

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

ELEVENTH 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

Friday, February 17, 2006

The Senate was called to order at 11:00 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 Senator Cravins, 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 Cravins, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

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. 24—

BY SENATORS ELLINGTON, CHAISSON, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, 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 secretary John Bradberry, Louisiana Department of Transportation and Development, for the outstanding job he has done and for his integrity and commitment to public service.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

February 17, 2006

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. 2 by Representative Pinac, 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 Pinac, K. Carter and Bowler.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Senate and Concurrent Resolutions
on Second Reading**

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

SENATE RESOLUTION NO. 18—

BY SENATOR NEVERS

A RESOLUTION

To urge and request the Department of Natural Resources to study the conservation of aquifer water and the appropriate utilization of surface water.

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

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR JACKSON AND REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	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
Dupre	Marionneaux	
Total - 38		

NAYS

February 17, 2006

Total - 0
ABSENT

Bajoie
Total - 1

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

Appointment of Conference Committee on House Bill No. 2

The President of the Senate appointed on the Conference Committee on House Bill No. 2 the following members of the Senate: Senators Cain, Marionneaux and N. Gautreaux.

House Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 64— BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER A CONCURRENT RESOLUTION

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

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

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 Jones Schedler
Cheek Kostelka Shepherd
Cravins Malone Smith
Dardenne Theunissen
Duplessis Ullo
Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE CONCURRENT RESOLUTION NO. 65— BY REPRESENTATIVE CROWE A CONCURRENT RESOLUTION

To urge and request Governor Kathleen Babineaux Blanco to appoint a representative of St. Tammany Parish as a member of the Louisiana Recovery Authority in order to have a comprehensive and cohesive group working toward regional recovery efforts.

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

HOUSE CONCURRENT RESOLUTION NO. 67— BY REPRESENTATIVE SCALISE AND SENATORS HOLLIS, LENTINI, AND QUINN

A CONCURRENT RESOLUTION

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 68— BY REPRESENTATIVES GRAY, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND RICHMOND AND SENATORS BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD A CONCURRENT RESOLUTION

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

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

HOUSE CONCURRENT RESOLUTION NO. 69—
 BY REPRESENTATIVES GRAY, BADON, K. CARTER, HARRIS, JEFFERSON, LAFONTA, MARCHAND, MORRELL, QUEZAIRE, AND RICHMOND AND SENATORS BAJOIE, DUPLESSIS, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

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

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	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 concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 70—
 BY REPRESENTATIVES GRAY, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, AND RICHMOND AND SENATORS BAJOIE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

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

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	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 concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 71—
 BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

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

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	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 concurred in the House Concurrent Resolution and ordered it returned to the House.

February 17, 2006

HOUSE CONCURRENT RESOLUTION NO. 72—

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

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total - 39, and names like Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Total - 0

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

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

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 8—

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

AN ACT

To amend and reenact R.S. 38:291(D)(2), (G)(2), (K)(2), 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) and (W), 304(D), 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 R.S. 49:213.1(E) and 213.4(A)(7), 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-East; to establish the Southeast Louisiana Flood Protection Authority-West Bank; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of each authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to an authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional director for each authority; to create and provide for the St. Tammany Levee District; to create and provide for the Tangipahoa Levee District; to provide for the inclusion of parishes and portions of parishes in the authority; to provide for funding; to transfer and provide for the management and control of certain facilities and improvements of levee districts within an 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.

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 Transportation, Highways, and Public Works to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 10, at the beginning of line 2, insert "(b)"

AMENDMENT NO. 2

On page 10, line 5, change "Jefferson West Higher Learning Consortium" to "Harvey Canal Industrial Association"

AMENDMENT NO. 3

On page 10, at the beginning of line 7, change "(b)" to "(c)"

AMENDMENT NO. 4

On page 13, at the beginning of line 1, insert "(4)"

AMENDMENT NO. 5

On page 13, at the beginning of line 7, insert "(5)"

AMENDMENT NO. 6

On page 13, line 26, after "authority" delete the remainder of the line and delete "established by this Part" from the beginning of line 27

AMENDMENT NO. 7

On page 13, at the end of line 28, delete "region" and delete "or" from the beginning of line 29

AMENDMENT NO. 8

On page 14, line 8, change "twelve" to "twenty-four"

AMENDMENT NO. 9

On page 20, delete line 17 in its entirety and insert the following: "A. Each board may employ a regional director who shall serve at the"

AMENDMENT NO. 10

On page 22, line 13, change "Paragraph" to "Subsection"

AMENDMENT NO. 11

On page 24, delete line 8 in its entirety and insert the following:
"or the board of commissioners of the Southeast Louisiana Flood Protection Authority-West Bank, as applicable."

AMENDMENT NO. 12

On page 26, delete lines 8 through 11 in their entirety and at the beginning of line 12, change "F." to "E."

AMENDMENT NO. 13

On page 27, delete lines 22 through 25, and insert the following:
"E. Notwithstanding any other provision of state law and in accordance with the requirements of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act of 2006, the Coastal Protection and Restoration Authority is established, authorized, and empowered to carry out any and all functions necessary to serve as the single entity responsible to act as the local sponsor for construction, operation and maintenance of all of the hurricane, storm damage reduction and flood control projects in areas under its jurisdiction, including the greater New Orleans and southeast Louisiana area."

