. Townsend moved the adoption of the amendments.

Rep. Toomy objected.

By a vote of 40 yeas and 60 nays, the amendments were rejected.

Rep. Toomy moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Beard	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	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	Kennard	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
Dartez	LaFleur	Trahan

DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Total - 100

LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish

Triche
Tucker
Waddell
Walker
Walsworth
White
Winston
Wooton

NAYS

Total - 0

ABSENT

Baylor
Bowler
Total - 4

Hunter
Jefferson

The Chair declared the above bill was finally passed.

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

Rep. Richmond moved for a suspension of the rules in order to take up and consider Senate Bill No. 49 at this time.

Rep. Walsworth objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Marchand
Alario	Fannin	McDonald
Ansardi	Faucheux	Montgomery
Arnold	Frith	Morrell
Badon	Gallot	Odinet
Baldone	Glover	Pierre
Barrow	Gray	Pinac
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Bruce	Hammett	Ritchie
Burrell	Harris	Robideaux
Carter, K.	Heaton	Romero
Cazayoux	Hebert	Smith, J.D.—50th
Cravins	Hill	Smith, J.H.—8th
Curtis	Honey	Smith, J.R.—30th
Damico	Hunter	St. Germain
Dartez	Hutter	Strain
DeWitt	Jackson	Thompson
Doerge	Kenney	Townsend
Dorsey	LaFleur	Triche
Downs	LaFonta	Winston
Total - 63		

NAYS

Alexander	Johns	Scalise
Beard	Katz	Schneider
Bowler	Kennard	Smiley
Bruneau	Kleckley	Toomy
Burns	LaBruzzo	Trahan
Carter, R.	Lambert	Tucker

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Crowe
Daniel
Erdey
Geymann
Greene
Total - 33

Martiny
Morrish
Pitre
Powell, M.
Powell, T.
Waddell
Walker
Walsworth
White
Wooton

ABSENT

Crane
Dove
Farrar
Total - 8

Hopkins
Jefferson
Lancaster
McVea
Smith, G.

The motion not having received two-thirds vote of the members present and voting, the House refused to suspend the rules.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

February 17, 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. 65
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

House Concurrent Resolutions Returned from the Senate with Amendments

Rep. Crowe asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE CONCURRENT RESOLUTION NO. 65-
BY REPRESENTATIVE CROWE AND SENATORS NEVERS, QUINN,
AND SCHEDLER

A CONCURRENT RESOLUTION

To urge and request Governor Kathleen Babineaux Blanco to appoint no less than one representative from St. Tammany, Tangipahoa, and Washington parishes as a member of the Louisiana Recovery Authority in order to have a comprehensive and cohesive group working toward regional recovery efforts.

Read by title.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Original House Concurrent Resolution No. 65 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 2, after "appoint" insert "no less than one"

AMENDMENT NO. 2

On page 1, line 2, delete "of" and insert "from"

AMENDMENT NO. 3

On page 1, line 3, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 4

On page 1, line 3, delete "Parish" and insert "Parishes"

AMENDMENT NO. 5

On page 1, line 5, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 6

On page 1, line 5, delete "Parish" and insert "Parishes"

AMENDMENT NO. 7

On page 1, line 7, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 8

On page 1, line 7, delete "Parish" and insert "Parishes"

AMENDMENT NO. 9

On page 1, line 9, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 10

On page 1, line 9, delete "Parish" and insert "Parishes"

AMENDMENT NO. 11

On page 1, line 9, delete "is" and insert "are"

AMENDMENT NO. 12

On page 1, line 9, delete "an"

AMENDMENT NO. 13

On page 1, line 9, delete "part" and insert "parts"

AMENDMENT NO. 14

On page 1, line 11, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 15

On page 1, line 11, delete "Parish" and insert "Parishes"

AMENDMENT NO. 16

On page 1, delete lines 13 through 16 in their entirety.

