

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

---

**FIFTEENTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, November 22, 2005

The Senate was called to order at 9:00 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

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

PRESENT

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

ABSENT

Total - 0

The President of the Senate announced there were 39 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Robert Jackson, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 44—**  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 22:1407(J) and Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.39, and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; to provide for agreements with other governmental entities; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for construction of industrial facilities; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshal; to repeal the current state uniform construction code; to provide for reduced rates or discounts on insurance premiums for insureds who comply with the state uniform construction code; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 89—**  
BY SENATOR JONES

AN ACT

To enact R.S. 18:401.3, relative to holding certain elections; to provide for elections impaired as a result of a gubernatorially declared disaster or emergency; to provide for procedures for voter registration, early voting, absentee voting by mail, and election day voting; to provide for compliance with the Voting Rights Act of 1965; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 29—**  
BY SENATOR ULLO AND REPRESENTATIVE CRANE  
A CONCURRENT RESOLUTION

To provide for legislative approval of adjustments adopted by the State Board of Elementary and Secondary Education on November 15, 2005 to the Minimum Foundation Program formula for FY 2005-06 previously developed and adopted by BESE on June 16, 2005 and approved by the Legislature as Senate Concurrent Resolution No. 125 of the 2005 Regular Session.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 5 by Representative Walker, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Walker, Jackson and Waddell.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 9 by Representative LaFleur, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives LaFleur, Lancaster and Cazayoux.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 40 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Hammett, McDonald and Townsend.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 41 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Hammett, Montgomery and Townsend.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 42 by Representative Montgomery, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Montgomery, Hammett and Marchand.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 156 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Alario, Salter and Hunter.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Appointment of Conference Committee  
on House Bill No. 5**

The President of the Senate appointed on the Conference Committee on House Bill No. 5 the following members of the Senate: Senators McPherson, Cheek and Fields.

**Appointment of Conference Committee  
on House Bill No. 9**

The President of the Senate appointed on the Conference Committee on House Bill No. 9 the following members of the Senate: Senators Hines, Duplessis and Cain.

**Appointment of Conference Committee on House Bill No. 40**

The President of the Senate appointed on the Conference Committee on House Bill No. 40 the following members of the Senate: Senators Mount, Kostelka and Ellington.

**Appointment of Conference Committee on House Bill No. 41**

The President of the Senate appointed on the Conference Committee on House Bill No. 41 the following members of the Senate: Senators Mount, Adley and Nevers.

**Appointment of Conference Committee on House Bill No. 42**

The President of the Senate appointed on the Conference Committee on House Bill No. 42 the following members of the Senate: Senators Mount, Shepherd and Murray.

**Appointment of Conference Committee on House Bill No. 156**

The President of the Senate appointed on the Conference Committee on House Bill No. 156 the following members of the Senate: Senators Hines, Heitmeier and Bajoie.

**Introduction of Senate Concurrent Resolutions**

The following Senate Concurrent Resolutions, were introduced and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 45—**  
 BY SENATORS MURRAY, 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, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, 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, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To commend Dr. Eric Baumgardner and the Senate and House staffs for their outstanding efforts in establishing and manning the Legislative Resource Center and related activities in the aftermath of hurricanes Katrina and Rita.

The resolution was read by title. Senator Murray moved to adopt the Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux B	Murray

Barham	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Ellington	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Broome
Boasso	Hollis
Total - 4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

November 21, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 72—**

BY REPRESENTATIVES BAUDOIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, 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, WOOTON, AND WRIGHT

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to task the Government Accountability Office with a complete audit of expenditures by the Federal Emergency Management Agency on Katrina and Rita recovery efforts in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 73—**

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

**A CONCURRENT RESOLUTION**

To commend the employees and management of the Sewerage and Water Board of New Orleans for their outstanding work during and following Hurricane Katrina.

November 22, 2005

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVE HUNTER AND SENATOR NEVERS
A CONCURRENT RESOLUTION

To authorize and direct the Department of Labor to provide the Senate and House Committees on Labor and Industrial Relations with an itemized list of state and federal funds received in the wake of Hurricanes Katrina and Rita.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVE HUNTER AND SENATOR NEVERS
A CONCURRENT RESOLUTION

To authorize and direct the Department of Labor to provide the Senate and House Committees on Labor and Industrial Relations with an itemized list of state and federal funds received in the wake of Hurricanes Katrina and Rita.

The resolution was read by title. Senator Nevers moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Mount
Adley Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Cain Jackson Romero
Chaisson Jones Schedler
Cheek Kostelka Shepherd
Cravins Lentini Smith
Dardenne Malone Theunissen
Duplessis Marionneaux Ullo
Dupre McPherson
Ellington Michot
Total - 34

NAYS

Total - 0

ABSENT

Amedee Broome Hollis
Boasso Heitmeier
Total - 5

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVES BAUDOIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, 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, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to task the Government Accountability Office with a complete audit of expenditures by the Federal Emergency Management Agency on Katrina and Rita recovery efforts in Louisiana.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Mount
Adley Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Cain Jackson Romero
Chaisson Jones Schedler
Cheek Kostelka Shepherd
Cravins Lentini Smith
Dardenne Malone Theunissen
Duplessis Marionneaux Ullo
Dupre McPherson
Ellington Michot
Total - 34

NAYS

Total - 0

ABSENT

Amedee Broome Hollis
Boasso Heitmeier
Total - 5

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 73—

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

A CONCURRENT RESOLUTION

To commend the employees and management of the Sewerage and Water Board of New Orleans for their outstanding work during and following Hurricane Katrina.

The resolution was read by title. Senator Bajoie moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Michot
Adley Fontenot Mount
Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Cain Heitmeier Quinn
Chaisson Jackson Romero
Cheek Jones Schedler
Cravins Kostelka Shepherd
Dardenne Lentini Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Ellington McPherson
Total - 35

NAYS

Total - 0

ABSENT

Amedee Broome  
Boasso Hollis  
Total - 4

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Concurrent Resolutions on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

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

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

The resolution was read by title.

**Floor Amendments Sent Up**

Senator Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jones to Original House Concurrent Resolution No. 56 by Representative Quezaire

**AMENDMENT NO. 1**

On page 1, after line 20, add the following:

"WHEREAS, the state must act in concert with its political subdivisions and place a premium on the creation of jobs for Louisiana workers and on the use of local vendors, suppliers, and contractors; and"

On motion of Senator Jones, the amendments were adopted.

Senator Jones moved to concur in the amended House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fields	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Marionneaux	Ullo
Duplessis	McPherson	
Dupre	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee Fontenot  
Broome Hollis  
Malone

Total - 5

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 66—**  
BY REPRESENTATIVE BEARD  
A CONCURRENT RESOLUTION

To urge and request elected officials not to accept campaign finance contributions from any person who has entered into a contract, subcontract, or transaction to provide goods or services related to hurricane rebuilding efforts, if such contract, subcontract, or transaction is under the jurisdiction or supervision of the agency of the elected official.

On motion of Senator Fontenot, the resolution was read by title and returned to the Calendar, subject to call.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 43—**  
BY SENATOR HEITMEIER  
A CONCURRENT RESOLUTION

To urge and request state agencies to cooperate to develop an easily accessible web site on which to post information about disaster related contracts.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 44—**

BY SENATORS BAJOIE, JONES, CRAVINS, MURRAY, FIELDS, DUPLESSIS, SHEPHERD, QUINN, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAU, 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, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend Lieutenant General Russel Honore for his outstanding leadership and incredible efforts in response to hurricanes Katrina and Rita.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Recess**

On motion of Senator Bajoie, the Senate took a recess until 11:00 o'clock A.M.

**After Recess**

The Senate was called to order at 11:00 o'clock A.M. by the President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

**ABSENT**

Total - 0

The President of the Senate announced there were 39 Senators present and a quorum.

**Senate Business Resumed**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 18—**

BY SENATOR SHEPHERD

**A CONCURRENT RESOLUTION**

To direct the secretary of state to establish a toll-free telephone line and advertise nationally for displaced Louisiana citizens to receive information related to the election process, including but not limited to, locating their voting place.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR MURRAY

**A CONCURRENT RESOLUTION**

To the Senate Committee on Judiciary C and the House Committee on the Administration of Criminal Justice to meet and function as a joint committee to study the practicality and feasibility of setting aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR NEVERS AND REPRESENTATIVE HUNTER

**A CONCURRENT RESOLUTION**

To request the Senate Committee on Labor and Industrial Relations and the House Committee on Labor and Industrial Relations to meet and to function as a joint committee to study advanced manufacturing/integrated systems technology training and other training opportunities in Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 45—**

BY SENATORS MURRAY, ADLEY, AMEDEE, BAJOIE, 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, 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, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To commend Dr. Eric Baumgardner and the Senate and House staffs for their outstanding efforts in establishing and manning the Legislative Resource Center and related activities in the aftermath of hurricanes Katrina and Rita.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 18—**

BY SENATOR HINES

**A RESOLUTION**

To recognize and commend Tommy Cvitanovich, owner of New Orleans' Drago's Seafood Restaurant and Oyster Bar, his family, friends, and dedicated restaurant staff for their humanitarian efforts in the aftermath of Hurricane Katrina.

On motion of Senator Hines, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 19—**  
BY SENATOR DARDENNE

A RESOLUTION

To commend David Dellucci, native of Baton Rouge and outfielder with the Texas Rangers, professional baseball team, for his efforts on behalf of Louisiana citizens displaced by hurricanes Katrina and Rita.

On motion of Senator Dardenne, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 20—**  
BY SENATOR BAJOIE

A RESOLUTION

To commend the employees of the Sewerage and Water Board of New Orleans for their heroic and outstanding efforts during and after Hurricane Katrina.

On motion of Senator Bajoie, the resolution was read by title and adopted.

**SENATE CONCURRENT RESOLUTION NO. 46—**  
BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pass the Family Education Reimbursement Act (H.R. 4097).

The resolution was read by title. Senator Michot moved to adopt the Michot.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Recess**

On motion of Senator Bajoie, the Senate took a recess until 1:30 o'clock P.M.

**After Recess**

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

**ROLL CALL**

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

PRESENT

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

ABSENT

Total - 0

The President of the Senate announced there were 39 Senators present and a quorum.

**Senate Business Resumed**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 16—**

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To enact R.S. 22:658(E), relative to settlement monies on claims arising under homeowners insurance policies; to require placement of monies into interesting-bearing accounts with the interest payable to the homeowner; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 48—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 22:696, relative to insurance coverage for property damage due to flooding; to require that itemized coverage limits be disclosed to the insured; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 55—  
BY SENATOR ADLEY

AN ACT

To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 107—  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 40:2109(B)(7) and to enact R.S. 40:2007.1 and 2116(J), relative to the licensure of healthcare providers; to provide relative to health care services in areas affected by declarations of emergency or disaster; to provide relative to the interruption of health care services; to provide relative to replacement and repair of health care facilities in certain areas; to provide relative to facility need review approvals for certain health care providers; to provide for licensure and facility need review; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

Message from the House

ADOPTION OF  
CONFERENCE COMMITTEE REPORT

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 156.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

Senate Bills and Joint Resolutions  
Returned from the House of  
Representatives with Amendments

Senator Hollis asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 44—  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 22:1407(J) and Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.39, and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; to provide for agreements with other governmental entities; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for construction of industrial facilities; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to

provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshal; to repeal the current state uniform construction code; to provide for reduced rates or discounts on insurance premiums for insureds who comply with the state uniform construction code; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 1, line 11, after "provisions;" insert "to provide for adoption of state uniform construction code;"

AMENDMENT NO. 7

On page 1, line 12, after "facilities;" insert "to provide for construction of farm or recreational structures; to provide for mandamus and injunctive relief;"

AMENDMENT NO. 8

On page 1, line 16, after "code;" delete the remainder of the line and delete line 17 in its entirety and insert "and to"

AMENDMENT NO. 9

On page 2, between lines 2 and 3, insert the following:  
"Section 1. R.S. 33:4773(D) is hereby amended and reenacted to read as follows:

§4773. Scope of building codes

\* \* \*

~~D. The performance of any enforcement procedure in connection with any building code shall be deemed to be a discretionary act and shall be subject to the provisions of R.S. 9:2798.1.~~ In connection with the construction of any building, structure, or other improvement to immovable property, neither the performance of any enforcement procedure nor any provision of a building code shall constitute or be construed as a warranty or guarantee by an enforcement agency as to durability or fitness, or as a warranty or guarantee by an enforcement agency that said building, structure, or other improvement to immovable property or any material, equipment, or method or type of construction used therein is or will be free from defects, will perform in a particular manner, is fit for a particular purpose, or will last in any particular way.

