

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

THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, February 8, 2006

The Senate was called to order at 4:00 o'clock P.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	Marionneau
Adley	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

ABSENT

Amedee	Gautreaux B	Smith
Total - 3		

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

The prayer was offered by Senator Broome, 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 Broome, 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

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

February 7, 2006

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. 3—

BY SENATORS JACKSON, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, 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, BURRELL, K. CARTER, BURNS, 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, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAU, ROMERO, SALTER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON AND WOOTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of the first lady of the civil rights movement, Coretta Scott King, and to celebrate her life and legacy.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 4—

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

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of a true legend in Louisiana politics, Edwin L. Reed.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATORS JONES, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAU, 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, 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, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAU, ROMERO, SALTER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WHITE, WINSTON AND WOOTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of the first lady of the civil rights movement, Coretta Scott King, and to celebrate her life and legacy.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATORS ELLINGTON AND BARHAM AND REPRESENTATIVES HAMMETT, KENNEY, THOMPSON AND WALSWORTH

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of political columnist Sam Hanna and to offer the enduring gratitude of the members of the legislature for his outstanding contributions to the state of Louisiana.

Reported without amendments.

February 8, 2006

SENATE CONCURRENT RESOLUTION NO. 8—

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

A CONCURRENT RESOLUTION

To commend the "Women of the Storm" for their non-partisan activism in encouraging members of Congress to visit post-Katrina New Orleans to view the devastation firsthand in hopes of receiving increased federal funds.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 42—

BY SENATOR LENTINI

AN ACT

To enact R.S. 13:63(E), relative to judicial districts and judgeships; to authorize the Judicial Council to review and make certain recommendations to the legislature concerning certain judgeships; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

SENATE BILL NO. 43—

BY SENATOR BAJOIE AND REPRESENTATIVE HUNTER

AN ACT

To enact Chapter 3-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:600.31 through 600.45, relative to housing; to enact and provide for the Louisiana Housing Preservation Act; to provide relative to the identification and rehabilitation of blighted housing property and procedures therefor; to provide for the powers, duties, functions, and responsibilities of parishes, municipalities, and courts relative thereto; to provide for designation of qualified rehabilitation entities; to provide relative to permits, taxes, liens, obligations, and liability; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 44—

BY SENATOR MURRAY

AN ACT

To enact Chapter 13 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1600 through 1608, relative to communications; to create the Municipal Wireless Internet Act; to authorize the construction of wireless Internet networks for the establishment of basic and reliable communications; to

provide for legislative intent; to provide for definitions; to provide limitations on certain wireless Internet services; to establish procedures for offering certain wireless Internet services; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 45—

BY SENATORS BAJOIE AND MURRAY AND REPRESENTATIVE DORSEY

AN ACT

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

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

SENATE BILL NO. 46—

BY SENATOR DUPRE

AN ACT

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

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways and Public Works.

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

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

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR JONES

A CONCURRENT RESOLUTION

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

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Rose Drew Cager.

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	Dupre	Marionneaux
Adley	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Shepherd
Gautreaux B	Smith
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

February 7, 2006

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. 14—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the adjutant general, Military Department, state of Louisiana to bestow a medal of honor on each member of the Louisiana National Guard who served during Hurricane Katrina and Hurricane Rita for their courageous and valuable service during and in the aftermath of the states of emergency caused by these hurricanes in 2005.

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

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

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. 14—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the adjutant general, Military Department, state of Louisiana to bestow a medal of honor on each member of the Louisiana National Guard who served during Hurricane Katrina and Hurricane Rita for their courageous and valuable service during and in the aftermath of the states of emergency caused by these hurricanes in 2005.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

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

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

Senate and Concurrent Resolutions on Second Reading

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

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR SHEPHERD

A CONCURRENT RESOLUTION

To direct the attorney general and the secretary of state to study and make recommendations with respect to the creation of one municipality combining the parishes of Jefferson, Orleans, Plaquemines and St. Bernard.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Congress of the United States and the governor to consider using funds from the Federal Emergency Management Agency and the U.S. Department of Housing and Urban Development for modular homes as alternative housing for those affected by hurricanes Katrina and Rita.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Adley	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux N	Mount
Boasso	Heitmeier	Murray
Broome	Hollis	Nevers
Cain	Jackson	Quinn
Cheek	Jones	Romero
Dardenne	Kostelka	Schedler
Duplessis	Lentini	Shepherd
Dupre	Malone	Ullo
Total - 33		