AMENDMENT NO. 14

On page 30, delete line 3 in its entirety and insert the following:
"Authority-East and the board of commissioners of the Southeast Louisiana Flood Protection Authority-West Bank shall conduct a study of pump drainage systems operated by entities within"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 25, line 28, after "C." and before "expense" delete "The" and insert in lieu thereof the following:
"Except as required by federal law or regulation or state constitution, the"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 21, delete lines 8 through 11 in their entirety and insert the following:

"A. An authority may employ such employees as it deems necessary for its proper functioning. All employees of the authority and each levee district within the territorial jurisdiction of the authority shall be considered civil service employees for the purpose of Article X of the Constitution of Louisiana. Each employee of a levee district within the territorial jurisdiction of the authority who is in the unclassified civil service on December 31, 2006 shall remain in the unclassified civil service as long as the employee remains in the same position."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 16, line 28, after "or" insert "on"

AMENDMENT NO. 2

On page 19, line 18, after "parishes" insert "of"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 29, delete lines 1 through 14 in their entirety and insert the following:

"(10) ~~Three~~ **Four** members selected from among and by the presidents of the ~~twelve~~ **following** levee districts in the Louisiana coastal zone grouped in ~~three~~ **four** regions as follows: Region 1 - ~~Pontchartrain Levee District, Orleans Levee District and East Jefferson Levee District.~~ Region 2 - ~~Atchafalaya Levee District, Lafourche Basin Levee District, North Lafourche Conservation, Levee and Drainage District, Terrebonne Levee and Conservation District, and South Lafourche Levee District.~~ Region 3 - ~~Lake Borgne Basin Levee District, West Jefferson Levee District, Grand Isle Independent Levee District, and the Plaquemine Parish Government.~~ **Southeast Louisiana Flood Protection Authority-East. Region 2- The Southeast Louisiana Flood Protection Authority-West Bank. Region 3- Pontchartrain Levee District, Atchafalaya Levee District, Lafourche Basin Levee District, North Lafourche Conservation, Levee and Drainage District. Region 4- Terrebonne Levee and Conservation District, South Lafourche Levee District, Grand Isle Independent Levee District, and the Plaquemines Parish Government.** The member from each region shall serve as a member for a term of one year. The members serving under the provisions of this Paragraph may designate a person to serve as a proxy."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Quezaire to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 6, delete "330.12," and insert "330.13,"

AMENDMENT NO. 2

On page 2, line 12, delete "330.12," and insert "330.13,"

AMENDMENT NO. 3

On page 26, between lines 17 and 18 insert :

"§330.13. Public contracts; Louisiana Initiative for Small Entrepreneurship.

"The board of commissioners of The Southeast Louisiana Flood Protection Authority-East and Southeast Louisiana Flood Protection Authority-West Bank shall comply with the provisions of R.S. 39:2001 et seq., when advertising and letting public works contracts and procurement contracts."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 18, line 17, delete "employees;"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 8 by Senator Boasso

AMENDMENT NO. 1

On page 6, after line 29, insert the following:

"(3) It shall be the position of the authority that the Mississippi River Gulf Outlet navigability is no longer necessary and the value associated with it remaining open is far outweighed by the danger it poses to the citizens of St. Bernard Parish, the Lower Ninth Ward of Orleans Parish, New Orleans East and surrounding areas."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Total - 39, etc.

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 9—

BY SENATORS BOASSO, MOUNT, ADLEY, AMEDEE, BAJOIE, BARHAM, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREUX, N. GAUTREUX, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES K. CARTER, DORSEY, SALTER, JEFFERSON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HILL, HONEY, HOPKINS, JACKSON, KATZ, KENNARD, KENNEY, LAFLUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

A JOINT RESOLUTION

Proposing to amend Section 38(A)(1) 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 regional flood protection authorities and its governing authority, powers, duties, functions; to provide for the governing authority of levee districts within the territorial jurisdiction of a regional flood protection authority; to provide for taxing authority; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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 Transportation, Highways, and Public Works to Reengrossed Senate Bill No. 9 by Senator Boasso

AMENDMENT NO. 1

On page 2, line 13, change "its" to "their"

AMENDMENT NO. 2

On page 2, at the beginning of line 14, delete "regions within the authority,"

AMENDMENT NO. 3

On page 3, at the beginning of line 8, change "(1) a" to "(1) A"

AMENDMENT NO. 4

On page 3, at the beginning of line 9, change "(2) each" to "(2) Each"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative K. Carter to Reengrossed Senate Bill No. 9 by Senator Boasso

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Transportation, Highways and Public Works and adopted by the House of Representatives on February 15, 2005.

AMENDMENT NO. 2

On page 2, delete line 13 in its entirety and insert the following: "regional flood protection authorities, with territorial jurisdiction limited to parishes and levee districts which are situated entirely or partially within the coastal zone as described in R.S. 49:214.24 as of the effective date of this Section, and provide for their territorial jurisdiction,"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 9 by Senator Boasso

AMENDMENT NO. 1

On page 3, line 5, after "thereof" and the comma "," insert "shall be subject to the provisions of Article VII, Section 20 of this Constitution and"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 9 by Senator Boasso

AMENDMENT NO. 1

On page 3, line 5, after "thereof" and the comma "," insert "shall be subject to the provisions of Article VII, Section 21(F) of this Constitution and"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Burns to Reengrossed Senate Bill No. 9 by Senator Boasso

AMENDMENT NO. 1

On page 3, line 3, after "all" delete the remainder of the line and insert "property not exempt from taxation"

AMENDMENT NO. 2

On page 3, at the end of line 27, delete "taxable" and from the beginning of line 28, delete "property" and insert "property not exempt from taxation"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Burns, Strain, and Schneider to Reengrossed Senate Bill No. 9 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 2, change "Section 39(A)" to "Section 39"

AMENDMENT NO. 2

On page 1, line 13, change "Section 39(A)" to "Section 39"

AMENDMENT NO. 3

On page 3, delete lines 22 through 29 in their entirety and on page 4, delete lines 1 through 10 in their entirety and insert the following:

"Section 39.(A) District Tax; Millage Limit. For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, the governing authority of a levee district created prior to January 1, 2006, may levy annually a tax not to exceed five mills, except the Board of Levee Commissioners of the Orleans Levee District which may levy annually a tax not to exceed two and one-half mills on the dollar of the assessed valuation of all taxable property situated within the alluvial portions of the district subject to overflow.

(B) Millage Increase. If the necessity to raise additional funds arises in any levee district created prior to January 1, 2006, for any purpose set forth in Paragraph (A) of this Section, or for any other purpose related to its authorized powers and functions as specified by law, the tax may be increased. However, the necessity and the rate of the increase shall be submitted to the electors of the district, and the tax increase shall take effect only if approved by a majority of the electors voting thereon in an election held for that purpose.