\* \* \*

AMENDMENT NO. 10

On page 2, line 3, change "Section 1." to "Section 2." and delete "R.S. 22:1407(J) and"

AMENDMENT NO. 11

On page 2, line 4, after "1730.39," change "are" to "is"

AMENDMENT NO. 12

On page 2, delete lines 6 through 12 in their entirety

AMENDMENT NO. 13

On page 2, line 20, insert a comma "," after "alteration"

AMENDMENT NO. 14

On page 2, line 23, insert a comma "," after "comfort" and after "security" delete "of" and insert "balanced with affordability for"

AMENDMENT NO. 15

On page 2, line 24, after "buildings," delete "balanced with affordability,"

AMENDMENT NO. 16

On page 2, at the end of line 25, insert the following:

"The state uniform construction code will encourage the use of construction materials of the greatest durability, lower long-term costs, and provide greater storm resistance."

AMENDMENT NO. 17

On page 3, line 9, insert a comma "," after "reviewers"

AMENDMENT NO. 18

On page 3, at the end of line 11, insert a semicolon ";" and "immunity"

AMENDMENT NO. 19

On page 3, line 13, delete the period "." after "created" and insert "and shall consist of nineteen members."

AMENDMENT NO. 20

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

AMENDMENT NO. 21

On page 3, delete lines 17 through 29 in their entirety and on page 4, delete lines 1 through 16 in their entirety

AMENDMENT NO. 22

On page 4, line 17, change "shall" to "must"

AMENDMENT NO. 23

On page 4, at the end of line 20, insert a comma "," after "officials"

AMENDMENT NO. 24

On page 4, line 22, delete the period "." after "Code" and delete the remainder of the line and delete lines 23 through 25 in their entirety and insert the following:

"[Part XIV (Plumbing) of the State Sanitary Code]. Specifically, the council shall establish the requirements and process for the certification and continuing education of code enforcement officers, code enforcement inspectors, and building officials and determine if any amendments to the state uniform construction code are justified. If the council determines that an amendment is justified, it may enact such an amendment after a finding on the record that the modification provides a reasonable degree of public health, safety, and welfare. The council shall adopt rules in accordance with the Administrative Procedure Act in order to implement the provisions of this Part."

AMENDMENT NO. 25

On page 4, line 27, delete "consistent with" and insert "under the Administrative Procedure Act in order to implement the provisions of"

AMENDMENT NO. 26

On page 4, line 29, delete the period "." after "council" and insert "within fourteen days of such request."

AMENDMENT NO. 27

On page 5, line 2, after "meeting," delete the remainder of the line and on line 3, delete "quorum."

AMENDMENT NO. 28

On page 5, line 3, after "meeting" change "is" to "shall be" and delete "public. An" and insert "public and any"

AMENDMENT NO. 29

On page 5, at the end of line 5, delete the period "." after "meeting" and insert "provided that a quorum is established prior to a vote. A majority of members of the council shall constitute a quorum."

AMENDMENT NO. 30

On page 5, between lines 5 and 6, insert the following:

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

AMENDMENT NO. 31

On page 5, line 8, change "only" to "the"

AMENDMENT NO. 32

On page 5, line 11, after "provisions of" delete the remainder of the line and insert "R.S. 51:912.21 et seq., as it relates to manufactured housing installation."

AMENDMENT NO. 33

On page 5, between lines 11 and 12, insert the following:

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

AMENDMENT NO. 34

On page 5, at the beginning of line 12, change "C." to "D."

AMENDMENT NO. 35

On page 5, line 15, after "guarantee by" delete "an" and insert "a governmental"

AMENDMENT NO. 36

On page 5, line 16, after "guarantee by" delete "an" and insert "a governmental"

AMENDMENT NO. 37

On page 5, line 19, change "matter," to "manner,"

AMENDMENT NO. 38

On page 5, at the end of line 21, insert a semicolon ";" and "private agreements"

AMENDMENT NO. 39

On page 5, line 23, change "third party" to "third-party"

AMENDMENT NO. 40

On page 5, line 26, change "third party" to "third-party"

AMENDMENT NO. 41

On page 6, line 1, delete "A commercial or residential contractor" and insert "Commercial and residential contractors"

AMENDMENT NO. 42

On page 6, line 2, change "third party" to "third-party" and after "providers to" delete "inspect and" and insert "conduct plans review and inspections and"

AMENDMENT NO. 43

On page 6, line 3, change "third party" to "third-party" and change "must" to "shall"

AMENDMENT NO. 44

On page 6, at the beginning of line 4, after "Council" delete the remainder of the line and insert the following:

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

AMENDMENT NO. 45

On page 6, at the beginning of line 7, delete "A." and at the end of the line change "council certified" to "council-certified"

AMENDMENT NO. 46

On page 6, line 9, delete "Section 1730.24" and insert "R.S. 40:1730.24"

AMENDMENT NO. 47

On page 6, line 10, change "council certified" to "council-certified" and after "official." insert the following:

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

AMENDMENT NO. 48

On page 6, line 12, change "council certified" to "council-certified"

AMENDMENT NO. 49

On page 6, delete lines 15 through 19 in their entirety

AMENDMENT NO. 50

On page 6, line 23, delete "Section 1730.28" and insert "R.S. 40:1730.28"

AMENDMENT NO. 51

On page 6, line 25, delete "Section 1730.28" and insert "R.S. 40:1730.28"

AMENDMENT NO. 52

On page 7, line 6, after "A." delete the remainder of the line, delete line 7 in its entirety, and on line 8, delete "shall enforce, on an emergency basis, all the" and insert "The"

AMENDMENT NO. 53

On page 7, line 10, after "modified in" delete the remainder of the line and insert the following:

"R.S. 40:1730.28(A)(3), and amending Section 301.2.1.1(2) to replace "Southern Building Code Congress International Standard for Hurricane Resistant Residential Construction (SSTD 10)" with the Guidelines for Hurricane Resistant Construction as published by the Institute for Business and Home Safety, 2005 shall apply to the parishes of Calcasieu, Cameron, Vermilion, Iberia, St. Tammany, Orleans, Jefferson, St. Bernard, Plaquemines, Terrebonne, and Lafourche."

AMENDMENT NO. 54

On page 7, line 17, delete "Section 1730.23" and insert "R.S. 40:1730.23 and 1730.24"

AMENDMENT NO. 55

On page 7, line 19, after "Section" delete "within ninety days of enactment of this Act," and insert "on the effective dates provided for in Subsection D of this Section,"

AMENDMENT NO. 56

On page 7, between lines 21 and 22, insert the following:

"D. The provisions of this Section shall go into effect thirty days from the effective date of this Part for parishes and municipalities that have code enforcement procedures in place on the effective date of this Part. For those parishes and municipalities without code enforcement procedures, the provisions of this Section shall be applied no later than ninety days from the effective date of this Part."

AMENDMENT NO. 57

On page 7, line 25, delete "by reference"

AMENDMENT NO. 58

On page 7, line 27, delete "and the" and insert a comma "," and "not including Chapter 27-Electrical and Chapter 29-Plumbing Systems. The applicable"

AMENDMENT NO. 59

On page 7, at the beginning of line 28, after "code" insert "are included"

AMENDMENT NO. 60

On page 8, line 6, change "parts" to "Parts"

AMENDMENT NO. 61

On page 8, line 7, delete "IV-Energy Conservation,"

AMENDMENT NO. 62

On page 8, line 14, after "and" and before "only" insert "shall"

AMENDMENT NO. 63

On page 8, between lines 15 and 16, insert the following:

"(a) Item 2, the Southern Building Code Congress International, Standard for Hurricane Resistant Residential Construction (SSTD 10), shall be replaced by the Institute for Business & Home Safety, Guidelines for Hurricane Resistant Construction, 2005."

AMENDMENT NO. 64

On page 8, at the beginning of line 16, change "(a)" to "(b)" and delete the parentheses before "Design" and after "Criteria"

AMENDMENT NO. 65

On page 8, at the beginning of line 17, change "(b)" to "(c)"

AMENDMENT NO. 66

On page 8, at the beginning of line 21, change "(d)" to "(e)"

AMENDMENT NO. 67

On page 8, line 28, after "Code" delete the comma "," and delete the remainder of the line and on line 29, delete "Electrical and Chapter 19 - Plumbing Systems," and insert "[Part XIV (Plumbing) of the State Sanitary Code]"

AMENDMENT NO. 68

On page 9, at the end of line 2, insert the following:

"Nothing in this Part shall be construed so as to prevent the state health officer from enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility."

AMENDMENT NO. 69

On page 9, between lines 24 and 25, insert the following:

"(8) 562211/562212 hazardous and solid waste landfills,"

AMENDMENT NO. 70

On page 9, at the beginning of line 25, change "(8)" to "(9)"

AMENDMENT NO. 71

On page 9, at the beginning of line 26, change "(9)" to "(10)"

AMENDMENT NO. 72

On page 9, at the beginning of line 27, change "(10)" to "(11)"

AMENDMENT NO. 73

On page 9, at the beginning of line 28, change "(11)" to "(12)"

AMENDMENT NO. 74

On page 9, at the beginning of line 29, change "(12)" to "(13)"

AMENDMENT NO. 75

On page 9, after line 29, insert the following:  
 "(14) 211112 natural gas processing plants."

AMENDMENT NO. 76

On page 10, line 1, after "farm" insert "or recreational"

AMENDMENT NO. 77

On page 10, line 5, delete the comma "," after "including" and after "limited to"

AMENDMENT NO. 78

On page 10, line 11, delete the period "." after "structure" and insert "or private outdoor recreational structure, other than a residence or structure attached to a residence, such as a hunting or fishing camp."

AMENDMENT NO. 79

On page 10, delete lines 15 through 19 in their entirety

AMENDMENT NO. 80

On page 10, at the beginning of line 20, change "E." to "D."

AMENDMENT NO. 81

On page 10, line 22, after "farm" insert "or private outdoor recreational"

AMENDMENT NO. 82

On page 10, line 27, after "provided" delete "for" and insert a comma "," after "district"

AMENDMENT NO. 83

On page 10, line 28, insert a comma "," after "general"

AMENDMENT NO. 84

On page 11, line 3, after "fees" delete the semicolon ";" and delete the remainder of the line

AMENDMENT NO. 85

On page 11, line 21, change "registrations" to "registration"

AMENDMENT NO. 86

On page 12, line 2, after "Ethics" change the period "." to a comma "," and insert "provided however, that when any member of the council has a real or perceived conflict of interest upon an issue before the council, he shall recuse himself from participation in that issue by providing a verbal explanation of the real or perceived conflict to the council."

AMENDMENT NO. 87

On page 12, line 20, after "agency" insert "that is prescribed by the council"

AMENDMENT NO. 88

On page 12, line 27, delete "examination" and insert "certification by a recognized code organization or testing agency"

AMENDMENT NO. 89

On page 13, delete lines 1 through 3 in their entirety and insert the following:

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

AMENDMENT NO. 90

On page 13, line 4, insert a comma "," after "municipality"

AMENDMENT NO. 91

On page 13, line 6, delete "examination which" and insert "certification by a recognized code organization or testing agency, provided that such individual is under the supervision of a code enforcement officer who is certified by the International Code Council. Such provisional certificate of registration"

AMENDMENT NO. 92

On page 13, at the end of line 8, delete the period "." and insert "except as provided in Subsection B of this Section."