AMENDMENT NO. 17

On page 1, line 18, after "appoint" delete "a" and insert "no less than one"

AMENDMENT NO. 18

On page 1, line 18 delete "of" and insert "from"

AMENDMENT NO. 19

On page 1, line 19, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 20

On page 1, line 19 delete "Parish" and insert "Parishes"

AMENDMENT NO. 21

On page 2, line 2, delete "director and president" and insert "directors and presidents"

AMENDMENT NO. 22

On page 2, line 3, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 23

On page 2, line 3, delete "Foundation" and insert "Foundations"

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

February 17, 2006

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

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

Senate Concurrent Resolution Nos. 25, 26, and 27

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR JACKSON AND REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to provide funding for Louisiana's indigent defense system and to amend the Stafford Act or any other appropriate legislation to permit funding for Louisiana's indigent defense system.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATORS HINES, MCPHERSON, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLÉSSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT,

HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON AND WOOTON

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of legendary Louisiana statesman and political icon, Camille F. Gravel.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR MURRAY
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take immediate action to provide federal financial assistance to aid Louisiana's recovery following the devastation caused by hurricanes Katrina and Rita, to expeditiously complete the needed repair to the levee system in the greater New Orleans area, to provide for the prompt construction of hurricane and tidal water protection for south Louisiana, and to provide assistance with coastal restoration and marsh management.

Read by title.

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

Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

HOUSE BILL NO. 59—
BY REPRESENTATIVES ALARIO, DORSEY, MCDONALD, SALTER, ANSARDI, BADON, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, CURTIS, DAMICO, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FRITH, GLOVER, GRAY, E. GUILLORY, HARRIS, HILL, HUNTER, JACKSON, JEFFERSON, JOHNS, KENNEY, LAFLEUR, LAFONTA, LANCASTER, PIERRE, PINAC, PITRE, QUEZAIRE, RITCHIE, ST. GERMAIN, THOMPSON, AND WALKER AND SENATORS BAJOE, HINES, AND MOUNT
AN ACT

To enact R.S. 36:4(H) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:220.1 through 220.7, and to repeal R.S. 36:4(H) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:220.1 through 220.7, relative to the Louisiana Recovery Authority; to establish the Louisiana Recovery Authority in the office of the governor; to provide for the authority and its powers, functions, and duties; to provide for an executive director and the powers, functions, and duties of the executive director; to provide for the Louisiana Recovery Authority Board and its membership, powers, functions, and duties; to provide for the effectiveness of the provisions; to repeal all provisions relative to the Louisiana Recovery Authority; and to provide for related matters.

Read by title.

CONFERENCE COMMITTEE REPORT
House Bill No. 59
by Representative Alario

February 17, 2006

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

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Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 59 by Representative Alario, recommend the following concerning the Reengrossed bill:

1. That Amendment Nos. 1 through 3, 5 through 9, 14, and 15 of the set of 15 amendments proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 12, 2006, be adopted.
2. That Amendment Nos. 4, 10 through 13 in the set of 15 amendments proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 12, 2006, be rejected.
3. That the Senate Floor Amendment proposed by Senator Jones and adopted by the Senate on February 16, 2006, be rejected.
4. That the Senate Floor Amendment proposed by Senator Dupre and adopted by the Senate on February 16, 2006, be adopted.
5. That Amendment No. 1 of the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on February 16, 2006, be rejected.
6. That Amendment Nos. 2, 3, 4, and 5 in the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on February 16, 2006, be adopted.
7. That the Senate Floor Amendment proposed by Senator Ellington and adopted by the Senate on February 16, 2006, be rejected.
8. That the set of two Senate Floor Amendments proposed by Senator Adley and adopted by the Senate on February 16, 2006, be adopted.
9. That Amendment Nos. 1, 3 and 4 of the set of four Senate Floor Amendments proposed by Senator Jones and adopted by the Senate on February 16, 2006, be adopted.
10. That Amendment No. 2 of the set of four Senate Floor Amendments proposed by Senator Jones and adopted by the Senate on February 16, 2006, be rejected.
11. That the Senate Floor Amendment proposed by Senator Dardenne and adopted by the Senate on February 16, 2006, be adopted.
12. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

