

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
FIFTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Friday, December 15, 2006

The Senate was called to order at 10:00 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	Malone
Adley	Ellington	Marionneau
Amedee	Fields	McPherson
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Duplessis	Lentini	Ullo
Total - 36		

ABSENT

Michot	Schedler
Total - 2	

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

Prayer

The prayer was offered by Chaplain Paul C. Stewart (USAF), 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 Fontenot, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

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. 13—
BY SENATOR NEVERS

A RESOLUTION

To commend Aubrey L. Posey for thirty-eight years of dedicated public service with the LSU Ag Center Extension Service as county agent for Washington Parish on the occasion of his retirement.

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

SENATE RESOLUTION NO. 14—
BY SENATOR SHEPHERD

A RESOLUTION

To commend and congratulate Anthony Licciardi on being installed as the 2007 president of the Homebuilders' Association of Greater New Orleans.

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

SENATE RESOLUTION NO. 15—
BY SENATOR SHEPHERD

A RESOLUTION

To commend and congratulate Reverend James Nelson Brown on the occasion of his fifty-fifth birthday and to recognize his extraordinary achievements throughout his life.

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

SENATE RESOLUTION NO. 16—

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

A RESOLUTION

To memorialize the Congress of the United States to adopt the Constitution Restoration Act, to limit the jurisdiction of the federal courts and preserve the right to the states and to the people to acknowledge God and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God, all as authorized by Article III, Section 2, of the United States Constitution.

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

SENATE RESOLUTION NO. 17—
BY SENATOR SMITH

A RESOLUTION

To commend Dr. Jane Griffin of Winnfield Senior High School in Winn Parish upon being named 2006 Louisiana High School Principal of the Year and to recognize her outstanding service and contributions to the education of the youth of Louisiana.

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

SENATE RESOLUTION NO. 18—

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

A RESOLUTION

To commend Peggy Faucheux Russell for her many years of outstanding and dedicated service to the Senate and the people of Louisiana and to offer congratulations and best wishes from the membership and staff of the Louisiana Senate on the occasion of her retirement.

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

December 15, 2006

SENATE RESOLUTION NO. 19—

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

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon death of Benny Rayburn.

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

SENATE RESOLUTION NO. 20—

BY SENATORS MCPHERSON, ADLEY, CHEEK, ELLINGTON, HINES, JACKSON, MALONE AND SMITH

A RESOLUTION

To urge and request the Red River Waterway Commission to prepare and provide to the Senate Committee on Transportation, Highways and Public Works a status report on its recreation and economic development projects and state operation and maintenance requirements, a comprehensive list of all current and future funding priorities and funding available, and a strategic plan to ensure social and economic development within the Red River Waterway District.

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

SENATE RESOLUTION NO. 21—

BY SENATOR N. GAUTREAU

A RESOLUTION

To urge and request the governor to include in her spending proposal the rebuilding of levees in Vermilion Parish to combat saltwater intrusion.

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

SENATE RESOLUTION NO. 22—

BY SENATOR KOSTELKA

A RESOLUTION

To express the intent of the Senate of the Legislature of Louisiana for passage of legislation identical to the original version of House Bill 35 of the 2006 Second Extraordinary Session of the Legislature.

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

SENATE RESOLUTION NO. 23—

BY SENATOR ELLINGTON

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Matthew Johnston.

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

Senator Jones in the Chair

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATORS ULLO, MCPHERSON AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend State Superintendent of Education Cecil J. Picard upon the announcement of his retirement; to recognize him for his extraordinary career and numerous accomplishments as superintendent; and to honor him for his steadfast dedication to improving the quality of education for the children of Louisiana as the third longest serving state superintendent in the state's history.

The resolution was read by title. Senator Ullo 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
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	

Total - 37

NAYS

Total - 0

ABSENT

Schedler
Total - 1

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

Mr. President in the Chair

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend Dr. Jane Griffin of Winnfield Senior High School in Winn Parish upon being named 2006 Louisiana High School Principal of the Year and to recognize her outstanding service and contributions to the education of the youth of Louisiana.

The resolution was read by title. Senator Smith 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
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Kostelka	Theunissen
Cravins	Lentini	Ullo
Duplessis	Malone	
Dupre	Marionneaux	

Total - 37

NAYS

Total - 0

ABSENT

Schedler
Total - 1

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

**Senate Concurrent Resolutions
on Second Reading**

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

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATORS SMITH, BARHAM, BROOME, ELLINGTON AND NEVERS AND REPRESENTATIVES BEARD AND SCALISE
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt the Constitution Restoration Act, to limit the jurisdiction of the federal courts and preserve the right to the states and to the people to acknowledge God and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God, all as authorized by Article III, Section 2, of the United States Constitution.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dupre	Lentini	Ullo
Total - 33		

NAYS

Total - 0

ABSENT

Bajoie	Michot	Schedler
Duplessis	Romero	
Total - 5		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Willie L. Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

December 14, 2006

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 35—

BY REPRESENTATIVES TOWNSEND, SALTER, ALARIO, DORSEY, FAUCHEUX, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:305.51, relative to sales and use tax exemptions; to provide for the effectiveness of the exemption for utilities purchased by certain steelworks, blast furnaces, coke ovens, and rolling mills; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 59—

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

AN ACT

To amend and reenact R.S. 47:297(D) and to enact R.S. 47:297(P), relative to the individual income tax; to provide a child tax credit; to suspend the education tax credit; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 120—

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

AN ACT

To enact R.S. 47:6025, relative to state income tax credits; to reimburse, pay, or offset certain assessments levied by Louisiana Citizens Property Insurance Corporation; to provide a refundable credit against state income taxes to certain taxpayers in the amount of the surcharges, market equalization charges, or assessments paid as a result of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

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

Senator Mount asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

December 15, 2006

HOUSE BILL NO. 35—

BY REPRESENTATIVES TOWNSEND, SALTER, ALARIO, DORSEY, FAUCHEUX, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:305.51, relative to sales and use tax exemptions; to provide for the effectiveness of the exemption for utilities purchased by certain steelworks, blast furnaces, coke ovens, and rolling mills; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 35 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact R.S. 47:305.51" to "enact R.S. 47:305.56 and to repeal R.S. 47:305.51"

AMENDMENT NO. 2

On page 1, line 3, after "of" change "the" to "an" and after "utilities" change "purchased" to "and certain property and services purchased, leased, or rented"

AMENDMENT NO. 3

On page 1, line 4, after "mills" insert "and certain non-residential consumers and individuals"

AMENDMENT NO. 4

On page 1, delete line 7, and insert: "Section 1. R.S. 47:305.56 is hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 1, delete line 8, and insert: "§305.56. Miscellaneous exemptions"

AMENDMENT NO. 6

On page 1, line 9, after "A." insert "(1)"

AMENDMENT NO. 7

On page 1, delete lines 11 through 16, and insert: "non-residential consumers of electric power or energy, natural gas, water, and steam."