NAYS

February 8, 2006

Total - 0

ABSENT

Amedee	Cravins	Smith
Chaisson	Gautreaux B	Theunissen
Total - 6		

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 1—
BY SENATORS NEVERS, HINES, JACKSON AND SCHEDLER
AN ACT

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 1, following "U.S.C." and before "501" change "S" to "§"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Nevers moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Smith
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 2—
BY SENATOR THEUNISSEN
AN ACT

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

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Bajoie	Fields	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Theunissen
Duplessis	Marionneaux	Ullo
Total - 30		

NAYS

Barham	Fontenot	Malone
Dardenne	Lentini	Romero
Total - 6		

ABSENT

Amedee	Gautreaux B	Smith
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 7—
BY SENATORS QUINN, ADLEY, BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, N. GAUTREAUX, HINES, HOLLIS, JONES, LENTINI, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO
AN ACT

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

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 7 by Senator Quinn

AMENDMENT NO. 1

On page 1, line 2 after "To" insert "amend and reenact R.S. 22:122(B)(5) and to enact R.S. 658.2 and 1220(B)(6)"

AMENDMENT NO. 2

On page 1, line 9 delete "automatically"

AMENDMENT NO. 3

On page 1, line 9 after "coverage;" insert "to define bad faith regarding claims handling;"

AMENDMENT NO. 4

On page 1, line 9 change "is" to "and 1220(B)(6) are"

AMENDMENT NO. 5

On page 1, line 12 after "Section 1." insert "R.S. 22:1220(B)(5) is hereby amended and reenacted and"

AMENDMENT NO. 6

On page 1, delete lines 15 through 17 and insert in lieu thereof the following:

"A. The Louisiana Legislature finds that it is a matter of public policy that an issuer of a standard fire policy, as well as all residential and commercial property insurance policy issuers, is required to pay damages to the extent that they are owed under the policy notwithstanding that a non-covered peril may have contributed to the damage or caused damage to the property."

AMENDMENT NO. 7

On page 2, line 2 after "**proof**" delete the rest of the line and insert "**when determining whether a loss is**"

AMENDMENT NO. 8

On page 2, line 3 after "**covered**" insert "**or not covered**"

AMENDMENT NO. 9

On page 2 line 5 after "**foundation**" delete the rest of the line.

AMENDMENT NO. 10

On page 2, line 6, delete "**hurricane event,**" and after "**proof**" delete the rest of the line and insert "**when determining whether a loss is**"

AMENDMENT NO. 11

On page 2, line 7 delete "**part, for damages covered**" and insert "**covered or not covered**"

AMENDMENT NO. 12

On page 2, between lines 7 and 8 insert the following: "(3) Any internal memo or internal policy manual promulgated by any insurer which authorizes the conduct prohibited under Subsection A of this Section is against the public policy of this state and is hereby null and void."

AMENDMENT NO. 13

On page 2, line 8 after "**property**" delete the rest of the line and insert "**is**"

AMENDMENT NO. 14

On page 2, line 9 after "**insurance**" delete "**and a**"

AMENDMENT NO. 15

On page 2, line 11, delete "**cause not covered under such policy**"

AMENDMENT NO. 16

On page 2, line 11, delete "**by clear and convincing evidence**" and change "**not covered**" to "**excluded**"

AMENDMENT NO. 17

On page 2, line 13 after "**provision**", delete "**, including any anti-**"

AMENDMENT NO. 18

On page 2, line 14 at the beginning of the line delete "**concurrent cause provision,**"

AMENDMENT NO. 19

On page 2, line 17 after "**including**" delete the rest of the sentence

AMENDMENT NO. 20

On page 2, line 18 delete "**concurrent causation provisions,**" and after "to" insert "**summarily**"

AMENDMENT NO. 21

On page 2, line 19 delete "more than one cause" and insert "**a non-covered peril**"

AMENDMENT NO. 22

On page 2, line 20 after "effect." insert the following: "**Under no circumstances shall a standard fire policy insurer be required to pay damages for any non-covered peril specifically excluded from the policy.**"

AMENDMENT NO. 23

On page 2, line 22 after "**liable**" delete the rest of the line and insert "**pursuant to R.S. 22:1220**"