(C) Districts Created After January 1, 2006. For any purpose set forth in Paragraph (A) of this Section, the governing authority of a levee district created after January 1, 2006, may annually levy a tax on all property not exempt from taxation situated within the alluvial portions of the district subject to overflow. However, such a district shall not levy such a tax nor increase the rate of such a tax unless the levy or the increase is approved by a majority of the electors of the district who vote in an election held for that purpose. If the district is comprised of territory in more than one parish, approval by a majority of the electors who vote in each parish comprising the district is also required for any such levy or increase."

AMENDMENT NO. 4

On page 4, line 22, change "Section 39(A)" to "Section 39"

Senator Boasso 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 Boasso moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 25—

BY REPRESENTATIVES TUCKER, ARNOLD, ALARIO, DAMICO, ERDEY, GREENE, HARRIS, KATZ, KENNARD, TOOMY, WOOTON, AND BEARD

AN ACT

To amend and reenact R.S. 38:291(K)(1) and (R), to enact Part IV-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:350.1 through 350.24, and to repeal Chapter 2-B of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:100 through 104, 304.2, and 328, relative to certain levee districts; to redefine the territorial limits of the Orleans Levee District; to consolidate the West Jefferson Levee District and a portion of the Orleans Levee District into the Barataria Basin Flood Authority; to provide for the purpose and jurisdictional boundaries of the authority; to provide for a board of commissioners to manage the authority; to provide for powers and duties of the authority and board; to provide for cooperative endeavor agreements with other entities including but not limited to Plaquemines and St. Charles parishes; to provide relative to the authority's relationship with the Department of Transportation and Development; to provide for penalties; to provide for emergency procedures; to provide for transfer of certain property belonging to the Orleans Levee District to the authority; to provide for the completion, operation, and maintenance of the West Bank and Vicinity, New Orleans, Louisiana – Hurricane Protection Project and other such hurricane protection projects and related matters; to provide for oversight by the Coastal Protection and Restoration Authority; to provide for reporting requirements; to provide for an inspection program; to provide for compliance with the Coastal Protection and Restoration Authority master and annual plans; to provide for funding of certain flood protection projects; to provide for local activities within the jurisdictional boundaries of the authority; and to provide for related matters.

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

HOUSE BILL NO. 52—

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

AN ACT

To amend and reenact R.S. 36:501(B) and (C)(1), 502(A) and (B) and 508.3(A), R.S. 38:291(A)(1), (F)(1)(a), and (L)(1), and R.S. 49:213.1(D), 213.4(A)(3) and (4), and 213.6(D)(1) and (2), to enact R.S. 36:508.4 and 509(B)(5) and Chapter 3-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:241 through 250, and to repeal R.S. 38:291(D), (G), (K), (P), (R), (S), (T), and (U), 304.2, 304.3, 307, 326.2, 327, 328, 329, 335, 336, 337, and 338, relative to hurricane flood protection levees; to provide for the creation of the office of hurricane flood protection within the Department of Transportation and Development; to provide for the officers of the office of hurricane flood protection and the appointment, salary, powers, duties, and functions of such office; to create the Hurricane Flood Protection, Construction, and Development Priority Program; to provide relative to certain definitions; to establish a methodology for the submission and evaluation of hurricane flood protection project applications; to authorize the promulgation of rules and regulations under certain circumstances; to authorize the establishment of a Hurricane Flood Protection Commission; to provide relative to the

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nomination and appointment of commissioners; to provide relative to the duties of such commission; to provide relative to the authority of the East Jefferson, Lake Borgne Basin, Orleans, South Lafourche, West Jefferson, and Grand Isle Independent Levee Districts; to provide relative to the authority of the North Lafourche Conservation, Levee and Drainage District; to repeal laws relative to such levee districts; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

"be compiled by the office and shall be considered"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

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

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of senators and representatives under the heading 'YEAS'. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed 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

DISAGREEMENT TO HOUSE BILL

February 17, 2006

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. 59 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 DeWitt.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Appointment of Conference Committee on House Bill No. 59

The President of the Senate appointed on the Conference Committee on House Bill No. 59 the following members of the Senate: Senators Hines, Bajoie and Ellington.

Rules Suspended

Senator Cain 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

Senate Bill No.14 by Senator Cain

February 17, 2006

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

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

- 1. That the House Floor Amendments, designated as HSASB14 425 383, No. 1 through 24 and which were proposed by Representative K. Carter and adopted by the House of Representative on February 10, 2006 be rejected.
2. That the House Floor Amendments, designated as HSASB14 200 355, No. 1 and 2 and which were proposed by

Representative K. Carter and adopted by the House of Representative on February 14, 2006 be accepted.

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

AMENDMENT NO. 1
On page 1, line 2 delete "1382(B)(7)(c), 1430.2(C),"

AMENDMENT NO. 2
On page 1, line 3 between "enact" and "R.S." insert "R.S. 12:202.1(E) and"

AMENDMENT NO. 3
On page 1, line 4 after "1430.21" insert "and to repeal R.S. 22:1430.7(C)"

AMENDMENT NO. 4
On page 1, line 10 delete "from the Louisiana"

AMENDMENT NO. 5
On page 1, line 11 delete "Insurance Guaranty Association"

AMENDMENT NO. 6
On page 1, line 14 delete "22:1382(B)(7)(c), 1430.2(C)"

AMENDMENT NO. 7
On page 1, line 15 between "reenacted and" and "R.S." insert "R.S. 12:202.1(E),"

AMENDMENT NO. 8
On page 1, delete line 17 and insert the following:
"§202.1. Limitation on formation; exceptions
* * *

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

AMENDMENT NO. 9
On page 2, delete lines 1 through 24

AMENDMENT NO. 10
On page 3, delete lines 2 through 6

AMENDMENT NO. 11
On page 3, line 8 after "Senate" insert "if the chairman is a designee of an elected official."

AMENDMENT NO. 12
On page 3, line 10 after "Senate." insert the following:
"No elected official who serves on the board will be confirmed by the Senate. Should any elected official designate a member who is not an elected official, that designee shall be confirmed by the Senate."

AMENDMENT NO. 13
On page 6, line 13 before "The" insert "A."

AMENDMENT NO. 14
On page 6, between lines 22 and 23 insert the following:
"B. The provisions of R.S. 12:202.1 shall not apply to the Louisiana Citizens Property Insurance Corporation."