In Senate Floor Amendment No. 4 of the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on February 16, 2006, on page 1, line 13, after "resolution" and before the period "." insert "or Act"

AMENDMENT NO. 2

In Senate Floor Amendment No. 4 of the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on February 16, 2006, on page 1, at the end of line 15, change "boards" to "board"

AMENDMENT NO. 3

In Senate Floor Amendment No. 5 of the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on February 16, 2006, on page 1, on line 19, after "line" change "8" to "9"

AMENDMENT NO. 4

On page 3, line 26, after "than" and before "members" change "thirty" to "thirty-three"

AMENDMENT NO. 5

On page 3, at the beginning of line 27, change "Twenty-six" to "Twenty-nine"

AMENDMENT NO. 6

On page 3, line 29, after "the" change "twenty-six" to "twenty-nine"

AMENDMENT NO. 7

On page 4, at the end of line 2, insert the following:

"The board shall be composed of members who reflect the diversity of the state as to race and gender to the greatest extent practicable."

AMENDMENT NO. 8

On page 4, line 5, after "than" change "eight" to "nine" and after "more than" change "nine" to "ten"

AMENDMENT NO. 9

On page 4, line 6, after "more than" change "nine" to "ten"

AMENDMENT NO. 10

On page 4, at the end of line 9, insert the following:

"Any vacancy occurring on the board as established by executive order prior to the effective date of this Act shall be filled with an appointment which complies with the requirements of Paragraph (1) of this Subsection with respect to the minimum representation from each congressional district."

Respectfully submitted,

Representative John A. Alario, Jr.
Representative Joe R. Salter
Representative Charlie DeWitt
Senator Donald E. Hines
Senator Diana E. Bajeie
Senator Noble E. Ellington

Rep. Alario moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Gray	Pitre
Ansardi	Greene	Powell, M.
Arnold	Guillory, E.	Powell, T.
Badon	Guillory, M.	Quezaire
Baldone	Harris	Richmond
Barrow	Heaton	Ritchie
Baudoin	Hebert	Robideaux
Baylor	Hill	Romero
Bowler	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hunter	Smiley
Burns	Hutter	Smith, G.

Burrell	Jackson	Smith, J.D.—50th
Carter, R.	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kennard	St. Germain
Cravins	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
Dartez	Lambert	Triche
DeWitt	Lancaster	Tucker
Doerge	Marchand	Waddell
Dorsey	Martiny	Walker
Dove	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Faucheux	Morrish	
Frith	Odinet	
Total - 97		

NAYS

Beard
Total - 1

ABSENT

Carter, K.	Farrar	Hammett
Downs	Geymann	Jefferson
Total - 6		

The Conference Committee Report 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. 15— BY REPRESENTATIVES WHITE AND KENNARD A RESOLUTION

To commend Russell Starns for being named the city of Central's 2005 Man of the Year.

Read by title.

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

HOUSE RESOLUTION NO. 16— BY REPRESENTATIVE GLOVER A RESOLUTION

To commend Pastor Michelle Johnson and other individuals involved in the 2006 International Apostolic/Prophetic Summit.

Read by title.

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

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Message from the Senate

ADOPTION OF CONFERENCE COMMITTEE REPORT

February 17, 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 the report of the Conference Committee on the disagreement to House Bill No. 2.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ADOPTION OF CONFERENCE COMMITTEE REPORT

February 17, 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 the report of the Conference Committee on the disagreement to Senate Bill No. 14.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

February 17, 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. 64
Returned without amendments

House Concurrent Resolution No. 67
Returned without amendments

House Concurrent Resolution No. 68
Returned without amendments

House Concurrent Resolution No. 69
Returned without amendments

House Concurrent Resolution No. 70
Returned without amendments

House Concurrent Resolution No. 71
Returned without amendments

House Concurrent Resolution No. 72
Returned without amendments

House Concurrent Resolution No. 74
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