AMENDMENT NO. 24

On page 2, delete lines 23 through 26 and insert the following: "§1220. Good faith duty; claims settlement practices; cause of action; penalties

B. Any one of the following acts, if knowingly committed or performed by an insurer, constitutes a breach of the insurer's duties imposed in Subsection A:

(5) Failing to pay the amount of any claim due any person insured by the contract within sixty days after receipt of satisfactory proof of loss from the claimant when such failure is arbitrary, capricious, or without probable cause. **In addition to other acts which constitute a violation of this Paragraph, it shall be considered arbitrary, capricious, or without probable cause for an insurer to refuse to pay damages owed under a standard fire policy, as well as residential or commercial property policies notwithstanding that a portion of the damage is caused by a non-covered peril.**

(6) Failing to pay claims pursuant to R.S. 22:658.2.

AMENDMENT NO. 25

On page 2, between lines 26 and 27 after "Section 2." insert the following:

"Section 2. The provisions of this Act are severable. If any provision, item, sentence or word of this Act, or application thereof, is held to be invalid, such invalidity shall not effect other provisions, items, sentences or words of this Act which are to be given effect without the invalid provision, item, sentence or word of the Act. The provisions of this Act are procedural in nature and do not constitute a substantive change in the law."

AMENDMENT NO. 26

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

On motion of Senator Quinn, the amendments were adopted.

The bill was read by title. Senator Quinn moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero

February 8, 2006

Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 35		

NAYS

Kostelka
Total - 1

ABSENT

Amedee	Gautreaux B	Smith
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Quinn moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 14—
BY SENATOR CAIN

AN ACT

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

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 14 by Senator Cain

AMENDMENT NO. 1

On page 1, lines 3 and 14, following "R. S." and before "1430.6(E)" insert "22:"

AMENDMENT NO. 2

On page 2, line 29, change "less" to "fewer"

AMENDMENT NO. 3

On page 5, line 20, following "corporation" change "anyway" to "is" to "are"

AMENDMENT NO. 4

On page 5, line 21, following "in" and before "impair" change "anyway" to "any way"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 14 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2 after "1430.2(C)," insert "1430.3(C)"

AMENDMENT NO. 2

On page 1, line 3 after "R.S." insert "R.S. 1430.3(A)(12), 1430.3(E)"

AMENDMENT NO. 3

On page 1, line 11 after "severability;" insert "to provide for an additional member to the board of directors;"

AMENDMENT NO. 4

On page 1, line 13 after "1430.2(C)," insert "1430.3(C),"

AMENDMENT NO. 5

On page 1, line 14 after "R.S." insert "22:1430.3(A)(12), 1430.3(E)"

AMENDMENT NO. 6

On page 2, between lines 24 and 25 insert the following:
"§1430.3. Board of directors of corporation

A. The governing body of the corporation shall be a board of directors which shall consist of the following members, who shall be representative of the state's population as near as practicable

* * *

(12) One member appointed by the governor who is licensed by the department of insurance to sell property and casualty insurance in Louisiana and who possesses executive-level experience in the field of property and casualty insurance.

* * *

C. The members of the board shall elect the chairman, **who shall be confirmed by the Senate.**

* * *

E. The members of the board shall be confirmed by the Senate.

AMENDMENT NO. 7

On page 3, delete lines 5 through 19 and insert the following:

"effectuate a plan of dissolution of the corporation. ~~Upon dissolution, the assets of the corporation shall be applied first to pay all debts, liabilities, and obligations of the corporation, including the establishment of reasonable reserves for any contingent liabilities or obligations, and all remaining assets of the corporation shall become property of the state and be deposited in the general fund. However, no dissolution shall take effect as long as the corporation has bonds or other financial obligations outstanding unless adequate provision has been made for the payment of the bonds or other financial obligations pursuant to the documents authorizing the issuance of the bonds or other financial obligations.~~

* * *

E. The governing board of the corporation shall be prohibited from authorizing any rehabilitation, liquidation, or dissolution of the corporation, and no such rehabilitation, liquidation, or dissolution of the corporation shall take effect as long as the corporation has bonds or other financial obligations outstanding unless adequate protection and provision has been made for the payment of the bonds or other financial obligations pursuant to the documents authorizing the issuance of the bonds or other financial obligations. In the event of any rehabilitation, liquidation, or dissolution, the assets of the corporation shall be applied first to pay all debts, liabilities, and obligations of the corporation, including the establishment of reasonable reserves for any contingent liabilities or obligations, and all remaining assets of the corporation shall become property of the state and be deposited in the general fund.