AMENDMENT NO. 15
On page 7 between lines 18 and 19 insert the following:
"Section 2. R.S. 22:1430.7(C) is hereby repealed in its entirety."

AMENDMENT NO. 16

On page 7, delete lines 1 and 2 and insert in lieu thereof the following:
"Code during such period. The provisions of this Section, shall be part of"

AMENDMENT NO. 17
On page 7, line 19 change "Section 2." to "Section 3."

Respectfully submitted,
Senators: Representatives:
Cain K. Carter
Cravins Moorish
Murray

Rules Suspended

Senator Cain asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Cain, a vote was taken on the adoption 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
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

Total - 0

ABSENT

Boasso	Marionneaux
Gautreaux N	Schedler
Total - 4	

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

Recess

On motion of Senator Bajoie, the Senate took a recess until 2:00 o'clock P.M.

After Recess

The Senate was called to order at 2:00 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	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot

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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

Rules Suspended

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

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. 25—

BY SENATOR JONES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Robbie Jackson.

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

SENATE RESOLUTION NO. 26—

BY SENATOR MARIONNEAUX

A RESOLUTION

To urge and request the Louisiana Congressional delegation to direct representatives of the Federal Emergency Management Agency to appear before the Senate Committee on Senate and Governmental Affairs.

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

SENATE RESOLUTION NO. 27—

BY SENATOR SHEPHERD

A RESOLUTION

To urge and request the state Department of Transportation and Development to establish an elevated pedestrian crosswalk at the intersection of U.S. Highway 90 and Garden Road in Marrero, Louisiana.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Original Senate Resolution No. 27 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 2 after "To" delete "direct" and insert "urge and request"

AMENDMENT NO. 2

On page 2, line 3 after "hereby" delete "directs" and insert "urges and requests"

On motion of Senator Shepherd, the amendments were adopted.

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

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATORS HINES AND MCPHERSON

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Amedee	Chaisson	Jackson
Boasso	Cravins	

Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

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

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	Fontenot	Mount
Adley	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers

Barham	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jones	Schedler
Cheek	Kostelka	Shepherd
Dardenne	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Uilo
Ellington	McPherson	
Fields	Michot	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Chaisson	Jackson
Boasso	Cravins	
Total - 5		

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

PASSED SENATE BILLS AND JOINT RESOLUTIONS

February 17, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 42—
BY SENATOR LENTINI

AN ACT

To enact R.S. 13:61(E), relative to judicial districts and judgeships; to authorize the Judicial Council to review and make certain recommendations to the legislature concerning certain matters; and to provide for related matters.

Reported with amendments.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

February 17, 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. 73—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

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

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 of Representatives with a view of acting on same:

HOUSE CONCURRENT RESOLUTION NO. 73—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

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

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

Rules Suspended

Senator N. 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. 2 By Representative Pinac

February 17, 2006

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

Ladies and Gentlemen:

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

1. On page 1, line 9, after "E." insert "(1)"
2. In Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on February 16, 2006, on page 1, line 5, after "Program," insert "for those funds remaining after the bonds are paid off, satisfied, or defeased."
3. In Amendment No. 1 proposed by Senator Marionneaux and adopted by the Senate on February 16, 2006, on page 1, after line 8, insert the following:
"(2) The governing board of the corporation shall report annually to the House Committee on Insurance and the Senate Committee on Insurance on its usage of any funds received pursuant to Paragraph (1) of this Subsection."

Representatives:	Senators:
Gil J. Pinac	James David Cain
Shirley Bowler	Nick Gautreaux
Karen R. Carter	Robert "Rob" Marionneaux

Rules Suspended

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

February 17, 2006

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
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Shepherd
Dardenne	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneau	Uilo
Ellington	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Cravins
Boasso	Jackson
Total - 4	

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

Rules Suspended

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

House Concurrent Resolutions on Second Reading, Subject to Call

The following House Concurrent Resolutions, subject to call were read and acted upon as follows:

Called from the Calendar

Senator Schedler asked that House Concurrent Resolution No. 65 be called from the Calendar at this time for its reconsideration.

HOUSE CONCURRENT RESOLUTION NO. 65— BY REPRESENTATIVE CROWE A CONCURRENT RESOLUTION

To urge and request Governor Kathleen Babineaux Blanco to appoint a representative of St. Tammany Parish as a member of the Louisiana Recovery Authority in order to have a comprehensive and cohesive group working toward regional recovery efforts.

The resolution was read by title.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

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

AMENDMENT NO. 2 On page 1, line 2, delete "of" and insert "from"

AMENDMENT NO. 3 On page 1, line 3, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 4 On page 1, line 3, delete "Parish" and insert "Parishes"

AMENDMENT NO. 5 On page 1, line 5, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 6 On page 1, line 5, delete "Parish" and insert "Parishes"

AMENDMENT NO. 7 On page 1, line 7, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 8 On page 1, line 7, delete "Parish" and insert "Parishes"

AMENDMENT NO. 9 On page 1, line 9, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 10 On page 1, line 9, delete "Parish" and insert "Parishes"

AMENDMENT NO. 11 On page 1, line 9, delete "is" and insert "are"

AMENDMENT NO. 12 On page 1, line 9, delete "an"

AMENDMENT NO. 13 On page 1, line 9, delete "part" and insert "parts"

AMENDMENT NO. 14 On page 1, line 11, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 15 On page 1, line 11, delete "Parish" and insert "Parishes"

AMENDMENT NO. 16 On page 1, delete lines 13 through 16 in their entirety.

AMENDMENT NO. 17 On page 1, line 18, after "appoint" delete "a" and insert "no less than one"

AMENDMENT NO. 18 On page 1, line 18 delete "of" and insert "from"

AMENDMENT NO. 19 On page 1, line 19, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 20 On page 1, line 19 delete "Parish" and insert "Parishes"

AMENDMENT NO. 21 On page 2, line 2, delete "director and president" and insert "directors and presidents"

AMENDMENT NO. 22 On page 2, line 3, after "St. Tammany" insert ", Tangipahoa and Washington"

AMENDMENT NO. 23 On page 2, line 3, delete "Foundation" and insert "Foundations"

On motion of Senator Schedler, the amendments were adopted.