AMENDMENT NO. 93

On page 13, at the end of line 13, insert a semicolon ";" and "violations; penalty"

AMENDMENT NO. 94

On page 13, line 15, after "person" delete the comma "," and delete the remainder of the line and delete line 16 in its entirety and on line 17, delete "intentionally violates" and insert "violating"

AMENDMENT NO. 95

On page 13, line 17, delete "shall be" and insert "is"

AMENDMENT NO. 96

On page 13, line 18, change "may" to "must"

AMENDMENT NO. 97

On page 14, line 3, after "registration" insert "issued under R.S. 40:1730.35(B)" and change "two years" to "one year"

AMENDMENT NO. 98

On page 14, line 5, after "determination by" insert "the" and at the end of the line delete "approved" and insert "council-approved"

AMENDMENT NO. 99

On page 14, line 9, after "registrants" insert "under R.S. 40:1730.35(B)"

AMENDMENT NO. 100

On page 14, line 11, after "marshal" delete the remainder of the line

AMENDMENT NO. 101

On page 14, line 13, delete "permitting and"

AMENDMENT NO. 102

On page 14, at the end of line 14, delete "Section" and at the beginning of line 15, delete "1730.24" and insert "R.S. 40:1730.24"

AMENDMENT NO. 103

On page 14, delete lines 23 through 26 in their entirety

AMENDMENT NO. 104

On page 14, line 27, change "Section 2." to "Section 3."

AMENDMENT NO. 105

On page 14, line 29, change "Section 3." to "Section 4."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

Delete House Floor Amendment Nos. 31, 33 and 34 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

Delete House Floor Amendment No.1 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 2

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

AMENDMENT NO. 3

Delete House Floor Amendment No.8 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 4

Delete House Floor Amendment No.10 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 5

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

AMENDMENT NO. 6

Delete House Floor Amendment No.11 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 7

Delete House Floor Amendment No.12 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 6, line 3, after "be" insert "a Louisiana licensed architect or engineer or"

AMENDMENT NO. 2

In House Floor Amendment No. 53 proposed by Rep. Pinac and adopted by the House of Representatives on November 20, 2005, on line 13, after "40:1730.28(A)(3)," delete the remainder of the line, delete lines 14 through 16 in their entirety, on line 17 delete "and Home Safety, 2005", and on line 17, after "apply" delete "to" and insert "within"

AMENDMENT NO. 3

Delete House Floor Amendment No.'s 63 through 66 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 4

Delete House Floor Amendment No.95 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 5

Delete House Floor Amendment No. 96 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005.

AMENDMENT NO. 6

On page 13, line 18, after "conviction," delete "may" and insert "shall"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

In House Floor Amendment No. 56 proposed by Representative Pinac and adopted by the House of Representatives on November 20, 2005, after line 32, insert the following:

"E. The Department of Public Safety and Corrections, Office of State Fire Marshal, may establish contract agreements with parishes, municipalities, and third-party providers in order to provide enforcement of this Section."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 9, delete lines 9 and 10 in their entirety and insert the following:

"B. The initial code adopted by the council under the provisions of this Part shall become effective on January 1, 2007."

Senator Hollis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fontenot	Mount
Amedee	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Dupre	Malone	
Total - 32		

NAYS

Total - 0

ABSENT

Bajoie	Fields	Romero
Broome	Marionneaux	
Duplessis	Michot	
Total - 7		

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 89—

BY SENATOR JONES AND REPRESENTATIVES BRUNEAU AND LANCASTER

AN ACT

To enact R.S. 18:401.3, relative to holding certain elections; to provide for elections impaired as a result of a gubernatorially declared disaster or emergency; to provide for procedures for voter registration, early voting, absentee voting by mail, and election day voting; to provide for compliance with the Voting Rights Act of 1965; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

"§401.3 Emergency plan by secretary of state; gubernatorial and legislative approval

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

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

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

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

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

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

(ii) A copy of the emergency plan.

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

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

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

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

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

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

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

Senator Jones moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Murray
Adley	Gautreaux B	Nevers
Amedee	Gautreaux N	Quinn
Boasso	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Check	Jones	Theunissen
Cravins	Lentini	Ullo
Dardenne	McPherson	
Dupre	Mount	
Total - 28		

**NAYS**

Total - 0

ABSENT

Bajoie	Fields	Marionneaux
Barham	Fontenot	Michot
Broome	Kostelka	Romero
Duplessis	Malone	
Total - 11		

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Reports of Committees**

The following reports of committees were received and read:

**CONFERENCE COMMITTEE REPORT**  
House Bill No. 156 By Representative Alario

November 22, 2005

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. 156 by Representative Alario, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendment Nos. 1 through 4, 6 through 8, 10, 11, and 13 through 23 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, be adopted.
2. That Senate Committee Amendment Nos. 5, 9, 12, and 24 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, be rejected.
3. That Senate Floor Amendment Nos. 1, 2, 3, and 5 in the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, be adopted.
4. That Senate Floor Amendment No. 4 in the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, be rejected.
5. That the Senate Floor Amendment (SFAHB156 BROUSSAT 872) proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, be adopted.
6. That the Senate Floor Amendment proposed by Senator Adley and adopted by the Senate on November 20, 2005, be adopted.
7. That the Senate Floor Amendment proposed by Senator Hollis and adopted by the Senate on November 20, 2005, be rejected.
8. That the set of Senate Floor Amendments proposed by Senator Shepherd and adopted by the Senate on November 20, 2005, be rejected.
9. That the Senate Floor Amendment (SFAHB156 OGLESBEJ 832) proposed by Senator Dardenne and adopted by the Senate on November 20, 2005, be rejected.
10. That the Senate Floor Amendment (SFAHB156 PRATHERT 833) proposed by Senator Dardenne and adopted by the Senate on November 20, 2005, be rejected.

11. That the Senate Floor Amendment proposed by Senator Marionneaux and adopted by the Senate on November 20, 2005, be rejected.
12. That the Senate Floor Amendment proposed by Senator Fontenot and adopted by the Senate on November 20, 2005, be rejected.
13. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 10 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 22, after "however, that" and before "the table" insert "effective on February 27, 2006,"

AMENDMENT NO. 2

In Senate Committee Amendment No. 10 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 23, change "seven (7)" to "four (4)"

AMENDMENT NO. 3

In Senate Committee Amendment No. 10 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 24, change "seven (7)" to "four (4)"

AMENDMENT NO. 4

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 2, line 45, after "as the" and before "technical" insert "establishment of the"

AMENDMENT NO. 5

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 1, after "System" and before "Act" delete "established by" and insert "pursuant to"

AMENDMENT NO. 6

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, at the end of line 2, change "submit" to "report on" and at the beginning of line 3, delete "proposed"

AMENDMENT NO. 7

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 4, change "February 15" to "March 1"

AMENDMENT NO. 8

In Senate Committee Amendment No. 19 in the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 8, after "2006" and the period "." delete the remainder of the line and delete lines 9 through 15 in their entirety.

AMENDMENT NO. 9

On page 3, at the end of line 3, change "\$40,000,000" to "\$36,570,000"

AMENDMENT NO. 10

On page 4, at the end of line 14, change "\$6,798,660" to "\$6,858,222"

AMENDMENT NO. 11

On page 4, at the end of line 26, change "\$4,063,716" to "\$4,134,788"

AMENDMENT NO. 12

On page 5, delete lines 6 through 9 in their entirety.

AMENDMENT NO. 13

On page 5, at the end of line 11, change "\$200,000" to "\$190,000"

AMENDMENT NO. 14

On page 5, line 12, after "The" and before "line item" delete "balances for" and insert the following:

"commissioner of administration is authorized and directed to reduce the balances of the State General Fund (Direct)"

AMENDMENT NO. 15

On page 5, line 13, after "for the" and before "state" insert "following agencies of the"

AMENDMENT NO. 16

On page 5, delete lines 17 through 18, and insert the following:  
 "outstanding unsettled claims in the following amounts, provided that the commissioner is authorized to satisfy such unsettled claims from such amounts, and the amount of the balances as provided in this Section may be reduced as is necessary to accomplish such settlements:"

AMENDMENT NO. 17

On page 10, between lines 9 and 10, insert the following:  
 "Section 14. In Schedule 19 of Act 16 of the 2005 Regular Session of the Legislature with respect to the appropriation for 19-649 LOUISIANA COMMUNITY AND TECHNICAL COLLEGES BOARD OF SUPERVISORS, on page 197, line 30, after "schools and" delete the remainder of the line and insert "may be expended."

AMENDMENT NO. 18

On page 10, line 10, change "Section 12. This" to "Section 15. The provisions of Sections 1 through 12, 14, and 15 of this"

AMENDMENT NO. 19

On page 10, line 13, after "legislature" and the comma "," and before "this Act" insert "Sections 1 through 12, 14, and 15 of"

AMENDMENT NO. 20

On page 10, at the end of line 14, insert the following:  
 "The provisions of Section 13 of this Act shall become effective on January 1, 2006. If vetoed by the governor and subsequently approved by the legislature, Section 13 of this Act shall become effective on January 1, 2006."

Representatives: John A. Alario, Jr.  
 Joe R. Salter  
 Willie Hunter, Jr.

Respectfully submitted,  
 Senators: Francis C. Heitmeier  
 Donald E. Hines  
 Diana Bajoie

**Rules Suspended**

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Heitmeier, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray

Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the Conference Committee Report was adopted. Senator Heitmeier moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 46—**

BY SENATOR MICHOT

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to pass the Family Education Reimbursement Act (H.R. 4097).

Reported without amendments.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 148 by Representative Arnold, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Arnold, Hammett and Frith.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**Appointment of Conference Committee on House Bill No. 148**

The President of the Senate appointed on the Conference Committee on House Bill No. 148 the following members of the Senate: Senators Adley, Murray and Theunissen.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments**

Senator Schedler asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

**SENATE BILL NO. 16—**

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

**AN ACT**

To enact R.S. 22:658(E), relative to settlement monies on claims arising under homeowners insurance policies; to require placement of monies into interest-bearing accounts with the interest payable to the homeowner; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 16 by Senator Schedler

**AMENDMENT NO. 1**

On page 1, line 11, at the beginning of the line change "Every" to "If"

**AMENDMENT NO. 2**

On page 1, line 12, change "security interest in" to "mortgage on"

**AMENDMENT NO. 3**

On page 1, line 13, change "shall be" to "is"

**AMENDMENT NO. 4**

On page 1, line 13, after "insurer" and before "made" change "and" to a comma ","

**AMENDMENT NO. 5**

On page 1, line 14, change "security interest" to "mortgage"

**AMENDMENT NO. 6**

On page 1, line 15, change "and the" to "then"

**AMENDMENT NO. 7**

On page 1, line 15, between "proceeds" and "shall" insert the following:  
", as defined in Paragraph (3) of this Subsection."

**AMENDMENT NO. 8**

On page 2, delete line 1 in its entirety and insert in lieu thereof the following:

"mortgage listed in the policy or the mortgagee's loan servicing agent shall deposit the settlement proceeds in an interest-bearing"

**AMENDMENT NO. 9**

On page 2, line 4, change "security interest in" to "mortgage on"

**AMENDMENT NO. 10**

On page 2, between lines 6 and 7, insert the following:  
"(3) As used in this Subsection, "settlement proceeds" means funds paid on an insurance claim for damage to residential immovable property where the funds are in the amount of twenty-five thousand dollars or more, and are held in an interest-bearing account for sixty days or more. Interest-bearing accounts required under the provisions of this Subsection may include separate individual accounts or custodial accounts. For purposes of this Subsection, compliance with Fannie Mae or Freddie Mac servicing guidelines for disposition of proceeds and maintaining funds in interest-bearing accounts constitutes compliance."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Engrossed Senate Bill No. 16 by Senator Schedler

**AMENDMENT NO. 1**

In Amendment No. 10 proposed by the House Committee on Insurance and adopted by the House on November 21, 2005, on page 1, line 25, after "property" and before "where" insert "as a result of Hurricane Katrina or Hurricane Rita, and"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 16 by Senator Schedler

**AMENDMENT NO. 1**

On page 1, line 2, change "22:658(E)" to "10:9-211"

**AMENDMENT NO. 2**

On page 1, line 6, change "22:658(E)" to "10:9-211"

**AMENDMENT NO. 3**

On page 1, delete lines 7 through 10 and insert the following:  
"§9-211. Duty of secured party upon payment of insurance claim for damage to mortgaged property"

**AMENDMENT NO. 4**

On page 1, line 11, change "E.(1)" to "(a)"

**AMENDMENT NO. 5**

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

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Johns to Engrossed Senate Bill No. 16 by Senator Schedler

**AMENDMENT NO. 1**

On page 2, at the end of line 6, add the following:  
"The person holding the security interest in the property shall cooperate fully with the claimant and the claimant's insurer in releasing funds in a timely manner to replace or repair the damaged property."