AMENDMENT NO. 8

On page 3, line 24 delete "proceeds of"

AMENDMENT NO. 9

On page 3, line 26 after "indebtedness," insert "or"

AMENDMENT NO. 10

On page 3, line 28 after "1950," insert "R.S. 39:1431, et seq."

AMENDMENT NO. 11

On page 5, line 13 after "contrary," insert "any"

AMENDMENT NO. 12

On page 5, line 19 after "state" insert "and any public instrumentality thereof and the Louisiana Legislature"

AMENDMENT NO. 13

On page 5 line 20 change "is" to "remain"

AMENDMENT NO. 14

On page 5, line 21 after "state" insert "and any public instrumentality thereof and the Louisiana Legislature"

AMENDMENT NO. 15

On page 5, line 22 after "indebtedness" insert "and any public instrumentality thereof and the Louisiana Legislature"

AMENDMENT NO. 16

On page 5, line 29 delete "not" and insert "have no authority to"

AMENDMENT NO. 17

On page 6, line 8 after "Louisiana" insert "and any public instrumentality thereof and the Louisiana Legislature"

AMENDMENT NO. 18

On page 6, line 9 after "state" insert "and any public instrumentality thereof and the Louisiana Legislature"

AMENDMENT NO. 19

On page 6, line 16, 17 and 18 change "Part" to "Sub-part"

AMENDMENT NO. 20

On page 6, line 19 after "application of this" delete the rest of the sentence and insert "Subpart"

AMENDMENT NO. 21

On page 6, delete line 20

On motion of Senator Cain, the amendments were adopted.

The bill was read by title. Senator Cain moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Mount
Adley	Dupre	Murray
Bajoie	Ellington	Nevers
Barham	Fontenot	Quinn
Boasso	Heitmeier	Romero
Broome	Hollis	Schedler
Cain	Jackson	Shepherd
Chaisson	Jones	Theunissen
Cheek	Kostelka	Uilo
Cravins	Lentini	
Dardenne	Michot	
Total - 13		

NAYS

Gautreaux N	Marionneaux
Malone	McPherson
Total - 4	

ABSENT

Amedee	Gautreaux B
Fields	Smith
Total - 4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Uilo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Introduction of Senate Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 47—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 29:1(B), 722(A)(1), 724(B)(3), 725, 726(A), (E)(introductory paragraph), and (F), 727(A), 728(A) and (C), 730(C), 731.1(A), 737(C), 764(A)(1), 766(B), and 767, R.S. 30:2458(A)(9), R.S. 36:4(B)(1)(n), R.S. 40:2841, 2842(3), and 2844(B)(6), and R.S. 49:1055(D) and to enact R.S. 36:4(B)(1)(g), relative to reorganization of governmental powers, functions, and responsibilities regarding homeland security and emergency preparedness; to abolish the office of homeland security and emergency preparedness in the Military Department and to create the Governor's Office of Homeland Security and Emergency Preparedness as an agency in the office of the governor reporting directly to the governor; to provide for the powers, duties, organization, and responsibilities of such office; to provide for a director of such office; to provide that the new office is the successor to the abolished office; to provide for the transfer of power, duties, functions, responsibilities, property, and employees and to otherwise provide for implementation; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 48—
BY SENATOR SHEPHERD

AN ACT

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

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

SENATE BILL NO. 49—
BY SENATOR DUPLESSIS AND REPRESENTATIVE GALLOT

AN ACT

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

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

Introduction of Resolutions, Senate and Concurrent

February 8, 2006

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. 5—
BY SENATOR MALONE

A RESOLUTION

To express the sincere condolences of the Louisiana Senate upon the death of Ann Snipes Zoudlik, wife, mother, and grandmother.

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATORS SHEPHERD AND QUINN

A CONCURRENT RESOLUTION

To urge and request the Jefferson Parish School Board to provide transportation to each public school student within the parish including those who choose to attend magnet or charter schools at no cost to the student or his family.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways and Public Works, submitted the following report:

February 8, 2006

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

SENATE BILL NO. 4—
BY SENATOR B. GAUTREAUX
AN ACT

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

Reported favorably.