February 17, 2006

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

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

Senate Concurrent Resolution Nos. 20, 22, 23, 24, 25, 26, and 27

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.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

February 17, 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 Bills:

Senate Bill Nos. 7, 8, 9, 14, 42, and 48

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 Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

February 17, 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 the report of the Conference Committee on the disagreement to House Bill No. 59.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Privileged Report of the Committee on Enrollment

February 17, 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. 13—

BY REPRESENTATIVES SMILEY, BEARD, BURNS, DANIEL, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, GREENE, M. GUILLORY, HUTTER, KATZ, KENNARD, LAMBERT, PITRE, M. POWELL, QUEZAIRE, SALTER, ST. GERMAIN, AND TUCKER

A RESOLUTION

To commend Secretary John Bradberry, Louisiana Department of Transportation and Development, for the outstanding job he has done and for his integrity and commitment to public service.

HOUSE RESOLUTION NO. 14—

BY REPRESENTATIVE DANIEL

A RESOLUTION

To urge and request the LSU Board of Supervisors and the search committee for a new system president to adhere to and maintain the highest of standards during the course of their search for that president.

HOUSE RESOLUTION NO. 15—

BY REPRESENTATIVES WHITE AND KENNARD

A RESOLUTION

To commend Russell Starns for being named the city of Central's 2005 Man of the Year.

HOUSE RESOLUTION NO. 16—

BY REPRESENTATIVE GLOVER

A RESOLUTION

To commend Pastor Michelle Johnson and other individuals involved in the 2006 International Apostolic/Prophetic Summit.

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 17, 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. 15—

BY REPRESENTATIVE HEBERT AND SENATOR N. GAUTREAUX

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals (DHH) to temporarily ease restrictions on the Sanitary Code for victims of Hurricane Katrina currently living in trailers.

HOUSE CONCURRENT RESOLUTION NO. 16—

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

A CONCURRENT RESOLUTION

To commend former House Speaker E.L. "Bubba" Henry upon the celebration of his seventieth birthday and to express enduring gratitude for his outstanding contributions to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 29—

BY REPRESENTATIVES GREENE, BALDONE, GALLOT, MARTINY, BAYLOR, BURRELL, JEFFERSON, KLECKLEY, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BAUDOUIN, BEARD, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CURTIS, DEWITT, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HILL, HOPKINS, KATZ, KENNEY, LAFLEUR, LANCASTER, MCDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, RITCHIE, SALTER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WOOTON

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN AND SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To amend HCR No. 85 from the 2005 Regular Session of the Louisiana Legislature, relative to the Wild-Caught Crawfish Task Force, to provide relative to its membership.

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.

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.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE ARNOLD

A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to recognize and honor the legislative intent of Acts 30 and 70 of the 2005 First Extraordinary Session of the Legislature, relative to the homestead exemption and special assessment level.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE DANIEL AND SENATOR MARIONNEAUX
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the tragic death of Ensign Van Andrew Wilson, United States Navy SEAL.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE SALTER AND SENATORS HINES AND ULLO
A CONCURRENT RESOLUTION

To commend the Honorable Carl N. Crane upon being named Legislator of the Year by the Louisiana Association of Principals.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To commend the Krewe of Angels upon its thirty-fourth annual Mardi Gras ball and to congratulate the king and queen.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Lieutenant General Russel Luke Honoré for his valiant and courageous leadership and service to his state and country during times of crisis.

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Brigadier General Sherian Grace Cadoria (Ret.) for her leadership, selfless service, and her many accomplishments and distinguished public service to her state and country.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend General Joe N. Ballard (Ret.) for his leadership, selfless service, and his many accomplishments and distinguished public service to his state and country.

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Lieutenant General Edward Honor (Ret.) for his leadership, selfless service, outstanding accomplishments, and distinguished public service to his state and country.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Major General Gregory Rountree (Ret.) for his leadership, selfless service, and his many accomplishments and distinguished public service to his state and country.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Major General Charles Edward Honoré (Ret.) for decades of his leadership and service to his state and country.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Brigadier General Jude W. P. Patin (Ret.) for his leadership, selfless service, outstanding accomplishments, and distinguished public service to his state and country.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Brigadier General Donald Joseph Delandro for his extraordinary service and great sacrifice for his country while serving in the United States Army.