AMENDMENT NO. 8

On page 1, line 17, change "B." to "(2)" and after "Notwithstanding" insert "any other provision of law to the contrary, and specifically"

AMENDMENT NO. 9

On page 2, line 1, change "Section" to "Subsection"

AMENDMENT NO. 10

On page 2, between lines 2 and 3, insert:

"B.(1) Beginning January 1, 2007, notwithstanding any other provisions of law to the contrary, all sales and use taxes imposed by the state or any of its political subdivisions shall not apply to the purchase, use, or lease of qualifying trucks and to the purchase, use, or lease of qualifying trailers purchased, imported, or leased, with or without qualifying trucks, for use with qualifying trucks.

- (2) A qualifying truck shall be a truck: (a) That is registered as a Class 1 vehicle under R.S. 47:462. (b) That has a registered gross weight, as defined in R.S. 47:451(15), of at least eighty thousand pounds.

(c) That will be registered with apportioned plates through the International Registration Plan.

(d) That is subject to the jurisdiction of the United States Department of Transportation.

(3) A qualifying trailer shall be a trailer which is subject to the jurisdiction of the United States Department of Transportation.

(2) For purposes of this Subsection, the terms "truck" and "trailer" shall have the meanings ascribed to the terms "truck," "trailer," "road tractor," "semitrailer," "tandem truck," "tractor," and

"truck-tractor" in R.S. 47:451.

C.(1) Beginning January 1, 2007, and notwithstanding any other law to the contrary, the sale at retail, the use, or the lease or rental of machinery and equipment used by a motor vehicle manufacturer with a North American Industry Classification System (NAICS) Code beginning with 3361 shall be exempt from the sales and use tax of the state or any other state-wide sales tax. This exclusion shall be subject to the definitions and requirements provided for in R.S. 47:301(3)(i)(ii).

(2) A political subdivision may provide for a sales and use tax exemption for the sales, cost, or lease and rental price of manufacturing machinery and equipment as provided for in Paragraph 1 of this Subsection, either effective upon adoption or enactment or phased in over a period of time set forth in the instrument providing the exemption.

(3) Notwithstanding any other provision of this Subsection, tooling in a compression molding process shall be considered manufacturing machinery and equipment for purposes of this Subsection.

D.(1)(a) Notwithstanding any other provisions of law to the contrary, the sales tax levied by the state of Louisiana and its political subdivisions whose boundaries are coterminous with those of the state shall not apply to the first two thousand five hundred dollars of the sales price or cost price of any consumer purchases of tangible personal property that occur each calendar year from Sunday through Saturday of the week in which the first of August occurs.

(b) For purposes of this Subsection, "consumer purchases" shall mean purchases of items of tangible personal property; other than vehicles subject to license and title. Consumer purchases shall not include the purchase of meals furnished for consumption on the premises where purchased, including to-go orders.

(2) This provision will apply if and only if during the time period provided for in Subparagraph (D)(1)(a) of this Section, one of the following occurs:

(a) Title to or possession of an item of tangible personal property is transferred from a selling dealer to a purchaser.

(b) A customer selects an eligible item from the selling dealer's inventory for layaway that is physically set aside in the selling dealer's inventory for future delivery to that customer.

(c) The customer makes final payment and withdraws an item from layaway that might have been placed before the time period provided for in Subparagraph (D)(1)(a) of this Section.

(d) The customer orders and pays for an eligible item and the selling dealer accepts the order for immediate shipment, even if delivery is made after the time period provided for in Subparagraph (D)(1)(a) of this Section, provided that the customer has not requested delayed shipment.

(3) Eligible items that customers purchase during the time period provided for in Subparagraph (D)(1)(a) of this Section with "rain checks" will qualify for exemption, regardless of when the "rain checks" were issued. However, issuance of "rain checks" during the exemption period will not qualify items for exemption if the otherwise eligible items are actually purchased after the time period provided for in Subparagraph (D)(1)(a) of this Section.

(4)(a) When a customer purchases an eligible item during the time period provided for in Subparagraph (D)(1)(a) of this Section and exchanges the item without additional cash consideration after such time period for an essentially identical item of different size, color, or other feature, no additional tax is due.

(b) When a customer after the time period provided for in Subparagraph (D)(1)(a) of this Section, returns an eligible item that was purchased during such time period and receives credit on the purchase of a different item, the appropriate sales tax is due on the purchase of the new item.

(5) Articles that are normally sold as a unit must continue to be sold in that manner and cannot be priced separately in order to bring the individual items below the two thousand five hundred dollar eligibility threshold. Items that are advertised as "buy one, get one free" or "buy one, get one at a reduced price" cannot be averaged in order for both items to fall under the two thousand five hundred dollar eligibility threshold.

(6) For a sixty-day period after the time period provided for in Subparagraph (D)(1)(a) of this Section, when a customer returns an item that would qualify for an exemption, no credit or refunds of

sales tax shall be given unless the customer provides a receipt or invoice that shows that the state sales tax was paid, or the retailer has sufficient documentation that shows that the tax was paid on the specific item. This sixty-day period is not intended to change a dealer's policy concerning the time period during which returns will be accepted.

(7)(a) Notwithstanding any other provision of law to the contrary, the sales tax levied by the state of Louisiana and its political subdivisions whose boundaries are coterminous with those of the state shall not apply to the first two thousand five hundred dollars of the sales price or cost price of any purchases of tangible personal property by businesses located in an area which was designated as a Hurricane Katrina or Hurricane Rita Federal Emergency Management Agency Individual Assistance Area that occurs during the time period provided for in Subparagraph (D)(1)(a) of this Section.

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

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

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

(i) The business is located in an area which was designated as a Hurricane Katrina or Hurricane Rita Federal Emergency Management Agency Individual Assistance Area.