SENATE BILL NO. 8—
BY SENATOR BOASSO AND REPRESENTATIVE K. CARTER
AN ACT

To amend and reenact R.S. 38:291(D)(2), (G)(2), (K)(2), (L)(1), and (R)(2), 301(B), 304(A) and (B), 305, and 313(C), R.S. 42:808(A)(10), and R.S. 49:213.1(C), 213.4(A)(2), 213.5(A)(10), and 213.6(A)(2)(b), to enact, R.S. 38:291(V), (W), (X), and (Y), 304(D), and Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:330.1 through 330.12, and to repeal R.S. 38:291(D)(3), 304.2, and 304.3, relative to flood protection; to establish the Southeast Louisiana Flood Protection Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to establish regions within the authority and provide for its governance, powers, and duties; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain

levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional executive director; to create and provide for the Livingston Levee District; to create and provide for the St. Tammany Levee District; to create and provide for the Tangipahoa Levee District; to create and provide for the West Lake Pontchartrain Levee District; to create and provide for the Mississippi River East Region within the authority; to create and provide for the Mississippi River West Region within the authority; to provide for funding; to transfer and provide for the management and control of certain facilities and improvements of levee districts within the authority that are not related to flood protection and to provide for the allocation of revenue derived therefrom; to provide for applicability; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 9—
BY SENATOR BOASSO AND REPRESENTATIVE K. CARTER
A JOINT RESOLUTION

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

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

February 8, 2006

To the President and Members of the Senate:

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

SENATE BILL NO. 16—
BY SENATOR JONES
AN ACT

To amend and reenact R.S. 18:401.3(B) and to enact R.S. 18:401.4, relative to the conduct of elections impaired as a result of a gubernatorially declared disaster or emergency; to provide relative to the registration of voters; provide for early voting by mail for persons who registered by mail; to provide for the authority of a voter who has registered by mail who has not previously voted in the parish in which he is registered during certain emergencies; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 22—
BY SENATOR SHEPHERD

AN ACT

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

Reported with amendments.

Respectfully submitted,
CHARLES D. JONES
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 4—

BY SENATORS B. GAUTREAU, AMEDEE, CAIN, N. GAUTREAU, HEITMEIER, THEUNISSEN AND ULLO AND REPRESENTATIVE JACK SMITH

AN ACT

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

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 8—

BY SENATORS BOASSO AND MOUNT AND REPRESENTATIVES K. CARTER, DORSEY, SALTER AND SCALISE

AN ACT

To amend and reenact R.S. 38:291(D)(2), (G)(2), (K)(2), (L)(1), and (R)(2), 301(B), 304(A) and (B), 305, and 313(C), R.S. 42:808(A)(10), and R.S. 49:213.1(C), 213.4(A)(2), 213.5(A)(10), and 213.6(A)(2)(b), to enact, R.S. 38:291(V), (W), (X), and (Y), 304(D), and Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:330.1 through 330.12, and to repeal R.S. 38:291(D)(3), 304.2, and 304.3, relative to flood protection; to establish the Southeast Louisiana Flood Protection Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to establish regions within the authority and provide for its governance, powers, and duties; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional executive director; to create and provide for the Livingston Levee District; to create and provide for the St. Tammany Levee District; to create and provide for the Tangipahoa Levee District; to create and provide for the West Lake Pontchartrain Levee District; to create and provide for the Mississippi River East Region within the authority; to create and provide for the Mississippi River West Region within the authority; to provide for funding; to transfer and provide for the management and control of certain facilities

and improvements of levee districts within the authority that are not related to flood protection and to provide for the allocation of revenue derived therefrom; to provide for applicability; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 2, at the beginning of line 1, delete "executive"

AMENDMENT NO. 2

On page 9, lines 6 and 7, delete "The member from Jefferson Parish shall reside on the west side of the Mississippi River."

AMENDMENT NO. 3

On page 13, line 9, change "any region" to "with any region established by this Part"

AMENDMENT NO. 4

On page 14, line 14, change "any region" to "with any region established by this Part"

AMENDMENT NO. 5

On page 17, line 18, change "carry this Subsection" to "care for and inspect levees"

AMENDMENT NO. 6

On page 21, line 25, change "the six-week" to "a P.O.S.T. certified" and on line 26, delete "at Louisiana State University and Agricultural and Mechanical College"