Senator Schedler moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President                  Dupre                          Marionneaux

Adley	Ellington	McPherson
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Michot  
Total - 1

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 48—**  
BY SENATOR MURRAY

AN ACT

To enact R.S. 22:696, relative to insurance coverage for property damage due to flooding; to require that itemized coverage limits be disclosed to the insured; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 48 by Senator Murray

AMENDMENT NO. 1

On page 1, line 16, after "form" insert "developed and"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 48 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "696" and before ", relative" insert " and "1471.1"

AMENDMENT NO. 2

On page 1, line 6, after "696" and before "hereby" delete "is" and insert in lieu thereof "and 1471.1 are"

AMENDMENT NO. 3

On page 2, between lines 7 and 8 insert the following:

\*\* \* \*

§1471.1. Homeowner's insurance; claims payments and settlements

No payment of a claim on a homeowner's insurance policy shall be considered a final settlement if the insurer fails to provide the insured with a statement that accurately reflects the amount paid under each category of coverage under the policy. The statement shall list each provision of coverage in the policy under which the insured may be entitled to payment, the maximum amount that may be paid under each category of coverage, and the amount actually included for payment under each category of coverage. The statement shall be given to the insured prior to the execution of a release by the insured.

Senator Murray moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Murray moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 55—**  
BY SENATORS ADLEY AND MURRAY  
AN ACT

To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 55 by Senator Adley

AMENDMENT NO. 1

On page 1, line 10, after "form" insert "developed and"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 55 by Senator Adley

AMENDMENT NO. 1

On page 1, line 9 after "residential" and before "property" insert "or commercial"

AMENDMENT NO. 2

On page 1, after end of line 16 add the following:

"The disclosure shall also state that flood insurance is available through the National Flood Insurance Program and that excess flood insurance may be available by separate policy."

Senator Adley moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

November 22, 2005

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 107—**

BY SENATOR MCPHERSON AND REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 40:2109(B)(7) and to enact R.S. 40:2007.1 and 2116(J), relative to the licensure of healthcare providers; to provide relative to health care services in areas affected by declarations of emergency or disaster; to provide relative to the interruption of health care services; to provide relative to replacement and repair of health care facilities in certain areas; to provide relative to facility need review approvals for certain health care providers; to provide for licensure and facility need review; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 107 by Senator McPherson

AMENDMENT NO. 1

On page 2, delete lines 3 through 14 in their entirety and in lieu thereof insert the following:

- "(a) Substance abuse/addiction treatment facility.
- (b) Hospice.
- (c) Hospital.
- (d) Nursing home.
- (e) Intermediate care facility for the mentally retarded (ICF/MR)."

AMENDMENT NO. 2

On page 5, line 18, after "home" and before "to relocate" delete "or ICF/MR"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Frith to Reengrossed Senate Bill No. 107 by Senator McPherson

AMENDMENT NO. 1

Delete Amendments No. 1 and 2 proposed by the Health and Welfare Committee on November 21, 2005 and adopted by the House of Representatives on November 21, 2005.

AMENDMENT NO. 2

On page 2, delete line 7 in its entirety

AMENDMENT NO. 3

On page 2, line 8, change "(f)" to "(e)"

AMENDMENT NO. 4

On page 2, line 9, change "(g)" to "(f)"

AMENDMENT NO. 5

On page 2, line 10, change "(h)" to "(g)"

AMENDMENT NO. 6

On page 2, line 11, change "(i)" to "(h)"

AMENDMENT NO. 7

On page 2, line 12, change "(j)" to "(i)"

AMENDMENT NO. 8

On page 2, line 13, change "(k)" to "(j)"

AMENDMENT NO. 9

On page 2, line 14, change "(l)" to "(k)"

AMENDMENT NO. 10

On page 5, delete lines 17 through 20 in their entirety and insert the following:

"(2) Nothing in this Subsection shall be construed to accomplish either of the following:

(a) To permit a nursing home which has relocated, as the result of an executive order or declaration of emergency or disaster issued in accordance with R.S. 29:724, to relocate such facility outside of the geographic area for which the original facility need review approval was granted.

(b) To permit a nursing home which has relocated, as the result of an executive order or declaration of emergency or disaster issued in accordance with R.S. 29:724, to obviate the provisions of R.S. 40:2116(D)(2).

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Frith to Reengrossed Senate Bill No. 107 by Senator McPherson

AMENDMENT NO. 1

On page 4, line 7, after "Subsection" and before the period "." insert the following:

"provided that nothing herein shall relieve the facility from complying with federal regulations and requirements for approval from the Centers for Medicare and Medicaid Services"

Senator McPherson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd

Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Rules Suspended**

Senator Shepherd asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Concurrent Resolutions  
Returned from the House of Representatives  
with Amendments**

Senator Shepherd asked for and obtained a suspension of the rules to take up at this time the following Senate Concurrent Resolutions just returned from the House of Representatives with amendments.

**SENATE CONCURRENT RESOLUTION NO. 18—**

BY SENATOR SHEPHERD

**A CONCURRENT RESOLUTION**

To direct the secretary of state to establish a toll-free telephone line and advertise nationally for displaced Louisiana citizens to receive information related to the election process, including but not limited to, locating their voting place.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Enrolled Senate Concurrent Resolution No. 18 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 1, line 2, after "toll-free telephone line" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 4, after "limited to" delete the comma "," and delete the remainder of the line and insert "voting rights and polling place locations and to implement a national public service advertising campaign, pro bono if possible, to create public awareness of the toll-free telephone line."

AMENDMENT NO. 4

On page 1, line 10, after "WHEREAS," and before "would assist" delete "a program of advertising nationally" and insert "the implementation of a national public service advertising campaign, which should be pro bono if possible,"

AMENDMENT NO. 5

On page 1, line 13, change "voting polls;" to "polling places;"

AMENDMENT NO. 6

On page 1, line 14, after "telephone line and" delete the remainder of the line and insert "creating public awareness of such toll-free telephone line would"

AMENDMENT NO. 7

On page 1, at the beginning of line 17, change "direct" to "urge and request"

AMENDMENT NO. 8

On page 1, line 18, after "to be advised of" delete the remainder of the line and insert "the election process, including voting rights and polling place locations and to implement a national public service advertising campaign, pro bono if possible, to create public awareness of the toll-free telephone line."

Senator Shepherd moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

**NAYS**

Total - 0

**ABSENT**

Total - 0

The Chair declared the amendments proposed by the House were concurred in. Senator Shepherd moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Rules Suspended**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Senate Resolutions**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 21—**

BY SENATOR ULLO

**A RESOLUTION**

To commend Senator Joseph J. Carraro of the state of New Mexico for his relief efforts to provide assistance to the state of Louisiana in its hour of greatest need during the aftermath of Hurricane Katrina.

On motion of Senator Ullo, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 22—**

BY SENATORS MURRAY AND HEITMEIER

**A RESOLUTION**

To urge and request the levee boards of the East Jefferson Levee District, Lake Borgne Levee District, and Orleans Levee District, and the parish governing authorities of Plaquemines

and St. Tammany parishes to designate a representative of such entity to meet and participate in a coordinated effort to devise a plan to achieve a long-term solution for hurricane or storm protection, flood control, and coastal protection for the citizens of southeast Louisiana.

On motion of Senator Murray, the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

DISAGREEMENT TO HOUSE BILL

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 18 by Representative Hutter, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Hutter, Schneider and Tucker.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 17 by Representative Hutter, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Hutter, Schneider and Tucker.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Senator Jones in the Chair

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT House Bill No. 40 By Representative Hammett

November 21, 2005

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. 40 by Representative Hammett, recommend the following concerning the Engrossed bill:

- 1. Reject the amendment proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 17, 2005.
2. Reject the set of five Senate Floor amendments proposed by Senator Ellington and adopted by the Senate on November 21, 2005.
3. Reject the set of four Senate Floor amendments proposed by Senator Ellington and adopted by the Senate on November 21, 2005.
4. Amend engrossed bill as follows:

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:331(P)(2)" insert: "and to enact R.S. 47:301(3)(j), and (13)(l), 302(T), 321(J), and 331(R)"

AMENDMENT NO. 2

On page 1, line 6, change "enacted" to the following: "amended and reenacted and R.S. 47:301(3)(j) and (13)(l), 302(T), 321(J), and 331(R) are hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert: "§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

(3) \* \* \*

(j) For the purpose of the sales and use taxes imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the "cost price" of natural gas for the period July 1, 2006 through December 31, 2008, purchased or used by paper or wood products manufacturing facilities shall not include any amount in excess of six dollars and twenty cents per MMBtu.

(13) \* \* \*

(l) For purposes of the sales and use tax imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the "sales price" of natural gas the period July 1, 2006 through December 31, 2008, sold for use by paper or wood products manufacturing facilities shall not include any amount in excess of six dollars and twenty cents per MMBtu.

§302. Imposition of tax \* \* \*

T. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to the tax levied pursuant to the provisions of this Section for the period July 1, 2006 through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities.

§321. Imposition of tax \* \* \*

J. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to the tax levied pursuant to the provisions of this Section for the period July 1, 2006 through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities.

**AMENDMENT NO. 4**

On page 1, line 15, change "For" to the following:  
 "Except as provided for in Subsection R of this Section, for"

**AMENDMENT NO. 5**

On page 1, after line 22, insert:  
 "\* \* \*

R. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to all of the tax levied pursuant to the provisions of this Section for the period July 1, 2006 through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities.

Representatives: Bryant O. Hammett, Jr. Charles McDonald T. Taylor Townsend	Respectfully submitted, Senators: Willie Mount Robert W. "Bob" Kostelka Noble E. Ellington
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**Rules Suspended**

Senator Mount asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Mount, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Dupre	McPherson	
Total - 37		
NAYS		
Total - 0		
ABSENT		
Bajoie	Jackson	
Total - 2		

The Chair declared the Conference Committee Report was adopted. Senator Mount moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**  
 House Bill No.41 by Representative Hammett

November 21, 2005

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

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill 41 by Representative Hammett recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 and 3 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 17, 2005 be adopted.
2. That Senate Committee Amendments No. 2 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 17, 2005 be rejected.
3. That the following amendment to the reengrossed bill be adopted:

**AMENDMENT NO. 1**

On page 2, at the end of line 24, delete "Subparagraph" and insert "Items (2)(a)(i) or (ii)"

Senators: Willie Mount Robert Adley Ben Nevers	Respectfully submitted, Representatives: Bryant O. Hammett, Jr. Billy Montgomery T. Taylor Townsend
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**Rules Suspended**

Senator Mount asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Mount, a vote was taken on the Mountion of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Romero
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Chaisson	Jackson	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Duplessis	Marionneaux	
Total - 37		
NAYS		
Total - 0		
ABSENT		
Jones	Quinn	
Total - 2		

The Chair declared the Conference Committee Report was adopted. Senator Mount moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**  
 House Bill No. 5 By Representative Walker

November 22, 2005

November 22, 2005

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. 5 by Representative Walker, recommend the following concerning the Reengrossed bill:

- 1. That Senate Committee Amendments Nos. 2, 6, and 9 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005, be adopted.
2. That Senate Committee Amendments Nos. 1, 3 through 5, 7, 8, and 10 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005, be rejected.
3. That Senate Floor Amendments Nos. 1 through 7 proposed by Senator McPherson and adopted by the Senate on November 21, 2005, be rejected.
4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete line 18 in its entirety and insert in lieu thereof:
(b) Restrictions of locations of newly approved facilities that are subject to the provisions of the facility need review process.
(c) Provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance.
(d) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause.