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

AMENDMENT NO. 11

On page 2, delete lines 3 and 4, and insert:

"Section 2. Notwithstanding any other provision of law to the contrary, and specifically the provisions of R.S. 47:302(R), 321(H), and 331(P), the exemptions provided for in this Act shall be applicable, operable, and effective for the sales and use taxes levied by R.S. 47:302, 321, and 331 as provided for in this Act.

Section 3. R.S. 47:305.51 is hereby repealed effective July 1, 2007.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 59—

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

AN ACT

To amend and reenact R.S. 47:297(D) and to enact R.S. 47:297(P), relative to the individual income tax; to provide a child tax credit; to suspend the education tax credit; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 59 by Representative Dorsey

AMENDMENT NO. 1

On page 1, delete line 2, and insert:

"To enact R.S. 47:297(P) and 297.7 and to repeal R.S. 47:297(D), relative to the individual"

AMENDMENT NO. 2

On page 1, line 3, delete "child" and change "suspend" to "repeal"

AMENDMENT NO. 3

On page 1, delete line 6 and insert:

"Section 1. R.S. 47:297(P) and 297.7 are"

AMENDMENT NO. 4

On page 1, delete lines 10 through 15, and on page 2, delete lines 1 through 10, and insert:

"P. (1) An individual shall be allowed a tax credit against the tax imposed by this Part for the taxable year of two percent of the sum of the itemized deductions properly claimed on the taxpayer's federal individual income tax return for:

(a) Medical and dental expenses.

(b) Home mortgage interest and points.

(c) Gifts to charity.

(d) Casualty and theft losses.

(2) Nonresidents are allowed a proportionate amount of this credit. The proportionate amount is to be determined by the ratio of Louisiana income to federal adjusted gross income. When federal adjusted gross income is less than Louisiana income, the ratio shall be one hundred percent.

* * *

*297.7. Child tax credit"

AMENDMENT NO. 5

On page 2, line 11, change "P.(1)" to "A."

AMENDMENT NO. 6

On page 2, line 13, change "seventy-five" to "one hundred twenty-five"

AMENDMENT NO. 7

On page 2, line 15, change "(2)" to "B."

AMENDMENT NO. 8

On page 2, between lines 19 and 20, insert:

"Section 2. R.S. 47:297(D) is hereby repealed."

AMENDMENT NO. 9

On page 2, delete line 20, and insert:

"Section 3. This Act shall be applicable to"

AMENDMENT NO. 10

On page 2, after line 21, insert:

"Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

December 15, 2006

HOUSE BILL NO. 120—

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

AN ACT

To enact R.S. 47:6025, relative to state income tax credits; to reimburse, pay, or offset certain assessments levied by Louisiana Citizens Property Insurance Corporation; to provide a refundable credit against state income taxes to certain taxpayers in the amount of the surcharges, market equalization charges, or assessments paid as a result of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 120 by Representative Townsend

AMENDMENT NO. 1

On page 2, line 3, after "R.S. 22:1430.1" insert: "and for the non-competition factor assessment levied on owner's of residential property insured by the Louisiana Citizens Property Insurance Corporation for tax years 2006, 2007, and 2008"

AMENDMENT NO. 2

On page 2, line 9, after "assessment" insert "or the non-competition factor assessment"

AMENDMENT NO. 3

On page 2, line 21, change "ninety days" to "one year"

AMENDMENT NO. 4

On page 2, after line 26, insert: "Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Mount, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

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

December 15, 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. 9—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To strongly urge and request the commissioner of insurance to extend Emergency Rule 23, concerning the cancellation and nonrenewal of all personal residential, commercial residential, or commercial property insurance subject to the Louisiana Insurance Code to December 31, 2007.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR HINES AND REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To commend the Louisiana Society of the Sons of the American Revolution for its generous gift to the people of Louisiana a monument honoring George Washington and to salute its patriotic efforts to commemorate George Washington's 275th birthday on February 22, 2007.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATORS CRAVINS, N. GAUTREAUX AND MICHOT AND REPRESENTATIVES ALARIO, DORSEY, M. GUILLORY, PIERRE, PINAC, ROBIDEAUX AND TRAHAN

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, the Department of Transportation and Development, and the Louisiana Highway Safety Commission to cooperatively develop a public awareness campaign to educate the public on the laws and dangers of illegal street racing; to cooperatively study such laws and penalties, including steps that may be taken to address the increase in occurrences of these activities in an effort to deter participation; and to request submission of a report to the legislature prior to the 2007 Regular Session.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize Louisiana to lease closed interstate rest areas to private entities in order to provide services and products helpful or desirable to interstate travelers.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATORS DUPRE, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, 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 AND REPRESENTATIVES BALDONE AND DOVE

A CONCURRENT RESOLUTION

To commend the multi-agency investigative task force formed by the attorney general of the state of Louisiana and to commend Attorney General Charles C. Foti, Jr., and the personnel in the office of the attorney general for their commitment, hard work, and remarkable service during the investigation and capture of serial killer, Ronald Joseph Dominique.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATORS DUPRE, BAJOIE, BARHAM, BOASSO, BROOME, CHEEK, DUPLESSIS, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JONES, LENTINI, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SHEPHERD, THEUNISSEN AND ULLO AND REPRESENTATIVES BALDONE AND DOVE

A CONCURRENT RESOLUTION

To commend and memorialize the United States Congress for passing the Domenici-Landrieu Gulf of Mexico Energy Security Act of 2006 providing for sharing of federal offshore oil and gas revenue with Louisiana for coastal protection and restoration, to congratulate the members of the Louisiana congressional delegation upon their successful efforts in the passage of this legislation, and to urge the President to immediately sign this legislation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND DOVE
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to reexamine current federal water resources programs and legislation in order to specifically address the urgent and unique challenges facing the coastal wetland ecosystems of Louisiana and other vulnerable large-scale ecosystems throughout the nation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 18—

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

To commend and congratulate Father Shelton J. Fabre on being named as Titular Bishop of Pudentiana and Auxiliary Bishop of New Orleans.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATORS NEVERS, SMITH AND HINES AND REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development and the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to meet and function as a joint committee to study and make recommendations with respect to the cost of transportation of agricultural products in the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 20—

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

To express the sincere condolences of the Legislature of Louisiana upon the death of Reverend Donny Granvel.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATORS NEVERS AND SMITH AND REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development and the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to meet and function as a joint committee to study and make recommendations with respect to the funding and programs of the Louisiana State University Agricultural Center.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR MCPHERSON AND REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to revise the opening date of the 2007 turkey season to be March 19, 2007.