Senator Schedler moved to concur in the amended 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
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Shepherd
Dardenne	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Ellington	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Cravins
Boasso	Jackson
Total - 4	

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

Rules Suspended

Senator Lentini 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 Lentini 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. 42—
BY SENATOR LENTINI

AN ACT

To enact R.S. 13:61(E), relative to judicial districts and judgeships; to authorize the Judicial Council to review and make certain recommendations to the legislature concerning certain matters; and to provide for related matters.

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 Judiciary to Engrossed Senate Bill No. 42 by Senator Lentini

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

LEGISLATIVE BUREAU AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Mount
Adley	Fields	Murray
Amedee	Fontenot	Nevers
Bajoie	Gautreaux N	Quinn
Barham	Jones	Romero
Chaisson	Lentini	Smith
Cheek	Malone	Theunissen
Dardenne	Marionneaux	Ullo
Duplessis	McPherson	
Dupre	Michot	
Total - 28		

NAYS

Total - 0

ABSENT

Boasso	Gautreaux B	Kostelka
Broome	Heitmeier	Schedler
Cain	Hollis	Shepherd
Cravins	Jackson	
Total - 11		

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

PASSED SENATE BILLS AND JOINT RESOLUTIONS

February 17, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 48—

BY SENATOR SHEPHERD AND REPRESENTATIVES HARRIS AND RICHMOND

AN ACT

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

Reported with amendments.

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

Message from the House

ADOPTION OF CONFERENCE COMMITTEE REPORT

February 17, 2006

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. 14.

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

Message from the House

ADOPTION OF CONFERENCE COMMITTEE REPORT

February 17, 2006

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. 2.

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

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. 28—

BY SENATORS BARHAM, ADLEY, AMEDEE, BAJOIE, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, 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 urge and request the LSU Board of Supervisors and the search committee for a new system president to adhere to and maintain the highest of standards during the course of their search for that president.

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

SENATE RESOLUTION NO. 29—

BY SENATORS JONES AND FIELDS
A RESOLUTION

To direct the Southern University Board of Supervisors to select a new system president from the Southern University System.

On motion of Senator Jones, 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

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

February 17, 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. 25—

BY SENATOR JACKSON AND REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATORS HINES AND MCPHERSON
A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

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

Reported without amendments.

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

Message from the House

PASSED SENATE BILLS AND
JOINT RESOLUTIONS

February 17, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 7—

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

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

Reported with amendments.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

February 17, 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. 74—
BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

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

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. 74—
BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Quinn 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
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Dardenne	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Dupre	Malone	
Ellington	Marionneaux	
Total - 34		

NAYS

Total - 0

ABSENT

Broome	Cravins	Smith
Cain	McPherson	
Total - 5		

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

Rules Suspended

Senator Shepherd 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 Shepherd 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.

February 17, 2006

SENATE BILL NO. 48—
BY SENATOR SHEPHERD AND REPRESENTATIVES HARRIS AND RICHMOND

AN ACT

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

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 Retirement to Engrossed Senate Bill No. 48 by Senator Shepherd

AMENDMENT NO. 1

On page 1, line 5, after "employees" delete "furloughed or"

AMENDMENT NO. 2

On page 1, line 8, after "system" delete "within one year of such termination;" and insert a semicolon ":"

AMENDMENT NO. 3

On page 2, line 5, after "being" delete "furloughed or"

AMENDMENT NO. 4

On page 2, line 10, after "being" delete "furloughed or"

AMENDMENT NO. 5

On page 2, line 14, delete "initially being furloughed or terminated" and insert "being furloughed or terminated, whichever occurs first."

AMENDMENT NO. 6

On page 2, line 20, after "before" delete "furlough or"

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

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	Fields	Mount
Adley	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Ellington	Michot	

Total - 31

NAYS

Total - 0

ABSENT

Amedee	Cravins	McPherson
Broome	Malone	Smith
Cain	Marionneaux	

Total - 8

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.

SENATE BILL NO. 7—

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

AN ACT

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

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. 7 by Senator Quinn

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 1, delete line 17 in its entirety

AMENDMENT NO. 7

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

AMENDMENT NO. 8

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

AMENDMENT NO. 9

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

AMENDMENT NO. 10

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

AMENDMENT NO. 11

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

AMENDMENT NO. 12

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

AMENDMENT NO. 13

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

AMENDMENT NO. 14

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

AMENDMENT NO. 15

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

AMENDMENT NO. 16

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

AMENDMENT NO. 17

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Mount
Bajoie	Gautreaux B	Nevers
Barham	Heitmeier	Quinn
Chaisson	Hollis	Schedler
Dardenne	Jones	Theunissen
Duplessis	Lentini	Ullo
Dupre	Michot	
Total - 20		

NAYS

Boasso	Gautreaux N	Romero
Cheek	Jackson	Shepherd
Ellington	Marionneaux	
Fields	Murray	
Total - 10		

ABSENT

Adley	Cain	Malone
Amedee	Cravins	McPherson
Broome	Kostelka	Smith
Total - 9		

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

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Quinn to concur in the amendment proposed by the House. He voted nay on the motion and had intended to vote yea. He asked that the Official Journal so state.

Reports of Committees

The following reports of committees were received and read:

Rules Suspended

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

CONFERENCE COMMITTEE REPORT

House Bill No. 59 By Representative Alario

February 17, 2006

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

Ladies and Gentlemen:

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

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

February 17, 2006

- 11. That the Senate Floor Amendment proposed by Senator Dardenne and adopted by the Senate on February 16, 2006, be adopted.
- 12. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

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

AMENDMENT NO. 7

On page 4, at the end of line 2, insert the following:
"The board shall be composed of members who reflect the diversity of the state as to race and gender to the greatest extent practicable."

AMENDMENT NO. 8

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

AMENDMENT NO. 9

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

AMENDMENT NO. 10

On page 4, at the end of line 9, insert the following:
"Any vacancy occurring on the board as established by executive order prior to the effective date of this Act shall be filled with an appointment which complies with the requirements of Paragraph (1) of this Subsection with respect to the minimum representation from each congressional district."