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HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

To commend Major General Isaac D. Smith (Ret.) for his leadership, selfless service, outstanding accomplishments, and distinguished public service to his state and country.

HOUSE CONCURRENT RESOLUTION NO. 64—

BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Military Department, office of homeland security and emergency preparedness, which is under the authority of the governor and the adjutant general, in accordance with Executive Order KBB-06-04, to consider including an emergency alert system within the rapid communications system developed for times of disaster or emergencies.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE CROWE AND SENATORS NEVERS, QUINN, AND SCHEDLER
A CONCURRENT RESOLUTION

To urge and request Governor Kathleen Babineaux Blanco to appoint no less than one representative from St. Tammany, Tangipahoa, and Washington parishes as a member of the Louisiana Recovery Authority in order to have a comprehensive and cohesive group working toward regional recovery efforts.

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVES WALSWORTH, DOWNS, FANNIN, HUNTER, KATZ, KENNEY, McDONALD, AND THOMPSON
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Matthew Ron Barnes of West Monroe, a United States Marine who was killed in action in Iraq.

HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE SCALISE AND SENATORS HOLLIS, LENTINI, AND QUINN
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary, due to the many problems that have occurred in Jefferson Parish with the ZIP codes 70121 and 70123, to enact legislation to change the ZIP code in Jefferson Parish in the area currently covered by the United States Postal Service ZIP code 70121 to 70021 and to change the ZIP code in Jefferson Parish in the area currently covered by the United States Postal Service ZIP code 70123 to 70023 and also to assign the new ZIP codes to the main post office in Metairie.

HOUSE CONCURRENT RESOLUTION NO. 68—

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

To commend Tulane University Hospital and Clinic upon the occasion of their grand reopening on Tuesday, February 14, 2006.

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVES GRAY, BADON, K. CARTER, HARRIS, JEFFERSON, LAFONTA, MARCHAND, MORRELL, QUEZAIRE, AND RICHMOND AND SENATORS BAJOE, DUPLESSIS, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION

To commend the volunteers of the Commonwealth of Virginia and the Virginia Dental Association for their generosity in providing free health and dental care services to Louisiana citizens following Hurricane Katrina through their Mission of Mercy.

HOUSE CONCURRENT RESOLUTION NO. 70—

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

To commend Sister to Sister for their generosity in providing handbags and other personal items to Louisiana citizens following Hurricane Katrina through their Handbags of Hope relief project.

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To commend B Company, 54th Massachusetts Volunteer Infantry Civil War Reenactors for their kind and generous contribution to the Louisiana Legislative Black Caucus for the Katrina Disaster Relief Fund.

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVES ALARIO, BRUNEAU, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HILL, HONEY, HUTTER, JACKSON, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, McDONALD, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WOOTON AND SENATORS ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Camille F. Gravel, Jr. and to recognize his outstanding accomplishments and singular contributions to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 74—

BY REPRESENTATIVES SCALISE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, BURNS, BURRELL, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HILL, HONEY, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LANCASTER, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON
A CONCURRENT RESOLUTION

To commend the people of southeastern Pennsylvania for their generosity and compassion toward the citizens of Louisiana in the aftermath of Hurricanes Katrina and Rita.

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 17, 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. 1—

BY REPRESENTATIVES BURRELL AND GLOVER
AN ACT

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

HOUSE BILL NO. 2—

BY REPRESENTATIVES PINAC, BOWLER, ALEXANDER, ARNOLD, BAUDOUIN, BAYLOR, BRUCE, BURRELL, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, E. GUILLORY, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFONTA, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, PIERRE, PITRE, T. POWELL, QUEZAIRE, RITCHIE, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, STRAIN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

AN ACT

To enact R.S. 22:1430.6(E), relative to bonds issued by the Louisiana Citizens Property Insurance Corporation; to provide for the payment of bonds; to provide for authority of the board; to provide for federal funds; and to provide for related matters.