Reported without amendments.

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

Privilege Report of the
Legislative Bureau

December 15, 2006

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 35—

BY REPRESENTATIVES TOWNSEND, SALTER, ALARIO, DORSEY, FAUCHEUX, AND THOMPSON
AN ACT

To amend and reenact R.S. 47:305.51, relative to sales and use tax exemptions; to provide for the effectiveness of the exemption for utilities purchased by certain steelworks, blast furnaces, coke ovens, and rolling mills; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 59—

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

To amend and reenact R.S. 47:297(D) and to enact R.S. 47:297(P), relative to the individual income tax; to provide a child tax credit; to suspend the education tax credit; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 120—

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

December 15, 2006

To enact R.S. 47:6025, relative to state income tax credits; to reimburse, pay, or offset certain assessments levied by Louisiana Citizens Property Insurance Corporation; to provide a refundable credit against state income taxes to certain taxpayers in the amount of the surcharges, market equalization charges, or assessments paid as a result of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Recess

On motion of Senator Lentini, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Table listing members present: Mr President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Check, Cravins, Duplessis, Total - 36, and their corresponding names.

ABSENT

Table listing absent members: Michot, Total - 2, and Schedler.

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

Senate Business Resumed

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

December 15, 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. 31—

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

A CONCURRENT RESOLUTION

To commend Cecil J. Picard as he prepares to step down as State Superintendent of Education for his outstanding accomplishments and singular contributions to the state of Louisiana and to express gratitude to him for his exemplary term of dedicated and highly productive public service.

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVES K. CARTER, ALARIO, CAZAYOUX, DEWITT, DORSEY, FARRAR, HEBERT, HUNTER, JACKSON, LAFLEUR, MORRELL, SALTER, AND TOWNSEND

A CONCURRENT RESOLUTION

To create and provide with respect to a joint legislative committee to study and make recommendations with respect to property and casualty issues.

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

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

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

House Concurrent Resolutions

Senator Ellington 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. 31—

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

A CONCURRENT RESOLUTION

To commend Cecil J. Picard as he prepares to step down as State Superintendent of Education for his outstanding accomplishments and singular contributions to the state of Louisiana and to express gratitude to him for his exemplary term

of dedicated and highly productive public service.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Mount
Barham	Jackson	Murray
Boasso	Jones	Nevers
Broome	Kostelka	Quinn
Cain	Lentini	Smith
Chaisson	Malone	Theunissen
Total - 24		

NAYS

Total - 0

ABSENT

Bajoie	Gautreaux B	Romero
Cheek	Gautreaux N	Schedler
Cravins	Heitmeier	Shepherd
Fields	Hollis	Ullo
Fontenot	Michot	
Total - 14		

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

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVES K. CARTER, ALARIO, CAZAYOUX, DEWITT, DORSEY, FARRAR, HEBERT, HUNTER, JACKSON, LAFLEUR, MORRELL, SALTER, AND TOWNSEND

A CONCURRENT RESOLUTION

To create and provide with respect to a joint legislative committee to study and make recommendations with respect to property and casualty issues.

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

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Smith 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
Bajoie	Fields	Mount
Barham	Hollis	Murray
Boasso	Jackson	Nevers
Broome	Jones	Quinn
Cain	Kostelka	Romero
Chaisson	Lentini	Smith
Duplessis	Malone	Theunissen
Total - 27		

NAYS

Total - 0

ABSENT

Amedee	Gautreaux B	Schedler
Cheek	Gautreaux N	Shepherd
Cravins	Heitmeier	Ullo
Fontenot	Michot	
Total - 11		

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 27—

BY SENATOR ELLINGTON AND REPRESENTATIVE ST. GERMAIN

AN ACT

To enact R.S. 32:477, relative to abandoned motor vehicles; to provide relative to abandoned motor vehicles seized during a gubernatorial declared state of emergency; to provide relative to the authority of state and political subdivisions to dispose of such vehicles; to provide relative to notice requirements; to authorize the disposal of abandoned motor vehicles under certain circumstances; to provide relative to the proceeds from the disposal of such vehicles; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Duplessis	Marionneaux
Adley	Dupre	McPherson
Amedee	Ellington	Mount
Bajoie	Fields	Murray
Barham	Hollis	Nevers
Boasso	Jackson	Romero
Broome	Jones	Smith
Cain	Kostelka	Theunissen
Chaisson	Lentini	Ullo
Cravins	Malone	
Total - 29		

NAYS

Total - 0

ABSENT

Cheek	Gautreaux N	Quinn
Fontenot	Heitmeier	Schedler
Gautreaux B	Michot	Shepherd
Total - 9		

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

SENATE BILL NO. 38—

BY SENATORS BOASSO, ELLINGTON, B. GAUTREAUX, JONES AND ULLO

AN ACT

To enact R.S. 11:273, relative to provisions affecting more than one public retirement system; to provide for elimination of certain unfunded accrued liabilities; to create the Public Retirement

December 15, 2006

Fund in the state treasury; to create subfunds therein; to provide for allocation of certain monies to the fund; to provide for payment from the fund to the Teachers' Retirement System of Louisiana and to the Louisiana State Employees' Retirement System; to specify that each system shall use certain monies received from the fund exclusively to reduce the unfunded accrued liability existing as of June 30, 1988; to provide supplemental monies for the payment of cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

Senator Fields asked for and obtained a suspension of the rules for the purpose of invoking 5 minute cloture.

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. 52—

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

AN ACT

To enact Subpart L of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.35, relative to state funds; to establish the Louisiana Economic and Port Development Infrastructure Fund as a special treasury fund; to provide for the dedication, deposit, use, and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Reengrossed House Bill No. 52 by Representative Alario

AMENDMENT NO. 1

On page 2, between lines 25 and 26, insert the following:

"D. Monies in the fund shall not exceed three hundred million dollars. All monies in the fund shall be returned to the state general fund if not expended on the major durable goods manufacturer to be located in St. James Parish, Louisiana."

On motion of Senator Boasso, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 52 by Representative Alario

AMENDMENT NO. 1

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

"Under no circumstances shall these monies be used for any purpose other than that stated in this Section. Should such funds not be used for that specific purpose, such funds shall be expended as follows, a sum of one hundred and seventy million dollars for raises for certified teachers, thirty four million dollars for pay raises for school support workers, thirty two million for supplemental pay for firefighters and police, and the balance of the funds to be used for raises for state employees."