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 2, delete line 15 in its entirety and insert in lieu thereof:
(ii) Provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance.
(iii) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause.

AMENDMENT NO. 4

On page 2, delete line 26 in its entirety and insert in lieu thereof:
(b) Restrictions of locations of newly approved facilities that are subject to the provisions of the facility need review process.
(c) Provisions for the fair allocation of the Medicaid share of facility specific costs directly incurred by a facility as a result of compliance.
(d) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause.

Respectfully submitted,
Senators:
Joe McPherson
Sherri Smith Cheek

Representatives:
Michael Jackson
Monica Walker
Wayne Waddell

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator McPherson, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of Senators and their counts for YEAS and NAYS.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT. Lists names of Senators who were absent.

The Chair declared the Conference Committee Report was adopted. Senator McPherson moved to reconsider the vote by which the report was adopted and laid the motion on the table.

Senator Bajoie in the Chair

CONFERENCE COMMITTEE REPORT

House Bill No. 9 By Representative LaFleur

November 22, 2005

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. 9 by Representative LaFleur, recommend the following concerning the Reengrossed bill:

- 1. That Senate Committee Amendments Nos. 1, 15, and 16 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on November 17, 2005, be adopted.
2. That Senate Committee Amendments Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on November 17, 2005, be rejected.
3. That Amendment No. 1 proposed by the Legislative Bureau and adopted by the Senate on November 18, 2005, be rejected.
4. That the Senate Floor Amendment proposed by Senator Dardenne and adopted by the Senate on November 21, 2005, be rejected.
5. That the set of Senate Floor Amendments proposed by Senator Cain and adopted by the Senate on November 21, 2005, be rejected.
6. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 3, after "certain officials" and before "to disclose" insert "and immediate family members of such officials"

AMENDMENT NO. 2

On page 1, line 4, after "content of" insert "and procedures for"

AMENDMENT NO. 3

On page 1, delete lines 10 and 11 and insert a comma " , " and "appointed state official, and immediate family member of an elected official or appointed state official who derives, either directly or through a legal entity in which such official or immediate"

AMENDMENT NO. 4

On page 1, line 14, after "official or" and before "immediate" delete "his"

AMENDMENT NO. 5

On page 1, line 17, after "(1)(a)" delete "The" and insert "If an elected or appointed official, the" AMENDMENT NO. 6  
On page 2, delete lines 1 through 3 and insert the following:

"(b) If an immediate family member of an elected or appointed official, the name and address of such person; the name, address, and office of the elected or appointed official to whom the person is related; and the nature of the relationship."

AMENDMENT NO. 7

On page 2, line 12, delete "spouse" and insert "immediate family member"

AMENDMENT NO. 8

On page 2, line 14, delete "elected or appointed official" and insert "person"

AMENDMENT NO. 9

On page 2, delete line 20 and insert the following:  
"C.(1) Each elected or appointed official and immediate family member subject to the provisions of this Section, except members of the legislature,"

AMENDMENT NO. 10

On page 2, line 27, after "official or" and before "immediate" delete "his"

AMENDMENT NO. 11

On page 2, line 28, after "official" and before "shall" insert "or immediate family member"

AMENDMENT NO. 12

On page 3, between lines 2 and 3, insert the following:  
"(2)(a) Each member of the legislature subject to the provisions of this Section shall file an initial disclosure statement with the clerical officer of the house to which he belongs no later than thirty days after the effective date of this Section or fifteen days after the legislator or legal entity enters into the contract or subcontract, whichever occurs later. The initial disclosure statement shall contain all of the information required by Subsection A of this Section, except that instead of the actual amount of income or value of any thing of economic value derived from the contract or subcontract by the legislator for the previous calendar year, the legislator shall include the amount of income or value of any thing of economic value to be derived or, if the actual amount is unknown at the time the statement is due, reasonably expected to be derived from the contract or subcontract for the first calendar year of the contract or subcontract.

(b) After filing the initial disclosure statement, the legislator shall file the disclosure statements required by this Section with the appropriate clerical officer no later than February fifteenth each year and shall include such information for the previous calendar year.

(c) Within fifteen days of receipt of any such disclosure statement, the clerical officer shall transmit a copy of such disclosure statement to the Board of Ethics and the disclosure statement shall be deemed to be filed with the board by the member as of the date of filing with the clerical officer.

(d) Once a legislator has filed an initial disclosure statement, the appropriate clerical officer shall notify such legislator that an annual disclosure statement is due until a final disclosure statement is filed in accordance with this Section."

AMENDMENT NO. 13

On page 3, line 3, after "D.(1)" delete "After" and insert "Except as otherwise provided for members of the legislature, after"

AMENDMENT NO. 14

On page 3, at the beginning of line 4, after "official" insert "or immediate family member"

AMENDMENT NO. 15

On page 3, line 7, after "official" and before "subject" insert "or immediate family member"

AMENDMENT NO. 16

On page 3, line 10, after "disclosure" and before "or the" insert a comma " , "

AMENDMENT NO. 17

On page 3, line 10, after "statements" and before "is no" insert "or to whom the immediate family member is related"

AMENDMENT NO. 18

On page 3, line 18, after "official" insert "or immediate family member"

Representatives:

Eric LaFleur  
Charles D. Lancaster, Jr.  
Donald J. Cazayoux

Respectfully submitted,

Senators:  
Donald E. Hines  
Ann Duplessis  
James David Cain

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Hines, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Schedler
Chaisson	Jackson	Smith
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 32		

NAYS

Boasso  
Total - 1

ABSENT

Cravins	Jones	McPherson
Ellington	Kostelka	Shepherd
Total - 6		

The Chair declared the Conference Committee Report was adopted. Senator Hines moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 1.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Appointment of Conference Committee  
on House Bill No. 17**

The President of the Senate appointed on the Conference Committee on House Bill No. 17 the following members of the Senate: Senators B. Gautreaux, Hollis and Dardenne.

**Appointment of Conference Committee  
on House Bill No. 18**

The President of the Senate appointed on the Conference Committee on House Bill No. 18 the following members of the Senate: Senators B. Gautreaux, Hollis and Dardenne.

**Rules Suspended**

Senator Murray asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**CONFERENCE COMMITTEE REPORT**  
House Bill No. 148 By Representative Arnold

November 22, 2005

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. 148 by Representative Arnold, recommend the following concerning the Engrossed bill:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 16, 2005, be adopted.
2. That the Amendment proposed by the Legislative Bureau and adopted by the Senate on November 17, 2005, be adopted.
3. That the Senate Floor Amendment proposed by Senator Adley and adopted by the Senate on November 18, 2005, be adopted.

4. That the set of Senate Floor Amendments proposed by Senator Boasso and adopted by the Senate on November 18, 2005, be adopted.
5. That the set of Senate Floor Amendments proposed by Senator Marionneaux and adopted by the Senate on November 18, 2005, be adopted.
6. That the Senate Floor Amendment proposed by Senator Theunissen and adopted by the Senate on November 18, 2005, be rejected.

Representatives:  
Jeffery Arnold  
Bryant O. Hammett, Jr.  
Mickey Frith

Respectfully submitted,  
Senators:  
Robert Adley  
Edwin R. Murray  
Gerald J. Theunissen

**Rules Suspended**

Senator Murray asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Murray, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Lentini	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Cain	Ellington	Kostelka
Cravins	Heitmeier	McPherson
Total - 6		

The Chair declared the Conference Committee Report was adopted. Senator Murray moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Appointment of Conference Committee  
on House Bill No. 17**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to House Bill No. 17: Senator Murray, vice Senator Dardenne.

**Appointment of Conference Committee  
on House Bill No. 17**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to House Bill No. 17: Senator Adley, vice Senator Hollis.

**Appointment of Conference Committee on House Bill No. 18**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to House Bill No. 18: Senator Murray, vice Senator Dardenne.

**Appointment of Conference Committee on House Bill No. 18**

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to House Bill No. 18: Senator Adley, vice Senator Hollis.

**Mr. President in the Chair**

**Rules Suspended**

Senator B. Gautreaux asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**CONFERENCE COMMITTEE REPORT**  
House Bill No. 17 By Representative Hutter

November 22, 2005

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. 17 by Representative Hutter, recommend the following concerning the Reengrossed bill:

1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on November 17, 2005, be adopted.
2. That the Senate Floor Amendments proposed by Sen. Gautreaux and adopted by the Senate on November 21, 2005, be rejected.
3. That the Senate Floor Amendments proposed by Sen. Adley and adopted by the Senate on November 21, 2005, be rejected.

Representatives: Nita Hutter Pete Schneider Jim Tucker	Respectfully submitted, Senators: D.A. "Butch" Gautreaux Robert Adley Edwin R. Murray
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**Rules Suspended**

Senator B. Gautreaux asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator B. Gautreaux, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President Adley	Ellington Fontenot	Mount Murray

Amedee Bajoie Barham Broome Cain Chaisson Cheek Dardenne Duplessis Dupre	Gautreaux B Gautreaux N Heitmeier Hollis Jackson Jones Kostelka Lentini Malone Michot	Nevers Quinn Romero Schedler Shepherd Smith Theunissen Ullo
Total - 34		

NAYS

Total - 0

ABSENT

Boasso Cravins	Fields Marionneaux	McPherson
Total - 5		

The Chair declared the Conference Committee Report was adopted. Senator B. Gautreaux moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**  
House Bill No. 18 By Representative Hutter

November 22, 2005

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. 18 by Representative Hutter, recommend the following concerning the Reengrossed bill:

1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on November 17, 2005, be adopted.
2. That the Senate Floor Amendments proposed by Sen. Gautreaux and adopted by the Senate on November 21, 2005, be rejected.
3. That the Senate Floor Amendment proposed by Sen. Adley and adopted by the Senate on November 21, 2005, be rejected.

Representatives: Nita Hutter Pete Schneider Jim Tucker	Respectfully submitted, Senators: D.A. "Butch" Gautreaux Robert Adley Edwin R. Murray
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**Rules Suspended**

Senator B. Gautreaux asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator B. Gautreaux, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President Adley Amedee Bajoie	Ellington Fontenot Gautreaux B Gautreaux N	Michot Mount Murray Nevers

November 22, 2005

Barham	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Uilo
Dupre	Marionneaux	

Total - 35

NAYS

Total - 0

ABSENT

Boasso	Fields
Cravins	McPherson

Total - 4

The Chair declared the Conference Committee Report was adopted. Senator B. Gautreaux moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**  
House Bill No. 42 By Representative Montgomery

November 22, 2005

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. 42 by Representative Montgomery, recommend the following concerning the Reengrossed bill:

1. Reject the amendment proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 18, 2005.
2. Reject the Senate Floor amendment proposed by Senator Mount and adopted by the Senate on November 21, 2005.
3. Reject the Senate Floor amendment proposed by Senator Nick Gautreaux and adopted by the Senate on November 21, 2005.
4. Reject the set of eleven Senate Floor amendments proposed by Senator Nick Gautreaux and adopted by the Senate on November 21, 2005.
5. Reject the set of eleven Senate Floor amendments proposed by Senator Nick Gautreaux and adopted by the Senate on November 21, 2005.
6. Reject the set of two Senate Floor amendments proposed by Senator Shepherd and adopted by the Senate on November 21, 2005.
7. Amend reengrossed bill as follows:

AMENDMENT NO. 1

On page 2, line 1, after "to" and before "consumer" insert "the first two thousand five hundred dollars of the sales price or cost price of any"

AMENDMENT NO. 2

On page 2, line 2, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005." and delete the remainder of the line.

AMENDMENT NO. 3

On page 2, delete lines 3 through 6 in their entirety.

AMENDMENT NO. 4

On page 2, at the end of line 8, delete the comma "," and insert a period "." and "Consumer purchases shall not include the purchase of meals furnished for consumption on the premises where purchased, including to-go orders."

AMENDMENT NO. 5

On page 2, delete lines 9 through 11 in their entirety.