HOUSE BILL NO. 3—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact Sections 9(A) and 13 of Act 465 of the 2005 Regular Session of the Legislature, relative to revenue sharing; to provide for certain parish allocations for Fiscal Year 2005-2006; to provide with respect to the distribution of revenue sharing allocations in Orleans, Jefferson, Plaquemines, and St. Bernard parishes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 4—

BY REPRESENTATIVES LAFONTA, BRUNEAU, RICHMOND, ALARIO, BADON, BARROW, BAYLOR, BEARD, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DORSEY, FARRAR, FAUCHEUX, GLOVER, GRAY, GREENE, E. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LAFLEUR, MARCHAND, MARTINY, MCDONALD, MORRELL, ODINET, PIERRE, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, WADDELL, AND WOOTON

AN ACT

To enact R.S. 6:337 and to repeal R.S. 10:9-211, relative to insurance; to provide for handling and distribution of insurance settlement payments on homeowners' insurance claims; to provide for distribution of insurance settlement payment in excess of unpaid portion of secured indebtedness; to provide for enforcement; to provide for penalties; to authorize the commissioner to promulgate rules and regulations; and to provide for related matters.

HOUSE BILL NO. 17—

BY REPRESENTATIVES LABRUZZO AND KATZ
AN ACT

To enact R.S. 22:682, relative to homeowners' insurance damage claims; to provide for presumption of coverage; to provide for disaster related claims; to prohibit automatic denial of coverage; to provide for proof of losses; to provide for repairs; and to provide for related matters.

HOUSE BILL NO. 18—

BY REPRESENTATIVES HAMMETT, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOUIN, BEARD, BRUCE, BURNS, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HILL, HONEY, HOPKINS, HUNTER,

HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KLECKLEY, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, TOWNSEND, TRICHE, WADDELL, WALKER, WHITE, AND WINSTON

AN ACT

To amend and reenact Section 2 of Act No. 30 of the 2005 First Extraordinary Session of the Legislature, relative to the homestead exemption; to change the effective date for the provisions which provide for an extension of the homestead exemption when property is damaged or destroyed during a disaster or emergency declared by the governor; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 21—

BY REPRESENTATIVES HAMMETT, DORSEY, SALTER, SCALISE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS MOUNT, DUPRE, N. GAUTREAUX, MICHOT, AND NEVERS

AN ACT

To amend and reenact R.S. 47:293(3)(b)(i) and (7) and to enact R.S. 47:293(6)(a)(ix) and (f), 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 for federal income tax purposes; to provide for the deduction of expenses disallowed for federal income tax purposes; to extend the state income tax exemption for certain military personnel; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 27—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact Section 2 of Act No. 70 of the 2005 First Extraordinary Session of the Legislature and to direct the Louisiana Tax Commission to take certain actions to protect taxpayers and assessors until such Act is voted on, relative to the proposed constitutional amendment to provide for the continuation of the homestead exemption and special assessment level under certain specified circumstances; to change the date on which the proposed amendment shall be submitted to the electors; and to provide for related matters.

HOUSE BILL NO. 28—

BY REPRESENTATIVE LANCASTER AND SENATORS DARDENNE, DUPRE, ELLINGTON, FIELDS, JONES, AND ULLO
AN ACT

To repeal Act No. 24 of the 2005 First Extraordinary Session of the Legislature, to remove provisions for the holding and conduct of a special statewide election on the fifth Saturday in April of 2006 for the purpose of submitting constitutional amendments to the electors of the state.

HOUSE BILL NO. 29—

BY REPRESENTATIVE LANCASTER AND SENATOR DUPRE
AN ACT

To amend and reenact Section 3 of Act No. 69 of the 2005 First Extraordinary Session of the Legislature, relative to the proposed constitutional amendment to change the name of the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund and to provide relative to such fund; to change the date on which the proposed amendment shall be submitted to the electors; and to provide for related matters.