Motion

Senator Marionneaux moved the previous question on the entire subject matter.

Without objection, so ordered.

Senator Marionneaux moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Cravins Marionneaux
Amedee Dupre Murray
Broome Fontenot Romero
Cain Gautreaux N Shepherd
Total - 12

NAYS

Bajoie Gautreaux B McPherson
Barham Heitmeier Mount
Boasso Hollis Nevers
Chaisson Jackson Quinn
Cheek Jones Smith
Duplessis Kostelka Theunissen
Ellington Lentini Ullo
Fields Malone
Total - 23

ABSENT

Adley Michot Schedler
Total - 3

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Dupre McPherson
Amedee Ellington Mount
Bajoie Fields Murray
Barham Gautreaux B Nevers
Boasso Gautreaux N Quinn
Broome Heitmeier Romero
Cain Hollis Smith
Chaisson Jackson Theunissen
Cheek Jones Ullo

Cravins
Duplessis
Total - 31

Kostelka
Lentini

NAYS

Fontenot
Malone
Total - 4

Marionneaux
Shepherd

ABSENT

Adley
Total - 3

Michot Schedler

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

HOUSE BILL NO. 57—

BY REPRESENTATIVES THOMPSON, SALTER, ALARIO, DORSEY, TOWNSEND, BAYLOR, E. GUILLORY, HUNTER, JACKSON, MCVEA, MORRISH, JACK SMITH, JOHN SMITH, TRICHE, AND TOOMY AND SENATOR BARHAM

AN ACT

To enact Subpart L of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.41, relative to state funds; to establish the Louisiana Interoperability Communications Fund as a special fund in the state treasury; to provide for the dedication, deposit, use, and investment of monies in the fund; to provide for a reduction of up to fifty percent for the Coastal Protection and Restoration Fund; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 57 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 18, after "B" remove "**The**" and insert the following "**Subject to a legislative appropriation, the**"

AMENDMENT NO. 2

On page 1, line 19, after "**deposit**" insert "**any monies available**"

AMENDMENT NO. 3

On page 1, line 19, after "**general fund**" insert ":" and delete the remainder of the line

AMENDMENT NO. 4

On page 2, line 1, delete "**ninety-five thousand five hundred dollars**"

On motion of Senator Barham, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn

Cain
Chaisson
Cheek
Cravins
Duplessis
Dupre
Total - 35

Hollis
Jackson
Jones
Kostelka
Lentini
Malone

Romero
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Adley
Total - 3

Michot Schedler

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

HOUSE BILL NO. 77—

BY REPRESENTATIVES PINAC AND THOMPSON

AN ACT

To amend and reenact R.S. 6:1096(G)(3), relative to financing single premium insurance in connection with residential mortgage loans under the "Residential Mortgage Lending Act"; to provide for financing single premium insurance in connection with residential mortgage loans during the period beginning on August 15, 2006, and ending on August 14, 2007; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Fontenot
Total - 2

Marionneaux

ABSENT

Jones
Total - 3

Michot Schedler

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

HOUSE BILL NO. 84—

BY REPRESENTATIVES ALARIO, SALTER, DORSEY, TOWNSEND, BAYLOR, DEWITT, GRAY, E. GUILLORY, HUNTER, LAFLEUR, MCVEA, MORRISH, JACK SMITH, JOHN SMITH, THOMPSON, AND TRICHE AND SENATORS ADLEY AND BAJOIE

AN ACT

To amend and reenact R.S. 39:100.31(C) and Section 6(C) of Act No. 642 of the 2006 Regular Session of the Legislature, relative to special treasury funds; to provide relative to appropriations from the State Emergency Response Fund; to provide relative to the effective date of certain appropriations from the State

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Emergency Response Fund; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hollis	Michot	Schedler
Total - 3		

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

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 120 out of its regular order.

HOUSE BILL NO. 120—

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

AN ACT

To enact R.S. 47:6025, relative to state income tax credits; to reimburse, pay, or offset certain assessments levied by Louisiana Citizens Property Insurance Corporation; to provide a refundable credit against state income taxes to certain taxpayers in the amount of the surcharges, market equalization charges, or assessments paid as a result of assessments levied by Louisiana Citizens Property Insurance Corporation; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Reengrossed House Bill No. 120 by Representative Townsend

AMENDMENT NO. 1

Delete Senate Committee Amendments 1 and 2 proposed by the Committee on Revenue and Fiscal Affairs and adopted by the Senate on December 15, 2006.

On motion of Senator Quinn, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jones	Michot	Schedler
Total - 3		

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

Rules Suspended

Senator Jackson asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 59 out of its regular order at this time..

Senator Ellington objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	McPherson
Bajoie	Gautreaux B	Mount
Broome	Gautreaux N	Murray
Cain	Heitmeier	Nevers
Chaisson	Jackson	Quinn
Cheek	Kostelka	Shepherd
Cravins	Lentini	Theunissen
Duplessis	Marionneaux	Ullo
Total - 24		

NAYS

Mr President	Ellington	Malone
Barham	Fontenot	Romero
Boasso	Hollis	Smith
Total - 9		

ABSENT

Amedee Jones Schedler
Fields Michot
Total - 5

The Chair declared the rules were suspended.

HOUSE BILL NO. 59—

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

AN ACT

To amend and reenact R.S. 47:297(D) and to enact R.S. 47:297(P), relative to the individual income tax; to provide a child tax credit; to suspend the education tax credit; and to provide for related matters.

Senator Barham asked for a ruling from the Chair as to whether the bill as amended by Senate Committee requires recommitment to the Committee on Finance.

The Chair ruled that the bill as amended by Senate Committee does not require recommitment to the Committee on Finance.

Motion

Hollis moved the Senate adjourn sine. Senator Bajoje objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham Hollis Romero
Boasso Malone Shepherd
Ellington Marionneaux Smith
Fontenot Quinn Theunissen
Total - 12

NAYS

Adley Duplessis Lentini
Amedee Dupre McPherson
Bajoje Fields Mount
Broome Gautreaux B Murray
Cain Gautreaux N Nevers
Chaisson Heitmeier Ullo
Cheek Jackson
Cravins Kostelka

ABSENT

Mr President Michot
Jones Schedler
Total - 4

The Chair declared the Senate refused to adjourn sine die.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 11, after "domiciled" delete ", residing."