AMENDMENT NO. 7

On page 21, delete lines 28 and 29 and on page 22, delete lines 1 and 2

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 9—

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

A JOINT RESOLUTION

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

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 16—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:401.3(B) and to enact R.S. 18:401.4, relative to the conduct of elections impaired as a result of a gubernatorially declared disaster or emergency; to provide relative to the registration of voters; provide for early voting by mail for persons who registered by mail; to provide for the

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authority of a voter who has registered by mail who has not previously voted in the parish in which he is registered during certain emergencies; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 28, change "May 31, 2006" to "July 16, 2006"

AMENDMENT NO. 2

On page 3, line 6, change "May 31, 2006" to "July 16, 2006"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 22— BY SENATOR SHEPHERD

AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 16, change "state. Each" to "parishes of Caddo, Calcasieu, East Baton Rouge, Lafayette, Ouachita, Rapides, St. Tammany, and Terrebonne. Such"

AMENDMENT NO. 2

On page 2, lines 3 and 4, change "candidates for office in such election" to "clerks of court"

AMENDMENT NO. 3

On page 2, line 4, after "provision" insert ", to be provided to all candidates for office by the clerks of court upon qualifying"

AMENDMENT NO. 4

On page 2, delete lines 8 through 11

AMENDMENT NO. 5

On page 2, on line 14, after "detailing the process" delete the remainder of the line and delete lines 15 through 18 and insert "to the members of the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs."

AMENDMENT NO. 6

On page 2, between lines 18 and 19, insert the following: "D. Expenses associated with compliance with this Section shall be borne by the parish governing authority authorizing the election."

AMENDMENT NO. 7

On page 2, line 19, change "D." to "E."

AMENDMENT NO. 8

On page 2, line 20 change "May 31, 2006" to "July 16, 2006"

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

February 7, 2006

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. 1—

BY REPRESENTATIVES STRAIN, 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, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS SCHEDLER, 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, MURRAY, NEVERS, QUINN, ROMERO, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Maurice L. "Bud" Mapes who served with excellence as a lobbyist for fifty years.

HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVES BRUNEAU, SCALISE, AND LANCASTER

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Mary Gemelli Hansen of New Orleans and to recognize her outstanding achievements.

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVES WINSTON AND BURNS AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Roxanne Lagarde of Tchefoncté Middle School, Middle/Junior High School Division, upon being named the 2005-2006 Principal of the Year for St. Tammany Parish.

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE MCDONALD

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Leslie Remi Lavergne of Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVES SMILEY, LAMBERT, AND QUEZAIRE AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Jason Garey for winning the Hermann Trophy.

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVES SALTER, DEWITT, 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, 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, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Michael J. Bourgeois and to recognize his outstanding achievements.

HOUSE CONCURRENT RESOLUTION NO. 9—

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

A CONCURRENT RESOLUTION

To commend Glenny Lee Buquet upon her service as president of the State Board of Elementary and Secondary Education for five terms and to recognize and record her myriad accomplishments and her remarkable contributions to the field of education.

HOUSE CONCURRENT RESOLUTION NO. 10—

BY REPRESENTATIVE LAFONTA AND SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To commend the Coca-Cola system for the generous donations and contributions it gave to Louisiana following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To commend the Kentwood Springs Water Company for the generous donations that it made to the recovery effort in Louisiana following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the people of Ohio, particularly the citizens of Hamilton and Fairfield, for their generosity upon the occasion of the Ohio Concert for Katrina, which featured Louisiana's own world-renowned pianist Ronnie Kole.

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 CONCURRENT RESOLUTIONS

February 8, 2006

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. 5—

BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to require the Federal Emergency Management Agency to honor the preferences of local governing authorities in determining the location of temporary housing sites.

HOUSE CONCURRENT RESOLUTION NO. 8—

BY REPRESENTATIVE CROWE AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the governor, commissioner of administration, Board of Regents, and Board of Supervisors of Community and Technical Colleges to cooperate fully with each other and take all actions necessary to facilitate and expedite the reopening of the Slidell campus of Louisiana Technical College in the immediate future to provide educational services to students that meet the needs of the students as well as those of the community and the state.

HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request the banking industry and the Louisiana Bankers Association to study the issue of mortgage holders retaining amounts of insurance settlement payments in excess of the unpaid portion of the secured indebtedness.

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.

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee 1 Day B. Gautreaux 1 Day Smith 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, February 9, 2006, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Thursday, February 9, 2006.

GLENN A. KOEPP Secretary of the Senate

GAYE F. HAMILTON Journal Clerk