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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.

HOUSE BILL NO. 46—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1978.1(A)(1)(b) and (3)(b), (B)(1) and (2), and (C)(1)(a), to enact R.S. 47:1978.1(C)(4), and to repeal R.S. 47:1978.1(D), relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures to authorize taxpayers to elect the treatment of certain ad valorem property taxes for certain tax purposes; to limit the application of certain assessment procedures; and to provide for related matters.

HOUSE BILL NO. 47—

BY REPRESENTATIVES TRICHE, BALDONE, DOVE, AND PITRE AND
SENATORS CHAISSON, DUPRE, B. GAUTREAUX, AND ROMERO
AN ACT

To amend and reenact R.S. 38:291(F)(1) and (2)(introductory paragraph) and (f), (P)(1), and (T)(1), to enact R.S. 38:329.1 and 329.2, and to repeal R.S. 38:291(F)(2)(g), relative to the consolidation 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 and its powers and duties; to provide relative to boards of commissioners; to provide for the transfer of certain property and documents; to provide relative to certain payments; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 49—

BY REPRESENTATIVES ANSARDI AND TOOMY
AN ACT

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

HOUSE BILL NO. 52—

BY REPRESENTATIVES MARTINY, BEARD, DANIEL, DOWNS, KATZ, SCHNEIDER, TUCKER, WOOTON, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BOWLER, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRANE, CROWE, DAMICO, DEWITT, DORSEY, DOVE, ERDEY, FANNIN, FAUCHEUX, FRITH, M. GUILLORY, HAMMETT, HEATON, HILL, HOPKINS, JOHNS, KLECKLEY, LAMBERT, LANCASTER, MCDONALD, MORRISH, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, RITCHIE, SALTER, SMILEY, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, AND WHITE AND SENATORS DUPRE AND HINES
AN ACT

To amend and reenact R.S. 36:501(B) and (C)(1), 502(A) and (B), and 508.3 and R.S. 49:213.1(D), 213.4(A)(3) and (4), and 213.6(D)(1) and (2) and to enact R.S. 36:509(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 248, relative to hurricane flood protection levees; to provide for the reorganization of the office of public works and intermodal transportation into the office of public works, hurricane flood protection, and intermodal transportation within the Department of Transportation and Development and provide for the office's powers, duties, and functions with respect to hurricane flood protection; 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 Advisory Commission; to provide relative to the nomination and appointment of commissioners; to provide relative to the duties of such commission; and to provide for related matters.

HOUSE BILL NO. 59—

BY REPRESENTATIVES ALARIO, DORSEY, MCDONALD, SALTER, ANSARDI, BADON, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, CURTIS, DAMICO, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, FANNIN, FRITH, GLOVER, GRAY, E. GUILLORY, HARRIS, HILL, HUNTER, JACKSON, JEFFERSON, JOHNS, KENNEY, LAFLEUR, LAFONTA, LANCASTER, PIERRE, PINAC, PITRE, QUEZAIRE, RITCHIE, ST. GERMAIN, THOMPSON, AND WALKER AND SENATORS BAJOE, HINES, AND MOUNT
AN ACT

To enact R.S. 36:4(H) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:220.1 through 220.7, and to repeal R.S. 36:4(H) and Part V of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:220.1 through 220.7, relative to the Louisiana Recovery Authority; to establish the Louisiana Recovery Authority in the office of the governor; to provide for the authority and its powers, functions, and duties; to provide for an executive director and the powers, functions, and duties of the executive director; to provide for the Louisiana Recovery Authority Board and its membership, powers, functions, and duties; to provide for the effectiveness of the provisions; to repeal all provisions relative to the Louisiana Recovery Authority; and to provide for related matters.