AMENDMENT NO. 6

On page 2, line 12, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 7

On page 2, line 20, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 8

On page 2, at the beginning of line 23, change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 9

On page 2, line 24, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 10

On page 2, line 28, change "11" to "18"

AMENDMENT NO. 11

On page 3, at the end of line 1 and the beginning of line 2, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 12

On page 3, line 3, after "December" change "11" to "18"

AMENDMENT NO. 13

On page 3, line 5, after "December" change "11" to "18"

AMENDMENT NO. 14

On page 3, line 6, after "December" change "9, 10, and 11, 2005." to "16, 17, and 18, 2005."

AMENDMENT NO. 15

On page 3, line 14, after "December" change "11" to "18"

AMENDMENT NO. 16

On page 3, between lines 19 and 20, insert the following:

"H.(1) Notwithstanding any other provision of law to the contrary, the sales tax levied by the state of Louisiana and its political subdivisions whose boundaries are coterminous with those of the state shall not apply to the first two thousand five hundred dollars of the sales price or cost price of any purchases of tangible personal property by businesses located in a Hurricane Katrina or Hurricane Rita Federal Emergency Management Agency Individual Assistance Area that occur on December 16, 17, and 18, 2005.

(2) This Subsection shall only apply to purchases of tangible personal property that will replace property damaged, destroyed or lost as a result of the conditions created by Hurricane Katrina or Hurricane Rita.

(3) No business shall be entitled to purchase tangible personal property under this Section without the payment of tax before applying for and receiving from the secretary of the Department of Revenue a Sales Tax Holiday Exemption Certificate.

(4) The secretary of the Department of Revenue shall issue Sales Tax Holiday Exemption Certificates to business applicants that meet all of the following criteria:

(a) The business is located in a Hurricane Katrina or Hurricane Rita Federal Emergency Management Agency Individual Assistance Area.

(b) The business had property that was damaged, destroyed, or lost as a result of the conditions created by Hurricanes Katrina or Rita."

Respectfully submitted,

Representatives:  
 Billy Montgomery  
 Bryant O. Hammett, Jr.  
 Charmaine Marchand

Senators:  
 Willie Mount  
 Edwin R. Murray

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 40.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**Rules Suspended**

Senator Mount asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Mount, a vote was taken on the adoption of the report.

**Message from the House**

**ADOPTION OF  
 CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 41.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Marionneaux
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

**NAYS**

Total - 0

**ABSENT**

Cravins	Fields	McPherson
Total - 3		

The Chair declared the Conference Committee Report was adopted. Senator Mount moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
 CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 5.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
 CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

**Message from the House**

**ADOPTION OF  
 CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 9.

Respectfully submitted,  
 ALFRED W. SPEER  
 Clerk of the House of Representatives

**Rules Suspended**

Senator Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Senate Resolutions**

Senator Jones asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 23—  
 BY SENATOR JONES**

**A RESOLUTION**

To extend the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of Barbara Miller McHugh.

On motion of Senator Jones, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 24—  
 BY SENATORS MICHOT, DUPLESSIS AND HOLLIS**

**A RESOLUTION**

To request the Senate Committee on Commerce, Consumer Protection and International Affairs and the Senate Committee on Transportation, Highways, and Public Works to meet and to function as a joint committee to study the feasibility of establishing a light rail system in Louisiana.

On motion of Senator Michot, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 25—**  
BY SENATOR DARDENNE

**A RESOLUTION**

To commend the Caledonian Pipes and Drums of Baton Rouge for their community service activities planned through the promotion of the music and culture of Louisiana.

On motion of Senator Dardenne, the resolution was read by title and adopted.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 42.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 148.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 18.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 17.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 36—**  
BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU  
**A CONCURRENT RESOLUTION**

To create and provide with respect to the Joint Select Committee on Government Organization in the Metropolitan New Orleans Area.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Rules Suspended**

Senator Murray asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Concurrent Resolutions  
Returned from the House of Representatives  
with Amendments**

Senator Murray asked for and obtained a suspension of the rules to take up at this time the following Senate Concurrent Resolutions just returned from the House of Representatives with amendments.

**SENATE CONCURRENT RESOLUTION NO. 36—**  
BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU  
**A CONCURRENT RESOLUTION**

To create and provide with respect to the Joint Select Committee on Government Organization in the Metropolitan New Orleans Area.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Lancaster to Original Senate Concurrent Resolution No. 36 by Senator Murray

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert "To request the House Committee on Judiciary and the Senate Committee on Judiciary A to meet and function as a joint committee to study issues related to government reorganization in the metropolitan New Orleans area."

AMENDMENT NO. 2

On page 2, line 12, after "of Louisiana" delete the remainder of the line and delete line 13 and insert "does hereby request the House Committee on Judiciary and the Senate Committee on Judiciary A to

meet and function as a joint committee to study issues related to government reorganization in the metropolitan New Orleans area."

**AMENDMENT NO. 3**

On page 2, line 14, after "RESOLVED that" delete the remainder of the line and delete lines 15 through 18 and insert "the joint committee shall study such issues as the nature of the powers, duties, functions, and responsibilities of all governmental agencies in the metropolitan New Orleans area, whether executive, administrative, legislative, or judicial; how such powers, duties, functions, and responsibilities may"

**AMENDMENT NO. 4**

On page 2, line 25, after "respect to" delete "the"

**AMENDMENT NO. 5**

On page 2, line 28, after "RESOLVED that the" delete the remainder of the line and delete line 29 and insert "joint committee shall specifically solicit the input, recommendations, and advice of the following:"

**AMENDMENT NO. 6**

- On page 3, delete lines 4 through 24 and insert the following:
- (5) The chairman of the House Committee on House and Governmental Affairs or his designee.
  - (6) The chairman of the Senate Committee on Senate and Governmental Affairs or his designee.
  - (7) One member of the Senate designated by the president.
  - (8) One member of the House of Representatives designated by the speaker."

**AMENDMENT NO. 7**

On page 3, delete lines 28 through 30 and insert the following:  
 "BE IT FURTHER RESOLVED that the joint committee may appoint subcommittees as it deems necessary to study specific issues to assist the joint committee in conducting its study."

**AMENDMENT NO. 8**

On page 4, line 3, after "requested by the" and before "committee" insert "joint"

Senator Murray moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Smith
Chaisson	Jones	Theunissen
Cheek	Kostelka	Uilo
Dardenne	Lentini	
Duplessis	Marionneaux	
Total - 34		

**NAYS**

Total - 0

**ABSENT**

Cravins	Malone	Shepherd
Fields	McPherson	
Total - 5		

The Chair declared the amendments proposed by the House were concurred in. Senator Murray moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

**Rules Suspended**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Senate Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 26**

BY SENATOR BAJOIE

**A RESOLUTION**

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of six be appointed by the President of the Senate to serve with a like committee from the House of Representatives to notify the Governor that the Legislature of the State of Louisiana has completed its labors and is now ready to adjourn sine die.

On motion of Senator Bajoie, the resolution was read by title and adopted.

In compliance with the resolution the President of the Senate appointed the following committee: Senators McPherson, Adley, Broome, Cain, N. Gautreaux and Dupre.

**SENATE RESOLUTION NO. 27**

BY SENATOR BAJOIE

**A RESOLUTION**

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed by the President of the Senate to notify the House of Representatives that the Senate has completed its labors and is now ready to adjourn sine die.

On motion of Senator Bajoie, the resolution was read by title and adopted.

In compliance with the resolution the President of the Senate appointed the following committee: Senators Jones, Marionneaux, B. Gautreaux, Smith and Theunissen.

**Reports of Committees**

The committee to notify the Governor that the Senate had completed its labors and was ready to adjourn sine die returned and reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

The committee to notify the House of Representatives that the Senate had completed its labors and was ready to adjourn sine die returned and reported it had performed that duty. The President of the Senate thanked the committee and discharged it.

**Committee from the House of Representatives**

A committee from the House of Representatives appeared before the Bar of the Senate and informed the Senate that the House of Representatives was organized and ready to adjourn sine die.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE SCALISE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE WALSWORTH  
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVES T. POWELL AND WOOTON  
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVES JOHNS, FRITH, GEYMAN, E. GUILLORY, HILL, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN  
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general, state of Louisiana, the Honorable Charles C. Foti, to file suit seeking declaratory judgment that provisions of homeowners' insurance policies excluding coverage for damage sustained as a result of wind, hail, and hurricanes are null and void as against the public policy of the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general to file suit seeking a declaratory judgment holding that the flooding of New Orleans was caused by a design or construction defect, as opposed to an Act of God or natural flooding caused by Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVES FRITH, 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, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, 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, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend the National Guard units from Louisiana and beyond who provided assistance in the rescue, recovery, and relief efforts in Cameron and Vermilion parishes for their valiant efforts during and following Hurricanes Katrina and Rita.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE ROBIDEAUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Transportation and Development to act jointly to study the feasibility of the construction of a coastal protection highway stretching from the Texas border to New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVE BRUNEAU  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative Lloyd R. Himel.

HOUSE CONCURRENT RESOLUTION NO. 64—

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

A CONCURRENT RESOLUTION

To commend Isaac Greggs upon his retirement as the director of the Southern University marching band.

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVES RICHMOND AND DORSEY  
A CONCURRENT RESOLUTION

To direct the Louisiana Housing Finance Agency to establish a low or no interest loan program for homeowners affected by Hurricanes Katrina and Rita.

HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE GEYMAN  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources, in cooperation with the Department of Environmental Quality, to assemble federal, state, parish, and municipal officials to conduct a forum and demonstration on the safe and efficient use of wood waste debris created by Hurricanes Katrina and Rita in wetland restoration.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE HEBERT  
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE JEFFERSON  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans, including but not limited to providing funding through the United States Department of Housing and Urban Development in the form of Community Development Block Grants to investor-owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 70—**

BY REPRESENTATIVE DORSEY  
A CONCURRENT RESOLUTION

To commend Ms. Diane Alexander for her bravery, courage, and determination and her role in the arrest and conviction of Derrick Todd Lee.

**HOUSE CONCURRENT RESOLUTION NO. 62—**

BY REPRESENTATIVE HUNTER AND SENATOR NEVERS  
A CONCURRENT RESOLUTION

To authorize and direct the Department of Labor to provide the Senate and House Committees on Labor and Industrial Relations with an itemized list of state and federal funds received in the wake of Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 72—**

BY REPRESENTATIVES BAUDOIN, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to task the Government Accountability Office with a complete audit of expenditures by the Federal Emergency Management Agency on Katrina and Rita recovery efforts in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 73—**

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

A CONCURRENT RESOLUTION

To commend the employees and management of the Sewerage and Water Board of New Orleans for their outstanding work during and following Hurricane Katrina.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

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

**Message from the House**

**SIGNED HOUSE BILLS AND JOINT RESOLUTIONS**

November 22, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 8—**

BY REPRESENTATIVES ODINET, BEARD, DANIEL, DARTEZ, FRITH, GEYMAN, ST. GERMAIN, AND WOOTON AND SENATOR N. GAUTREAUX

AN ACT

To provide for an extended period of time for renewal or extension of oyster leases expiring on January 1, 2006; to provide relative to terms of lease renewals or extensions; to provide for the 2006 due date for annual rent for oyster leases; and to provide for the 2006 dates for determination and advertisement of defaulted oyster leases; to suspend Section 501(G)(3) of Chapter 5 of Part VII of Title 76 of the Louisiana Administrative Code relative to public auction of leases in default; and to provide for related matters.

**HOUSE BILL NO. 39—**

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

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to provide that the state sales or use tax shall not apply to manufacturing machinery and equipment purchased, leased, or rented or repaired by manufacturers for use in the replacement of hurricane-damaged equipment; to provide for the applicability of certain definitions; to provide for an effective date and expiration date for the Act; and to provide for related matters.

**HOUSE BILL NO. 63—**

BY REPRESENTATIVES SCHNEIDER, ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HEBERT, HONEY, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RITCHE, SALTER, SCALISE, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER, AND THEUNISSEN

AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 75—**

BY REPRESENTATIVE JEFFERSON  
AN ACT

To enact R.S. 6:242(A)(18), relative to banking powers; to provide for investments to promote public welfare in low-income communities affected by Hurricanes Katrina and Rita; and to provide for related matters.