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley Dupre Marionneaux
Amedee Ellington McPherson
Barham Fields Mount
Boasso Fontenot Murray
Broome Gautreaux B Nevers
Cain Gautreaux N Shepherd
Chaisson Heitmeier Smith
Cheek Jackson Ullo
Cravins Lentini
Duplessis Malone
Total - 28

NAYS

Bajoje Kostelka Romero
Hollis Quinn Theunissen
Total - 6

ABSENT

Mr President Michot
Jones Schedler
Total - 4

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

Notice Regarding Vote

Senator Quinn asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on House Bill No. 59. She voted nay on the bill and had intended to vote yea. She asked that the Official Journal so state.

HOUSE BILL NO. 35—

BY REPRESENTATIVES TOWNSEND, SALTER, ALARIO, DORSEY, FAUCHEUX, AND THOMPSON

AN ACT

To amend and reenact R.S. 47:305.51, relative to sales and use tax exemptions; to provide for the effectiveness of the exemption for utilities purchased by certain steelworks, blast furnaces, coke ovens, and rolling mills; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Engrossed House Bill No. 35 by Representative Townsend

AMENDMENT NO. 1

In the Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on December 15, 2006:

In Amendment No. 1, on page 1, line 2, after "47:305.56" insert

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"and 47:321(K),"
In Amendment No. 4, on page 1, line 12, delete "is" and after
"47:305.56" insert "and 47:321(K) are"
Delete Amendment No. 7
In Amendment No. 10, on page 3, line 40, insert:
" * * *
§321. Imposition of tax
* * *

(K) Notwithstanding any other provision of law to the contrary
and specifically notwithstanding the provisions of Act 4 of the 2004
First Extraordinary Session which makes any state sales and use tax
exemptions inapplicable, inoperable, and of no effect, for the taxable
periods beginning January 1, 2007 through June 30, 2009, the
exemptions to the tax levied by this Section for electric power or
energy, natural gas, steam, and water shall be applicable, operative,
and effective.
* * *

On motion of Senator Kostelka, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill
No. 35 by Representative Townsend

AMENDMENT NO. 1

In Senate Committee Amendment No. 11 proposed by the Senate
Committee on Revenue and Fiscal Affairs and adopted by the Senate
on December 15, 2006:

On page 3 between lines 47 and 48, insert the following:

"Section 4. If any provision or item of this Act or the
application thereof is held invalid such invalidity shall not affect
other provisions, items, or applications of this Act which can be given
effect without the invalid provision, item, or application."

On page 3, line 48, change "Section 4" to "Section 5"

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up

Senator Mount sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mount to Engrossed House Bill
No. 35 by Representative Townsend

AMENDMENT NO. 1

In Senate Committee Amendment No. 10, proposed by the Senate
Committee on Revenue and Fiscal Affairs and adopted by the Senate
on December 15, 2006, on page 3, line 28 change "Subsection" to
"Paragraph"

On motion of Senator Mount, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Dupre McPherson
Adley Ellington Mount
Amedee Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Gautreaux N Quinn
Boasso Heitmeier Romero

Broome Hollis Shepherd
Cain Jackson Smith
Chaisson Kostelka Theunissen
Cheek Lentini Ullo
Cravins Malone
Duplessis Marionneaux
Total - 34

NAYS

Total - 0

ABSENT

Fields Michot
Jones Schedler
Total - 4

The Chair declared the amended bill was passed. The title was
read and adopted. Senator Mount 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

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

December 15, 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. 15—

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND DOVE
A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana, in
consultation with the Louisiana commissioner of insurance, to
establish a task force to study the purpose, structure, powers,
and procedures of the Louisiana Citizens Property Insurance
Corporation.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 24—

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

A CONCURRENT RESOLUTION

To commend State Superintendent of Education Cecil J. Picard upon
the announcement of his retirement; to recognize him for his
extraordinary career and numerous accomplishments as
superintendent; and to honor him for his steadfast dedication to
improving the quality of education for the children of Louisiana

as the third longest serving state superintendent in the state's history.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR SMITH AND REPRESENTATIVES FANNIN AND TOWNSEND

A CONCURRENT RESOLUTION

To commend Dr. Jane Griffin of Winnfield Senior High School in Winn Parish upon being named 2006 Louisiana High School Principal of the Year and to recognize her outstanding service and contributions to the education of the youth of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATORS SMITH, BARHAM, BROOME, ELLINGTON AND NEVERS AND REPRESENTATIVES BEARD AND SCALISE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt the Constitution Restoration Act, to limit the jurisdiction of the federal courts and preserve the right to the states and to the people to acknowledge God and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God, all as authorized by Article III, Section 2, of the United States Constitution.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the 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 SENATOR B. GAUTREAUX

A RESOLUTION

To commend and congratulate Kathryn B. Shirey on thirty-seven years of outstanding public service.

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

SENATE RESOLUTION NO. 25—
BY SENATORS BAJOIE, MURRAY, JACKSON, SHEPHERD AND DUPLESSIS

A RESOLUTION

To urge and request the Housing Task Force of the Louisiana Recovery Authority to study and make recommendations establishing a rental assistance program for displaced Louisiana citizens.

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

SENATE RESOLUTION NO. 26—
BY SENATORS MURRAY AND SHEPHERD

A RESOLUTION

To direct the Division of Administration, office of community development to immediately cancel the state contract with ICF Emergency Management Services, LLC and procure new contractors to assist with execution of the Road Home Program.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Original Senate Resolution No. 26 by Senator Murray

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, lines 9 and 13, change "direct" to "urge and request"

On motion of Senator Murray, the amendments were adopted.

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

SENATE RESOLUTION NO. 27—
BY SENATORS BROOME AND NEVERS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of Doris Walsh Curtis.

On motion of Senator Broome, 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

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

December 15, 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. 37—
BY REPRESENTATIVES BEARD AND FAUCHEUX

A CONCURRENT RESOLUTION

To endorse and encourage the construction of a steel mill complex in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVES RICHMOND, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAYLOR, BOWLER, BRUNEAU, BURNS, BURRELL, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOVE, DURAND, FRITH, GALLOT, GEYMAN, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HONEY, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFLEUR, LAFONTA, MARCHAND, MARTINY, MCDONALD, ODINET, PIERRE, PITRE, T. POWELL, ROMERO, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TRAHAN, TUCKER, WADDELL, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Recovery Authority working in conjunction with the Orleans Parish Subcommittee of the Special Committee on Disaster Planning, Crises Management, Recovery, and Long Term Revitalization to investigate ICF International as administrator of The Road Home Housing Program in Orleans Parish with respect to its duties and obligations under the contract.