HOUSE BILL NO. 60 (Duplicate of Senate Bill No. 34)—

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

To amend and reenact R.S. 47:305.1(B) and (C)(1), relative to exclusions and exemptions from state and local sales and use tax for ships and ships' supplies; to clarify that barges are included in the exemption for ships and ships' supplies as provided in R.S. 47:305.1(B); to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 61—

BY REPRESENTATIVES THOMPSON, DORSEY, HAMMETT, SALTER, ALARIO, ANSARDI, CAZAYOUX, DAMICO, DOERGE, DURAND, FRITH, GALLOT, HILL, KENNEY, LAFLEUR, MARTINY, MCDONALD, MONTGOMERY, PIERRE, PINAC, QUEZAIRE, JACK SMITH, JOHN SMITH, ST. GERMAIN, AND WOOTON AND SENATORS HINES, MOUNT, NEVERS, DUPRE, AND JONES
AN ACT

To amend and reenact R.S. 29:1(B), 722(A)(1), 724(B)(3), (C), and (D), 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. 29:725(H) and 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 power of 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.

HOUSE BILL NO. 70—

BY REPRESENTATIVES JEFFERSON, BURRELL, DORSEY, FAUCHEUX, GALLOT, GREENE, M. POWELL, RICHMOND, SMILEY, AND WHITE AND SENATORS BAJIOIE, DUPLESSIS, FIELDS, FONTENOT, JACKSON, AND SHEPHERD

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 regulations for local governments 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 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.

HOUSE BILL NO. 71—

BY REPRESENTATIVES ALARIO AND SCALISE

AN ACT

To provide for a special capital outlay authorization to enable the Department of Military Affairs to expend state and federal funds for the planning, repair, rebuilding, reconstruction, and replacement of Department of Military Affairs infrastructure, and otherwise to provide with respect thereto.

HOUSE BILL NO. 78—

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

AN ACT

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

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 proposed components providing for evacuation, shelter, post-disaster response and recovery, and lead and support responsibilities of state agencies; and to provide for related matters.

HOUSE BILL NO. 90—

BY REPRESENTATIVES HAMMETT, DORSEY, AND SALTER AND SENATORS BAJIOIE, HINES, AND MOUNT

AN ACT

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

HOUSE BILL NO. 93—

BY REPRESENTATIVES HAMMETT, DORSEY, AND SALTER AND SENATORS BAJIOIE, HINES, AND MOUNT

AN ACT

To enact the Supplemental Omnibus Bond Authorization Act, relative to an omnibus bond authorization; to provide for the issuance of bonds of the state to provide relief from natural

catastrophes; to provide for implementation of certain bond provisions of the Gulf Opportunity Zone Act of 2005; to provide a program to provide relief from natural catastrophes to certain affected political subdivisions of the state; to provide procedures for the issuance of the bonds; to authorize the Department of Economic Development to formulate a program for certain businesses for small business recovery; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 97 (Substitute for House Bill No. 42 by Representative K. Carter)—

BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOUIN, BAYLOR, BEARD, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DORSEY, DURAND, FANNIN, FAUCHEUX, FRITH, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, MARCHAND, MCDONALD, MCVEA, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATORS BROOME AND LENTINI

AN ACT

To amend and reenact R.S. 22:667.1 and 696 and to enact R.S. 22:1477, relative to homeowners' insurance policies; to provide for disclosure to policyholders of information regarding the terms and conditions of the policy; and to provide for related matters.

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.

Motion

On motion of Rep. Alario, the Speaker appointed the following special committee to notify the Governor that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Dorsey, John Smith, Pierre, Fannin, and Walker.

Motion

On motion of Rep. Alario, the Speaker appointed the following special committee to notify the Senate that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Ansardi, Cravins, Tank Powell, Barrow, and Katz.

Reports of Special Committees

The special committee appointed to notify the Governor that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The Speaker thanked and discharged the committees.

Committee from the Senate

A special committee from the Senate notified the House that the Senate has completed its labors and is prepared to adjourn *sine die*.

The Speaker thanked and dismissed the committee.

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Adjournment

On motion of Rep. Kenney, at 5:57 P.M., the House agreed to adjourn *sine die*

The Speaker of the House declared the House adjourned *sine die*.

ALFRED W. SPEER
Clerk of the House