**HOUSE BILL NO. 81—**

BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, ODINET, TOWNSEND, AND TUCKER  
AN ACT

To enact R.S. 39:1034.1, relative to the Board of Liquidation, City Debt, for the city of New Orleans; to prohibit increases in millage rates for the year 2006, under certain circumstances and

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the collection of taxes based upon such millage rates; and to provide for related matters.

**HOUSE BILL NO. 115— (Duplicate of Senate Bill No. 102)**

BY REPRESENTATIVE BAYLOR AND SENATOR FIELDS  
AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, Act No. 40 of the 1989 Regular Session of the Legislature, and Act No. 864 of the 2003 Regular Session of the Legislature and R.S. 33:2711.9(B)(3) and to repeal R.S. 33:4574.1(A)(1)(d), 4574.1.1(E), 4574.9(C)(1)(d), 4574.12(D)(1)(d), 4574.13(C)(1)(d), and 4575.3(20)(d), relative to hotel occupancy taxes; to delete the exemption of certain rooms from hotel occupancy tax in certain parishes; and to provide for related matters.

**HOUSE BILL NO. 120—**

BY REPRESENTATIVES SCHNEIDER, ALARIO, ALEXANDER, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, CAZAYOUX, CRANE, CRAVINS, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, McDONALD, MONTGOMERY, ODINET, PIERRE, PITRE, M. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, SCALISE, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WADDELL, WALKER, WHITE, WOOTON, AND WRIGHT AND SENATOR SCHEDLER  
AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 160—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 49:1053(A), (C)(15) through (18), (D), (E), and (F) and 1054 and to enact R.S. 49:1053(C)(19) through (21), 1054.1, and 1055(D), relative to the Louisiana Geographic Information Systems Council; to provide for membership of the Louisiana Geographic Information Systems Council; to provide for the duties of the Louisiana Geographic Information Systems Council and its staff; to provide for the powers, functions, and duties of the Louisiana Geographic Information Center; to provide for the protection and confidentiality of certain information; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

November 22, 2005

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

**SENATE BILL NO. 3—**

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, RICHMOND, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON  
AN ACT

To amend and reenact R.S. 24:513(A)(5)(a) and 514(E) and (F) and to enact R.S. 24:513.4, all relative to audit reports and financial statements of certain entities; to provide for an extension of time relative to the completion of audit reports and financial statements in the event of certain disasters or emergencies; to authorize the legislative auditor to audit certain organizations; to provide for the frequency of such audits; to provide for effectiveness provisions; and to provide for related matters.

**SENATE BILL NO. 71— (Duplicate of House Bill No. 141)**

BY SENATOR DUPRE AND REPRESENTATIVE ALARIO AND COAUTHORED BY SENATORS AMEDEE, BAJOIE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JONES, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO AND REPRESENTATIVES SALTER, DEWITT, DORSEY AND HAMMETT  
AN ACT

To amend and reenact R.S. 49:213.1 through 213.8, 214.3(1), 214.11, 214.12(A)(1), and 214.13, and to enact R.S. 49:213.11 and 213.12, and to repeal Act No. 300 of the 2005 Regular Session of the Louisiana Legislature, relative to coastal protection, conservation, restoration and management; to authorize and provide for the development and implementation of a comprehensive coastal protection plan; to provide powers, duties, terms, procedures, definitions, conditions, and requirements; to provide relative to hurricane protection and coastal restoration; to provide relative to enforcement; to provide relative to certain authorities, commissions, and departments; to change the name of the Wetlands Conservation and Restoration Authority to the Coastal Protection and Restoration Authority and set forth its powers, duties, and members; to change the name of the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund and to provide relative to deposits and expenditures of the fund; to change the name of the Governor's Advisory Commission on Coastal Restoration and Conservation to the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation and set forth its powers, duties, and members; and to provide for related matters.

**SENATE BILL NO. 89—**

BY SENATOR JONES AND REPRESENTATIVES BRUNEAU AND LANCASTER  
AN ACT

To enact R.S. 18:401.3, relative to holding certain elections; to authorize the secretary of state to develop and implement an emergency plan relative to holding certain elections impaired as a result of a gubernatorially declared disaster or emergency; to require and provide for gubernatorial and legislative approval of such emergency plan prior to implementation; and to provide for related matters.

**SENATE BILL NO. 55—**

BY SENATORS ADLEY AND MURRAY  
AN ACT

To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

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Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

### Privilege Report of the Committee on Senate and Governmental Affairs

#### ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

November 22, 2005

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

#### SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATORS CAIN, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARZENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

##### A CONCURRENT RESOLUTION

To urge and request the Congress of the United States to change the coastal line by which the state receives tax and mineral revenue from three miles to twelve miles to be consistent with the states of Texas and Mississippi as it relates to the receipt of federal tax and mineral revenue.

#### SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR MARIONNEAU AND REPRESENTATIVE CAZAYOUX

##### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education (BESE) to make adjustments in the Minimum Foundation Program formula (MFP) for the 2006-2007 school year and thereafter as necessary to correct an error in allocation which was created by a tax assessment which was overturned by the Louisiana Supreme Court which consequently resulted in an erroneous calculation of certain salary adjustments to be paid by the Pointe Coupee Parish School Board.

#### SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATORS MICHOT, BROOME AND CAIN AND REPRESENTATIVE SCALISE

##### A CONCURRENT RESOLUTION

To honor and commend the pastors with PRC Compassion who mobilized their churches to rescue and assist Louisiana citizens displaced by hurricanes Katrina and Rita.

#### SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATOR SMITH AND REPRESENTATIVES BEARD AND SCALISE

##### A CONCURRENT RESOLUTION

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

#### SENATE CONCURRENT RESOLUTION NO. 29—

BY SENATOR ULLO AND REPRESENTATIVE CRANE

##### A CONCURRENT RESOLUTION

To provide for legislative approval of adjustments adopted by the State Board of Elementary and Secondary Education on November 15, 2005 to the Minimum Foundation Program

formula for FY 2005-06 previously developed and adopted by BESE on June 16, 2005 and approved by the Legislature as Senate Concurrent Resolution No. 125 of the 2005 Regular Session.

#### SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR HEITMEIER

##### A CONCURRENT RESOLUTION

To urge and request state agencies to cooperate to develop an easily accessible web site on which to post information about disaster related contracts.

#### SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR MURRAY

##### A CONCURRENT RESOLUTION

To the Senate Committee on Judiciary C and the House Committee on the Administration of Criminal Justice to meet and function as a joint committee to study the practicality and feasibility of setting aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency.

#### SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR NEVERS AND REPRESENTATIVE HUNTER

##### A CONCURRENT RESOLUTION

To request the Senate Committee on Labor and Industrial Relations and the House Committee on Labor and Industrial Relations to meet and to function as a joint committee to study advanced manufacturing/integrated systems technology training and other training opportunities in Louisiana.

#### SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATORS BAJOIE, JONES, CRAVINS, MURRAY, FIELDS, DUPLESSIS, SHEPHERD, QUINN, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, DARZENNE, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRES, RICHMOND, RITCHIE, ROBIDEAU, 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, WOOTON AND WRIGHT

##### A CONCURRENT RESOLUTION

To commend Lieutenant General Russel Honore for his outstanding leadership and incredible efforts in response to hurricanes Katrina and Rita.

#### SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATORS MURRAY, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARZENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRES, RICHMOND, RITCHIE, ROBIDEAU, 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, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend Dr. Eric Baumgardner and the Senate and House staffs for their outstanding efforts in establishing and manning the Legislative Resource Center and related activities in the aftermath of hurricanes Katrina and Rita.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Adjournment

Senator Bajoie moved that the Senate adjourn sine die.

The President of the Senate declared the Senate adjourned sine die.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk

Post Session Legislative Actions

Following final adjournment, the instruments contained in the following messages were acted upon on the dates indicated.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

November 23, 2005

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 3—  
BY SENATOR JONES

A RESOLUTION

To urge and request the Department of Military Affairs' office of homeland security and emergency preparedness and the division of administration's office of facility planning and control to use Louisiana businesses and to establish a goal for awarding contracts to women and minorities in the rebuilding of the city of New Orleans and surrounding areas and for the other disaster stricken areas following hurricanes Katrina and Rita.

SENATE RESOLUTION NO. 4—  
BY SENATORS HINES, ADLEY, CHEEK, JACKSON AND MALONE  
A RESOLUTION

To commend Billy Andrews of Shreveport, Louisiana for being recognized as an outstanding volunteer and cooperative weather observer for the National Weather Service for over twenty-seven years and on being honored with the prestigious John Campanius Holm Award.

SENATE RESOLUTION NO. 5—  
BY SENATOR BROOME  
A RESOLUTION

To proclaim Thursday, November 10, 2005, as Dr. Frederick K.C. Price Day at the Louisiana Senate.

SENATE RESOLUTION NO. 6—  
BY SENATOR JACKSON  
A RESOLUTION

To commend The Shreveport Sun, its owner, editors and staff, on being the oldest black weekly newspaper in Louisiana and to acknowledge its significance as an effective agent of change.

SENATE RESOLUTION NO. 7—  
BY SENATOR FONTENOT  
A RESOLUTION

To commend the 9U Livingston Braves Boys Baseball Team of Livingston Parish, Louisiana on winning the United States Specialty Sports Association 9U Fall Ball State Championship.

SENATE RESOLUTION NO. 8—  
BY SENATORS BARHAM AND MALONE  
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon learning of the death of William Ardis Marbury.

SENATE RESOLUTION NO. 9—  
BY SENATORS HINES, KOSTELKA, MALONE AND THEUNISSEN  
A RESOLUTION

To honor and commend firefighters from Roanoke, Virginia, for their contributions to hurricane relief efforts in Johnson Bayou, Louisiana.

SENATE RESOLUTION NO. 10—  
BY SENATORS MICHOT AND N. GAUTREUX  
A RESOLUTION

To urge and request the Department of Natural Resources and the Department of Transportation and Development in conjunction with other public and private entities to conduct a feasibility study on the construction of a coastal barrier and intracoastal highway.

SENATE RESOLUTION NO. 11—  
BY SENATOR JACKSON  
A RESOLUTION

To commend Louisiana's non-profit organizations and their dedicated employees for their response to hurricanes Katrina and Rita.

SENATE RESOLUTION NO. 12—  
BY SENATORS JONES AND BAJOIE  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Alphonse Maurice Haynes, an attorney, educator, and businessman.

SENATE RESOLUTION NO. 13—  
BY SENATOR SHEPHERD  
A RESOLUTION

To memorialize the Congress of the United States to adopt legislation that would provide funding through the Department of Housing and Urban Development in the form of Community Development Block Grants to investor owned utilities for the restoration of electric and gas service damaged by hurricanes Katrina and Rita.

SENATE RESOLUTION NO. 14—  
BY SENATORS FIELDS, BROOME, JONES AND MARIONNEAUX  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Alphonse Maurice Haynes, an attorney, educator, and businessman.

SENATE RESOLUTION NO. 15—  
BY SENATOR JACKSON  
A RESOLUTION

To commend Mrs. Berdia C. Jackson for her dedication to her family, her church, and her community.

**SENATE RESOLUTION NO. 16—**

BY SENATORS ADLEY AND MOUNT

A RESOLUTION

To urge and request the Senate Committee on Revenue and Fiscal Affairs to conduct an in-depth study of, and to develop recommendations to revise, the capital outlay budget process.

**SENATE RESOLUTION NO. 17—**

BY SENATORS FIELDS, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREUX, N. GAUTREUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To commend and congratulate the Louisiana Leadership Institute marching band upon winning first place in the Home Depot/VH1 Battle of the High School Marching Bands competition.

**SENATE RESOLUTION NO. 18—**

BY SENATOR HINES

A RESOLUTION

To recognize and commend Tommy Cvitanovich, owner of New Orleans' Drago's Seafood Restaurant and Oyster Bar, his family, friends, and dedicated restaurant staff for their humanitarian efforts in the aftermath of Hurricane Katrina.