December 15, 2006

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE SCALISE
A CONCURRENT RESOLUTION

To urge and request the House Committee on Appropriations and the Senate Committee on Finance to meet together to study financing and re-financing options for the Outer-Continental Shelf federal revenue sharing monies that are dedicated to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVES HEBERT, ALEXANDER, ANDERS, BADON, BARROW, BAUDOIN, BEARD, BRUCE, CAZAYOUX, CHANDLER, CURTIS, DARTEZ, DEWITT, DOERGE, DORSEY, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, MARCHAND, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, T. POWELL, RICHMOND, ROMERO, SALTER, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WALKER, WINSTON, AND WOOTON AND SENATORS BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, DUPLESSIS, ELLINGTON, N. GAUTREAU, JACKSON, KOSTELKA, MALONE, MARIONNEAUX, MCPHERSON, NEVERS, ROMERO, SMITH, AND THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana, by executive order, to suspend the statewide effective date of the State Uniform Construction Code until July 1, 2007.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Rules Suspended

Senator N. Gautreaux asked for and obtained a suspension of the rules for the purpose of taking up House Concurrent Resolution No. 36 at this time.

House Concurrent Resolutions

Senator N. Gautreaux 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. 36—

BY REPRESENTATIVES HEBERT, ALEXANDER, ANDERS, BADON, BARROW, BAUDOIN, BEARD, BRUCE, CAZAYOUX, CHANDLER, CURTIS, DARTEZ, DEWITT, DOERGE, DORSEY, DOWNS, DURAND, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HILL, HONEY, HUNTER, HUTTER, KATZ, KENNARD, KENNEY, KLECKLEY, LAFONTA, MARCHAND, MCDONALD, MCVEA, MONTGOMERY, MORRELL, ODINET, PIERRE, T. POWELL, RICHMOND, ROMERO, SALTER, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, WALKER, WINSTON, AND WOOTON AND SENATORS BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, DUPLESSIS, ELLINGTON, N. GAUTREAU, JACKSON, KOSTELKA, MALONE, MARIONNEAUX, MCPHERSON, NEVERS, ROMERO, SMITH, AND THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana, by executive order, to suspend the statewide effective date of the State Uniform Construction Code until July 1, 2007.

Senator Hollis asked for a ruling from the Chair as to whether the resolution was germane to the call.

The Chair ruled that the resolution was germane to the call.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington Mount

Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Hollis Quinn
Broome Jackson Romero
Chaisson Kostelka Shepherd
Cheek Lentini Smith
Cravins Malone Theunissen
Duplessis Marionneaux Ullo
Dupre McPherson

Total - 29

NAYS

Total - 0

ABSENT

Adey Fields Jones
Amedee Fontenot Michot
Cain Heitmeier Schedler
Total - 9

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

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 Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATORS SHEPHERD, BOASSO, DUPLESSIS, N. GAUTREAU, MOUNT AND MURRAY

A CONCURRENT RESOLUTION

To authorize the Department of Social Services to create the Hurricanes Katrina and Rita Transition Account to be used to assist certain persons negatively impacted by the storms.

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

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Donald Ray Williams, Sr., of Baton Rouge, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President Ellington McPherson
Amedee Fontenot Mount
Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Heitmeier Quinn
Broome Hollis Romero
Chaisson Jackson Shepherd
Cheek Kostelka Smith
Cravins Lentini Theunissen
Duplessis Malone Ullo
Dupre Marionneaux
Total - 32

NAYS

Total - 0

ABSENT

Adley	Fields	Michot
Cain	Jones	Schedler
Total - 6		

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

Rules Suspended

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

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. 34—
 BY REPRESENTATIVES RICHMOND, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAYLOR, BOWLER, BRUNEAU, BURNS, BURRELL, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DOVE, DURAND, FRITH, GALLOT, GEYMAN, GRAY, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HONEY, HUNTER, HUTTER, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFLEUR, LAFONTA, MARCHAND, MARTINY, McDONALD, ODINET, PIERRE, PITRE, T. POWELL, ROMERO, SCALISE, SCHNEIDER, JACK SMITH, JANE SMITH, ST. GERMAIN, THOMPSON, TRAHAN, TUCKER, WADDELL, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana Recovery Authority working in conjunction with the Orleans Parish Subcommittee of the Special Committee on Disaster Planning, Crises Management, Recovery, and Long Term Revitalization to investigate ICF International as administrator of The Road Home Housing Program in Orleans Parish with respect to its duties and obligations under the contract.

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

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Ellington	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Heitmeier	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Shepherd
Cravins	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 27		

NAYS

Total - 0

ABSENT

Mr President	Fields	McPherson
Cain	Gautreaux N	Michot
Chaisson	Jones	Schedler
Cheek	Kostelka	
Total - 11		

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

HOUSE CONCURRENT RESOLUTION NO. 37—
 BY REPRESENTATIVES BEARD AND FAUCHEUX
 A CONCURRENT RESOLUTION

To endorse and encourage the construction of a steel mill complex in Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 38—
 BY REPRESENTATIVE SCALISE
 A CONCURRENT RESOLUTION

To urge and request the House Committee on Appropriations and the Senate Committee on Finance to meet together to study financing and re-financing options for the Outer-Continental Shelf federal revenue sharing monies that are dedicated to the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr President	Ellington	Murray
Adley	Gautreaux B	Nevers
Amedee	Heitmeier	Quinn
Bajoie	Hollis	Romero
Barham	Jackson	Shepherd
Boasso	Lentini	Smith
Broome	Malone	Theunissen
Cravins	Marionneaux	Ullo
Duplessis	McPherson	
Dupre	Mount	
Total - 28		

NAYS

Total - 0

ABSENT

Cain	Fontenot	Michot
Chaisson	Gautreaux N	Schedler
Cheek	Jones	
Fields	Kostelka	
Total - 10		

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

Rules Suspended

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

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

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

SENATE CONCURRENT RESOLUTION NO. 15—
 BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND DOVE
 A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana, in consultation with the Louisiana commissioner of insurance, to establish a task force to study the purpose, structure, powers, and procedures of the Louisiana Citizens Property Insurance Corporation.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Original Senate Concurrent Resolution No. 15 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete line 3 and insert "request the Senate Committee on Insurance and the House Committee on Insurance to meet and to function as a joint committee to study the purpose,"

AMENDMENT NO. 2

On page 2, line 1, after "request" delete the remainder of the line and delete line 2 and insert "the Senate Committee on Insurance and the House Committee on Insurance to meet and to function as a joint committee to study the purpose, structure, powers, and"

AMENDMENT NO. 3

On page 2, line 4, change "task force" to "joint committee"

AMENDMENT NO. 4

On page 2, between lines 10 and 11, insert the following: "BE IT FURTHER RESOLVED that the joint committee shall solicit the input, recommendations, and advice of the governor, the commissioner of insurance, the board of directors of Louisiana Citizens Property Insurance Corporation, and representatives of the insurance industry during the conduct of its study."

AMENDMENT NO. 5

On page 2, line 11, change "task force" to "joint committee"

Senator Dupre 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, Cheek, Cravins, Duplessis, Dupre, Ellington, Fontenot, Gautreaux B, Heitmeier, Hollis, Jackson, Lentini, Malone, Marionneaux, Mount, Murray, Nevers, Quinn, Romero, Shepherd, Smith, Theunissen, Ullo

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cain, Chaisson, Fields, Gautreaux N, Jones, Kostelka, McPherson, Michot, Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre 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

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

December 15, 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. 27—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Donald Ray Williams, Sr., of Baton Rouge, Louisiana.

Reported without amendments.

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 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 Ullo, Malone, Duplessis, Broome and Jackson.

SENATE RESOLUTION NO. 29

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 Chaisson, Dupre, Theunissen, Boasso and Romero.

Reports of Committees

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

thanked the Committee and discharged it.

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

Committee from the House of Representatives

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

December 15, 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. 31—
 BY REPRESENTATIVES SALTER, ALARIO, ALEXANDER, ANDERS, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To commend Cecil J. Picard as he prepares to step down as State Superintendent of Education for his outstanding accomplishments and singular contributions to the state of Louisiana and to express gratitude to him for his exemplary term of dedicated and highly productive public service.

HOUSE CONCURRENT RESOLUTION NO. 33—
 BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 11—
 BY REPRESENTATIVES BRUNEAU AND MARCHAND

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to extend the suspension of insurers' rights to cancel or nonrenew certain property insurance policies in effect during hurricane activity.

HOUSE CONCURRENT RESOLUTION NO. 13—
 BY REPRESENTATIVES GRAY AND MARCHAND

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to extend Emergency Rule 23, which suspends the rights of property insurers to cancel or nonrenew certain policies.

HOUSE CONCURRENT RESOLUTION NO. 26—
 BY REPRESENTATIVES SCHNEIDER, GEYMANN, E. GUILLORY, JOHNS, KLECKLEY, AND MORRISH AND SENATORS BARHAM, BOASSO, CRAVINS, B. GAUTREAU, HOLLIS, SHEPHERD, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Ray C. Gillard of Lake Charles.

HOUSE CONCURRENT RESOLUTION NO. 28—
 BY REPRESENTATIVES MONTGOMERY AND JANE SMITH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Private Joshua Cain Burrows, United States Army, of Bossier City, who was killed in action in Iraq.

HOUSE CONCURRENT RESOLUTION NO. 20—
 BY REPRESENTATIVES SCALISE AND BRUNEAU

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Internal Revenue Service to take such actions as are necessary to refrain from taxing rebuilding grants from the state's Road Home program.

HOUSE CONCURRENT RESOLUTION NO. 21—
 BY REPRESENTATIVES SCHNEIDER, ARNOLD, BADON, BAUDOIN, BEARD, BOWLER, BRUNEAU, BURNS, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DORSEY, DURAND, ERDEY, FAUCHEUX, FRITH, GRAY, GREENE, E. GUILLORY, HUNTER, HUTTER, JACKSON, JOHNS, KATZ, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, MARTINY, MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, SCALISE, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WALSWORTH, WHITE, AND WOOTON AND SENATOR BOASSO

A CONCURRENT RESOLUTION

To authorize and request the Joint Legislative Committee on the Budget to investigate The Road Home Housing Program.

HOUSE CONCURRENT RESOLUTION NO. 22—
 BY REPRESENTATIVES DEWITT AND FARRAR AND SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To urge and request Union Pacific Railroad to keep the Oilfield Road railroad crossing in Cheneyville, Louisiana, along U.S. Highway 71, open.

HOUSE CONCURRENT RESOLUTION NO. 27—
 BY REPRESENTATIVE BAUDOIN

A CONCURRENT RESOLUTION

To urge and request that the United States Senate Committee on Homeland Security and Governmental Affairs and the Forensic Audits and Special Investigations Unit of the Government Accountability Office continue their investigation and oversight efforts regarding the Federal Emergency Management Agency's recovery expenditures in Louisiana and that they provide guidance to the agency and to the state of Louisiana as to what the state's share of legitimate recovery expenses is.

HOUSE CONCURRENT RESOLUTION NO. 29—
 BY REPRESENTATIVES TRICHE, BALDONE, DOVE, PITRE, ARNOLD, CURTIS, DORSEY, FAUCHEUX, FRITH, E. GUILLORY, HEATON, HEBERT, HILL, HUTTER, KENNEY, MARTINY, QUEZAIRE, JACK SMITH, JOHN SMITH, ST. GERMAIN, TOWNSEND, AND WALKER AND SENATORS B. GAUTREAU, DUPRE, AND CHAISSON

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education and the commissioner of administration to take certain actions relative to a proposal to create the Maxine Giardina Charter School as a Type 2 charter school in Lafourche Parish to serve students, beginning with the 2006-2007 school year, in grades one through eight who have language-based learning disorders.

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

December 15, 2006

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

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Schedler	1 Day	Michot	1 Day
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Motion

Senator Hollis moved the Senate adjourn sine die.

Senator Adley objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Amedee	Fontenot	Quinn
Barham	B. Gautreaux	Shepherd
Boasso	N. Gautreaux	Smith
Duplessis	Hollis	Theunissen
Dupre	Malone	
Total - 17		

NAYS

Adley	Cravins	Murray
Bajoie	Heitmeier	Nevers
Broome	Jackson	Ullo
Chaisson	Lentini	
Cheek	Mount	
Total - 13		

ABSENT

Cain	Kostelka	Romero
Fields	McPherson	Schedler
Jones	Michot	
Total - 8		

The Chair declared the Senate adjourned sine die.