Respectfully submitted,

Representatives:
John A. Alario, Jr.
Joe R. Salter
Charlie DeWitt

Senators:
Donald E. Hines
Diana E. Bajoie
Noble E. Ellington

Rules Suspended

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

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
Boasso	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Jackson	Shepherd
Dardenne	Jones	Theunissen
Duplessis	Lentini	Ullo
Dupre	Marionneaux	
Ellington	Michot	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Cravins	McPherson
Broome	Kostelka	Smith
Cain	Malone	
Total - 8		

The Chair declared the Conference Committee Report was adopted. Senator Bajoie 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**

February 17, 2006

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. 59.

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

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. 30

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 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 Bajoie, Duplessis, Shepherd, Lentini and Quinn.

SENATE RESOLUTION NO. 31

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 Fields, Dupre, Schedler, Dardenne and Nevers.

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.

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:

February 17, 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:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to create a program whereby non-violent state inmates can assist in the recovery, rebuilding, and restoration of Louisiana in the wake of hurricanes Rita and Katrina.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To urge and request the division of state police in the Department of Public Safety and Corrections to include Interstate I-10 and United States Highways 165 and 171 in their development of a contra-flow plan to meet the needs of citizens evacuating from Southwest Louisiana who are traveling north during an emergency catastrophic event.

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATORS N. GAUTREUX AND MICHOT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Warren L. "Rusty" Brown, Jr., of Lafayette, Louisiana.

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To commend Tom Benson and the New Orleans Saints and Paul Tagliabue and the National Football League for their commitment to the city of New Orleans and the state of Louisiana.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions 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:

February 17, 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:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 8—

BY SENATORS BOASSO, ADLEY, AMEDEE, BAJOIE, BARHAM, 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 AND THEUNISSEN AND REPRESENTATIVES K. CARTER, DORSEY, JACKSON, JEFFERSON, SALTER, SCALISE, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HILL, HONEY, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, RICHIE, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To amend and reenact R.S. 38:291(D)(2), (G)(2), (K)(2), 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) and (W), 304(D), Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:330.1 through 330.13, and R.S. 49:213.1(E) and 213.4(A)(7), 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-East; to establish the Southeast Louisiana Flood Protection Authority-West Bank; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of each authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to an authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional director for each authority; to create and provide for the St. Tammany Levee District; to create and provide for the Tangipahoa Levee District; to provide for the inclusion of parishes and portions of parishes in the authority; to provide for funding; to transfer and provide for the management and control of certain facilities and improvements of levee districts within an 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.

SENATE BILL NO. 9—

BY SENATORS BOASSO, MOUNT, ADLEY, AMEDEE, BAJOIE, BARHAM, BROOME, CAIN, CHAISSON, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HINES, HOLLIS, JACKSON, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES K. CARTER, DORSEY, SALTER, JEFFERSON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HILL, HONEY, HOPKINS, JACKSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

A JOINT RESOLUTION

Proposing to amend Section 38(A)(1) and Section 39 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 regional flood protection authorities and its governing authority, powers, duties, functions; to provide for the governing authority of levee districts within the territorial jurisdiction of a regional flood protection authority; to provide for taxing authority; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 42—

BY SENATOR LENTINI

AN ACT

To enact R.S. 13:61(E), relative to judicial districts and judgeships; to authorize the Judicial Council to review and make certain recommendations to the legislature concerning certain matters; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Message to the Governor

SIGNED SENATE BILLS

February 17, 2006

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. 22—

BY SENATOR SHEPHERD AND REPRESENTATIVES ALARIO, ARNOLD, BALDONE, CAZAYOUX, CRAVINS, M. GUILLORY, LAFLEUR, PINAC, ROMERO, SALTER AND ST. GERMAIN
AN ACT

To enact R.S. 18:401.4, relative to early voting in an election conducted pursuant to an emergency plan; to allow certain registered voters of an affected area to vote during early voting in the offices of the registrars in certain parishes for certain elections; to provide relative to the manner of conducting the early voting in other parishes; to require the secretary of state to assist the registrars of voters in conducting early voting; to provide relative to the effectiveness of this provision; and to provide for related matters.

SENATE BILL NO. 50—

BY SENATOR JONES

AN ACT

To enact R.S. 18:1308.3, relative to absentee voting by mail by temporarily displaced persons; to provide for the application to such persons of certain provisions relative to absentee voting by mail by United States service members and persons residing outside the United States; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of the provisions; and to provide for related matters.

SENATE BILL NO. 1— (Duplicate of House Bill No. 89)

BY SENATOR NEVERS AND REPRESENTATIVE GRAY AND COAUTHORED BY SENATORS 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.

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.

SENATE BILL NO. 3—

BY SENATOR FIELDS AND REPRESENTATIVE DORSEY

AN ACT

To amend and reenact R.S. 13:992.1(D), relative to the judicial building fund; to provide for an extension of the deadline for letting public bids for construction of a new facility for the Nineteenth Judicial District Court; and to provide for related matters.

SENATE BILL NO. 4—

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

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

purposes; to provide for membership; to provide for its duties and functions; and to provide for related matters.

SENATE BILL NO. 5— (Duplicate of House Bill No. 5)
BY SENATOR N. GAUTREUX AND REPRESENTATIVE HEBERT AND
COAUTHORED BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 40:1730.24(B), relative to state building codes; to provide for certain inspections and inspectors; to allow commercial and residential contractors to establish agreements with certain licensed contractors to conduct plan review and inspections; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 31—
BY SENATOR SCHEDLER AND REPRESENTATIVES CROWE AND
SCHNEIDER
AN ACT

To enact R.S. 6:337 and to repeal R.S. 10:9-211, relative to insurance settlement monies paid for damages to residential property; to require placement of such monies in interest-bearing accounts to the benefit of the residential property owner; and to provide for related matters.

SENATE BILL NO. 32—
BY SENATOR MOUNT
AN ACT

To amend and reenact R.S. 33:1395.4, relative to the organization or reorganization of local governmental subdivisions; to provide for amending a home rule charter; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 8—
BY SENATORS BOASSO, ADLEY, AMEDEE, BAJOIE, BARHAM, 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 AND THEUNISSEN AND REPRESENTATIVES K. CARTER, DORSEY, JACKSON, JEFFERSON, SALTER, SCALISE, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HILL, HONEY, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON
AN ACT

To amend and reenact R.S. 38:291(D)(2), (G)(2), (K)(2), 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) and (W), 304(D), Part 3-A of Chapter 4 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:330.1 through 330.13, and R.S. 49:213.1(E) and 213.4(A)(7), 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-East; to establish the Southeast Louisiana Flood Protection Authority-West Bank; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of each authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for the management of certain levee districts in areas of southeast Louisiana; to retain the territorial limits of such levee districts; to terminate the terms of commissioners on certain levee boards and to reorganize the governance of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to an authority; to provide for obligations, tax proceeds, and property of the district; to provide for a regional director for each authority; to create and provide for the St. Tammany Levee District; to create and provide for the Tangipahoa Levee District; to provide for the inclusion of parishes and portions of parishes in the authority; to provide for funding; to transfer and provide for the

management and control of certain facilities and improvements of levee districts within an 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.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

February 17, 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 Bills and Joint Resolutions:

HOUSE BILL NO. 1—
BY REPRESENTATIVES BURRELL AND GLOVER
AN ACT

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

HOUSE BILL NO. 3—
BY REPRESENTATIVE ALARIO
AN ACT

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

HOUSE BILL NO. 18—
BY REPRESENTATIVES HAMMETT, ALARIO, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BEARD, BRUCE, BURNS, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KLECKLEY, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, TOWNSEND, TRICHE, WADDELL, WALKER, WHITE, AND WINSTON
AN ACT

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

HOUSE BILL NO. 28—
BY REPRESENTATIVE LANCASTER AND SENATORS DARDENNE, DUPRE, ELLINGTON, FIELDS, JONES, AND ULLO
AN ACT

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

HOUSE BILL NO. 29—
BY REPRESENTATIVE LANCASTER AND SENATOR DUPRE
AN ACT

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

HOUSE BILL NO. 40—
BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 9:5633(A)(2)(c), relative to three-year acquisitive prescription; to provide for acquisition of blighted property; to provide for the filing of certain affidavits and judgments; and to provide for related matters.

HOUSE BILL NO. 60— (Duplicate of Senate Bill No. 34)
BY REPRESENTATIVE ALARIO AND SENATOR LENTINI AND COAUTHORED BY REPRESENTATIVES MONTGOMERY, ALEXANDER, BALDONE, BEARD, BRUCE, BURNS, CAZAYOUX, CURTIS, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNS, DURAND, FARRAR, FAUCHEUX, GREENE, E. GUILLORY, M. GUILLORY, HEATON, HEBERT, HILL, HONEY, JOHNS, KATZ, KENNEY, LAFLEUR, LANCASTER, MORRELL, ODINET, PIERRE, PITRE, T. POWELL, RICHMOND, RITCHIE, SCALISE, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WINSTON, AND WOOTON AND SENATORS ADLEY, BARHAM, CAIN, CHEEK, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, HEITMEIER, HOLLIS, KOSTELKA, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, SCHEDLER, AND SMITH
AN ACT

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

HOUSE BILL NO. 71—
BY REPRESENTATIVES ALARIO AND SCALISE
AN ACT

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

HOUSE BILL NO. 78—
BY REPRESENTATIVES MONTGOMERY, HUTTER, BEARD, BURNS, DOVE, DOWNS, FANNIN, M. GUILLORY, KATZ, ODINET, PITRE, AND ST. GERMAIN AND SENATOR CHEEK
AN ACT

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

HOUSE BILL NO. 90—
BY REPRESENTATIVES HAMMETT, DORSEY, AND SALTER AND SENATORS BAJOEIE, HINES, AND MOUNT
AN ACT

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

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

BY REPRESENTATIVES K. CARTER, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BURRELL, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DORSEY, DURAND, FANNIN, FAUCHEUX, FRITH, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, KATZ, KENNARD, KENNEY, LAFLEUR, LAFONTA, MARCHAND, MCDONALD, MCVEA, MONTGOMERY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T.

POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, AND WOOTON AND SENATORS BROOME AND LENTINI

AN ACT

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

HOUSE BILL NO. 6—
BY REPRESENTATIVES ST. GERMAIN, BURNS, ARNOLD, GALLOT, LAFONTA, MONTGOMERY, PITRE, SMILEY, ALARIO, ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, CRANE, CROWE, CURTIS, DAMICO, DARTEZ, DEWITT, DORSEY, DOVE, DOWNS, DURAND, FANNIN, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HOPKINS, JEFFERSON, KENNARD, LAMBERT, MARTINY, MCVEA, MORRELL, ODINET, PIERRE, PINAC, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, GARY SMITH, JANE SMITH, JOHN SMITH, STRAIN, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON
AN ACT

To enact R.S. 42:1123(36), relative to ethics; to allow a public employee who was affected by Hurricane Katrina or Rita to receive certain specified disaster aid and relief; to require certain disclosures of such aid and relief; and to provide for related matters.

HOUSE BILL NO. 12—
BY REPRESENTATIVES JEFFERSON, MARCHAND, RICHMOND, GRAY, AND HUNTER AND SENATOR JONES
AN ACT

To enact R.S. 18:115(F)(2)(d), relative to the conduct of elections during or following a gubernatorially declared state of emergency; to provide for certain displaced persons who have registered to vote by mail by a certain date to vote absentee by mail; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; and to provide for related matters.

HOUSE BILL NO. 4—
BY REPRESENTATIVES LAFONTA, BRUNEAU, RICHMOND, ALARIO, BADON, BARROW, BAYLOR, BEARD, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DORSEY, FARRAR, FAUCHEUX, GLOVER, GRAY, GREENE, E. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, KATZ, KENNEY, KLECKLEY, LAFLEUR, MARCHAND, MARTINY, MCDONALD, MORRELL, ODINET, PIERRE, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, WADDELL, AND WOOTON
AN ACT

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

HOUSE BILL NO. 17—
BY REPRESENTATIVES LABRUZZO AND KATZ
AN ACT

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

HOUSE BILL NO. 21—
BY REPRESENTATIVES HAMMETT, DORSEY, SALTER, SCALISE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DARTEZ, DEWITT, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC,

PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS MOUNT, DUPRE, N. GAUTREAUX, MICHOT, AND NEVERS

AN ACT

To amend and reenact R.S. 47:293(3)(b)(i) and (7) and to enact R.S. 47:293(6)(a)(ix) and (f), relative to the state income tax; to change the taxable periods for which the federal income tax deduction will not be reduced when an individual carries back a casualty loss for federal income tax purposes; to provide for the deduction of expenses disallowed for federal income tax purposes; to extend the state income tax exemption for certain military personnel; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 27—

BY REPRESENTATIVE LANCASTER

AN ACT

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

HOUSE BILL NO. 46—

BY REPRESENTATIVE ARNOLD

AN ACT

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

HOUSE BILL NO. 47—

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

AN ACT

To amend and reenact R.S. 38:291(F)(1) and (2)(introductory paragraph) and (f), (P)(1), and (T)(1), to enact R.S. 38:329.1 and 329.2, and to repeal R.S. 38:291(F)(2)(g), relative to the consolidation of certain levee districts in Lafourche Parish; to change the boundaries of the North Lafourche Conservation, Levee and Drainage District and the Lafourche Basin Levee District; to provide for exclusive jurisdiction of the South Lafourche Levee District and its powers and duties; to provide relative to boards of commissioners; to provide for the transfer of certain property and documents; to provide relative to certain payments; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 49—

BY REPRESENTATIVES ANSARDI AND TOOMY

AN ACT

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

HOUSE BILL NO. 61—

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

AN ACT

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

HOUSE BILL NO. 70—

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

AN ACT

To amend and reenact R.S. 29:726(E)(13) and to enact R.S. 29:726(E)(14), (15), and (16), relative to the duties of the office of homeland security and emergency preparedness; to require the office to promulgate standards and regulations for local governments relative to mandatory evacuations; to require the office to give priority consideration to the evacuation of certain designated special needs persons; to require the office to promulgate standards and requirements for local governments for the evacuation or safe housing of essential workers; to provide for time limitations for the office to comply; to provide for reporting by the office to legislative committees; and to provide for related matters.

HOUSE BILL NO. 88—

BY REPRESENTATIVES GRAY, BURRELL, DORSEY, FAUCHEUX, GALLOT, GREENE, HEBERT, M. POWELL, RICHMOND, SMILEY, AND WHITE

AN ACT

To amend and reenact R.S. 29:726(E)(13) and to enact R.S. 29:726(E)(14), (15), (16), and (17), relative to the duties of the office of homeland security and emergency preparedness; to require the office to prepare and maintain a homeland security and state emergency operations plan to include proposed components providing for evacuation, shelter, post-disaster response and recovery, and lead and support responsibilities of state agencies; and to provide for related matters.

HOUSE BILL NO. 93—

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

AN ACT

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

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.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

February 17, 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. 15—
BY REPRESENTATIVE HEBERT AND SENATOR N. GAUTREAU
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVES JOHNS, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HONEY, HUTTER, KATZ, KENNARD, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCHNEIDER, SMILEY, GARY SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATORS ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVES GREENE, BALDONE, GALLOT, MARTINY, BAYLOR, BURRELL, JEFFERSON, KLECKLEY, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BAUDOIN, BEARD, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CURTIS, DEWITT, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HILL, HOPKINS, KATZ, KENNEY, LAFLEUR, LANCASTER, MCDONALD, MONTGOMERY, ODINET, PINAC, PITRE, T. POWELL, RITCHIE, SALTER, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, AND WOOTON
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN AND SENATOR B. GAUTREAU
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 48—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE ARNOLD
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE DANIEL AND SENATOR MARIONNEAUX
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE SALTER AND SENATORS HINES AND ULLO
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 55—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 57—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 58—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVES GLOVER, BAYLOR, AND BURRELL
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVES WALSWORTH, DOWNS, FANNIN, HUNTER,
KATZ, KENNEY, MCDONALD, AND THOMPSON
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, AND GARY SMITH
AND SENATOR AMEDEE
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVES THOMPSON, FANNIN, GALLOT, HAMMETT,
HUNTER, KATZ, KENNEY, AND MCDONALD
A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance and the Louisiana Insurance Rating Commission to deny rate increases for property and casualty insurance in those geographical areas of Louisiana that are outside of areas at high risk for damage by hurricanes.

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVE HEBERT
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency to work with the Louisiana Army National Guard to deliver trailers to storm victims in the state of Louisiana who have been rendered homeless because of the destruction of their homes and apartments by Hurricanes Katrina and Rita.

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

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

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 45—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 46—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 49—
BY REPRESENTATIVE PINAC
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE HAMMETT AND SENATOR ELLINGTON
A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of United States Marine Lance Corporal Billy D. "B.J." Brixey, Jr. of Vidalia.

HOUSE CONCURRENT RESOLUTION NO. 64—
BY REPRESENTATIVE BURNS AND SENATOR SCHEDLER
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 67—
BY REPRESENTATIVE SCALISE AND SENATORS HOLLIS, LENTINI,
AND QUINN
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVES GRAY, BADON, BARROW, BAYLOR,
BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT,
GLOVER, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON,
JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE,
AND RICHMOND AND SENATORS BAJOEIE, BROOME, CRAVINS,
DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 69—
BY REPRESENTATIVES GRAY, BADON, K. CARTER, HARRIS,
JEFFERSON, LAFONTA, MARCHAND, MORRELL, QUEZAIRE, AND
RICHMOND AND SENATORS BAJOEIE, DUPLESSIS, MURRAY, AND
SHEPHERD
A CONCURRENT RESOLUTION

To commend the volunteers of the Commonwealth of Virginia and the Virginia Dental Association for their generosity in providing

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free health and dental care services to Louisiana citizens following Hurricane Katrina through their Mission of Mercy.

HOUSE CONCURRENT RESOLUTION NO. 70—

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

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVES ALARIO, BRUNEAU, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BRUCE, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRAVINS, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HILL, HONEY, HUTTER, JACKSON, KENNEY, LAFLEUR, LAMBERT, LANCASTER, MARTINY, MCDONALD, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SALTER, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE, AND WOOTON AND SENATORS ADLEY, AMEDEE, 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, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

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

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.

Adjournment

Senator Bajoie moved that the Senate 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