**SENATE RESOLUTION NO. 19—**

BY SENATOR DARDENNE

A RESOLUTION

To commend David Dellucci, native of Baton Rouge and outfielder with the Texas Rangers, professional baseball team, for his efforts on behalf of Louisiana citizens displaced by hurricanes Katrina and Rita.

**SENATE RESOLUTION NO. 20—**

BY SENATOR BAJOIE

A RESOLUTION

To commend the employees of the Sewerage and Water Board of New Orleans for their heroic and outstanding efforts during and after Hurricane Katrina.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

November 23, 2005

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 2—**

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend and congratulate Richard M. "Mark" Newton upon the occasion of his retirement as assessor of Grant Parish.

**SENATE CONCURRENT RESOLUTION NO. 4—**

BY SENATORS JONES, BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, MURRAY, SHEPHERD, ADLEY, AMEDEE, BARHAM, BOASSO, CHEEK, DARDENNE, DUPRE, ELLINGTON, B. GAUTREUX, N. GAUTREUX, HEITMEIER, HINES, HOLLIS, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MOUNT, NEVERS, QUINN, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES BADON, BARROW, BAYLOR,

BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE AND RICHMOND

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of civil rights pioneer Rosa Parks.

**SENATE CONCURRENT RESOLUTION NO. 5—**

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to add East Carroll Parish to the areas that are part of the Northern Louisiana Renewal Community which is part of the Renewal Louisiana program.

**SENATE CONCURRENT RESOLUTION NO. 11—**

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To urge and request the Honorable Kathleen Babineaux Blanco, Governor, to appoint members to fill expired terms which exist on the Board of Supervisors of Community and Technical Colleges.

**SENATE CONCURRENT RESOLUTION NO. 19—**

BY SENATORS THEUNISSEN AND MOUNT AND REPRESENTATIVES FRITH AND MORRISH

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana and the Louisiana congressional delegation to intervene in activities of the Federal Emergency Management Agency's mitigation division to revise flood insurance rate maps as they impact areas in Louisiana devastated by hurricanes Katrina and Rita.

**SENATE CONCURRENT RESOLUTION NO. 8—**

BY SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREUX, N. GAUTREUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE KATZ

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles.

**SENATE CONCURRENT RESOLUTION NO. 28—**

BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To strongly urge and request Entergy New Orleans and the city of New Orleans to take all actions necessary to restore working street lighting throughout the city of New Orleans at the earliest possible date.

**SENATE CONCURRENT RESOLUTION NO. 31—**

BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To commend BellSouth, Cox Communications, and Entergy New Orleans for their efforts in restoring services to the New Orleans metropolitan area and to urge and request such companies to expedite the restoration and resumption of their respective services to the remainder of the New Orleans area that is still without such services.

**SENATE CONCURRENT RESOLUTION NO. 22—**

BY SENATOR B. GAUTREUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider revising or eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

**SENATE CONCURRENT RESOLUTION NO. 21—**

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, Department of Social Services, and the office of homeland security to include the Louisiana Emergency Response Network

and its board in any and all discussions and decisions regarding emergency and disaster preparation and response.

**SENATE CONCURRENT RESOLUTION NO. 12—**  
BY SENATOR HEITMEIER AND REPRESENTATIVES ALARIO AND SALTER

A CONCURRENT RESOLUTION

To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2005-2006 and to authorize the appropriation of such amounts.

**SENATE CONCURRENT RESOLUTION NO. 14—**  
BY SENATOR ADLEY AND REPRESENTATIVES BURRELL, R. CARTER, DORSEY, FAUCHEUX, GALLOT, GREENE, HEBERT, M. POWELL AND RICHMOND

A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA), American Red Cross, the Salvation Army, and other entities to realign their districts to conform to each other in order to provide easier access by the public, and a more rapid response to national disasters.

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

A CONCURRENT RESOLUTION

To urge and request the various financial institutions throughout the state, who are licensed by the state to provide residential mortgage loans, to delay the collection of the monthly mortgage installment due for payment in December, 2005, for those individuals residing in an area of the state that has been designated as either a Hurricane Katrina FEMA Individual Assistance Area or a Hurricane Rita FEMA Individual Assistance Area.

**SENATE CONCURRENT RESOLUTION NO. 25—**  
BY SENATORS HOLLIS, ADLEY, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREUX, N. GAUTREUX, HINES, JACKSON, JONES, KOSTELKA, LENTINI, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To urge and request the governor and the secretary of the Department of Economic Development to continue to study and make recommendations relative to enhancing air service options to all markets within the state, as well as exploring the feasibility and benefits of the state providing financial assistance or incentives to an airline that chooses to locate its hub operations at Armstrong International Airport.

**SENATE CONCURRENT RESOLUTION NO. 27—**  
BY SENATOR DUPRE

A CONCURRENT RESOLUTION

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

**SENATE CONCURRENT RESOLUTION NO. 32—**  
BY SENATORS MICHOT AND N. GAUTREUX AND REPRESENTATIVE ROBIDEAUX

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Transportation and Development in conjunction with other public and private entities to conduct a feasibility study on the construction of a coastal barrier and intracoastal highway.

**SENATE CONCURRENT RESOLUTION NO. 33—**  
BY SENATORS MCPHERSON, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, CAIN, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREUX, N. GAUTREUX, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to mandate that federal contracts awarded for reconstruction of the Gulf Coast region give a preference to local contractors and workers.

**SENATE CONCURRENT RESOLUTION NO. 34—**

BY SENATORS B. GAUTREUX, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, N. GAUTREUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend Louisiana National Guard Brigadier General Hunt Downer for his outstanding efforts in performance of his duties and the accomplishment of his mission during and after Hurricane Katrina.

**SENATE CONCURRENT RESOLUTION NO. 37—**  
BY SENATOR HINES AND REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To name the pavilion at the Bunkie Youth Center the Tom McWilliams Pavilion in honor of a man who was one of the youth center's most valuable and dedicated employees.

**SENATE CONCURRENT RESOLUTION NO. 38—**  
BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide financial assistance to the state necessary to maintain essential public services to the people of Louisiana following the devastation caused by hurricanes Katrina and Rita.

**SENATE CONCURRENT RESOLUTION NO. 24—**  
BY SENATOR SHEPHERD

A CONCURRENT RESOLUTION

To urge and request the secretary of state to make all absentee ballots more reader friendly.

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATOR B. GAUTREUX

A CONCURRENT RESOLUTION

To commend Hornets' owner George Shinn for his resolve that the team will remain in New Orleans and his pledge to aid revitalization efforts.

**SENATE CONCURRENT RESOLUTION NO. 41—**  
BY SENATORS CAIN, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREUX, N. GAUTREUX, HINES, 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 urge and request the Congress of the United States to change the coastal line by which the state receives tax and mineral revenue from three miles to twelve miles to be consistent with the states of Texas and Mississippi as it relates to the receipt of federal tax and mineral revenue.

**SENATE CONCURRENT RESOLUTION NO. 42—**  
BY SENATOR MARIONNEAUX AND REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education (BESE) to make adjustments in the Minimum Foundation Program formula (MFP) for the 2006-2007 school year and thereafter as necessary to correct an error in allocation which was created by a tax assessment which was overturned by

the Louisiana Supreme Court which consequently resulted in an erroneous calculation of certain salary adjustments to be paid by the Pointe Coupee Parish School Board.

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATORS MICHOT, BROOME AND CAIN AND REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To honor and commend the pastors with PRC Compassion who mobilized their churches to rescue and assist Louisiana citizens displaced by hurricanes Katrina and Rita.

**SENATE CONCURRENT RESOLUTION NO. 30—**

BY SENATOR SMITH AND REPRESENTATIVES BEARD AND SCALISE

A CONCURRENT RESOLUTION

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

**SENATE CONCURRENT RESOLUTION NO. 29—**

BY SENATOR ULLO AND REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of adjustments adopted by the State Board of Elementary and Secondary Education on November 15, 2005 to the Minimum Foundation Program formula for FY 2005-06 previously developed and adopted by BESE on June 16, 2005 and approved by the Legislature as Senate Concurrent Resolution No. 125 of the 2005 Regular Session.

**SENATE CONCURRENT RESOLUTION NO. 43—**

BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To urge and request state agencies to cooperate to develop an easily accessible web site on which to post information about disaster related contracts.

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To the Senate Committee on Judiciary C and the House Committee on the Administration of Criminal Justice to meet and function as a joint committee to study the practicality and feasibility of setting aside criminal bond forfeitures due to the effects of a gubernatorially declared disaster or emergency.

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR NEVERS AND REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To request the Senate Committee on Labor and Industrial Relations and the House Committee on Labor and Industrial Relations to meet and to function as a joint committee to study advanced manufacturing/integrated systems technology training and other training opportunities in Louisiana.

**SENATE CONCURRENT RESOLUTION NO. 44—**

BY SENATORS BAJOEI, JONES, CRAVINS, MURRAY, FIELDS, DUPLESSIS, SHEPHERD, QUINN, ADLEY, AMEDEE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, 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, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend Lieutenant General Russel Honore for his outstanding leadership and incredible efforts in response to hurricanes Katrina and Rita.

**SENATE CONCURRENT RESOLUTION NO. 45—**

BY SENATORS MURRAY, ADLEY, AMEDEE, BAJOEI, 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, 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, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, 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, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

To commend Dr. Eric Baumgardner and the Senate and House staffs for their outstanding efforts in establishing and manning the Legislative Resource Center and related activities in the aftermath of hurricanes Katrina and Rita.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

**Message to the Governor**

**SIGNED SENATE BILLS**

November 23, 2005

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 3—**

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, RICHMOND, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TOOMY, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To amend and reenact R.S. 24:513(A)(5)(a) and 514(E) and (F) and to enact R.S. 24:513.4, all relative to audit reports and financial statements of certain entities; to provide for an extension of time relative to the completion of audit reports and financial statements in the event of certain disasters or emergencies; to authorize the legislative auditor to audit certain organizations; to provide for the frequency of such audits; to provide for effectiveness provisions; and to provide for related matters.

**SENATE BILL NO. 89—**

BY SENATOR JONES AND REPRESENTATIVES BRUNEAU AND LANCASTER

AN ACT

To enact R.S. 18:401.3, relative to holding certain elections; to authorize the secretary of state to develop and implement an emergency plan relative to holding certain elections impaired as a result of a gubernatorially declared disaster or emergency; to require and provide for gubernatorial and legislative approval of

November 22, 2005

such emergency plan prior to implementation; and to provide for related matters.

**SENATE BILL NO. 71— (Duplicate of House Bill No. 141)**

BY SENATOR DUPRE AND REPRESENTATIVE ALARIO AND COAUTHORED BY SENATORS AMEDEE, BAJOIE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JONES, LENTINI, MALONE, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO AND REPRESENTATIVES SALTER, DEWITT, DORSEY AND HAMMETT

AN ACT

To amend and reenact R.S. 49:213.1 through 213.8, 214.3(1), 214.11, 214.12(A)(1), and 214.13, and to enact R.S. 49:213.11 and 213.12, and to repeal Act No. 300 of the 2005 Regular Session of the Louisiana Legislature, relative to coastal protection, conservation, restoration and management; to authorize and provide for the development and implementation of a comprehensive coastal protection plan; to provide powers, duties, terms, procedures, definitions, conditions, and requirements; to provide relative to hurricane protection and coastal restoration; to provide relative to enforcement; to provide relative to certain authorities, commissions, and departments; to change the name of the Wetlands Conservation and Restoration Authority to the Coastal Protection and Restoration Authority and set forth its powers, duties, and members; to change the name of the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund and to provide relative to deposits and expenditures of the fund; to change the name of the Governor's Advisory Commission on Coastal Restoration and Conservation to the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation and set forth its powers, duties, and members; and to provide for related matters.

**SENATE BILL NO. 55—**

BY SENATORS ADLEY AND MURRAY

AN ACT

To enact R.S. 22:667.1, relative to requiring property insurers to itemize coverages included in payments made to the insured; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate