

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

NINTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, November 16, 2005

The Senate was called to order at 9:30 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	Ellington	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux B	Mount
Barham	Heitmeier	Murray
Broome	Hollis	Nevers
Cain	Jackson	Smith
Cheek	Jones	Theunissen
Dardenne	Kostelka	Uilo
Duplessis	Lentini	
Dupre	Malone	
Total - 28		

ABSENT

Amedee	Fields	Romero
Boasso	Gautreaux N	Schedler
Chaisson	Michot	Shepherd
Cravins	Quinn	
Total - 11		

The President of the Senate announced there were 28 Senators present and a quorum.

Prayer

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

Reading of the Journal

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

November 16, 2005

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 CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES PINAC AND LAFONTA
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2005 First Extraordinary Session of the Legislature of Louisiana the provisions of R.S. 4:214.1 relative to the minimum number of live racing days.

Reported without amendments.

HOUSE BILL NO. 3—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact Section 10 of Act 169 of the 2005 Regular Session of the Legislature of Louisiana, relative to the recordation of documents in the mortgage and conveyance records and the consolidation of the laws affecting the recordation of documents; to change the effective date of the Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 15—
BY REPRESENTATIVES CAZAYOUX, QUEZAIRE, AND SALTER
AN ACT

To enact R.S. 48:442.1, relative to the expropriation of property for design-build projects by the Department of Transportation and Development; to provide relative to the content of the petition to expropriate such property; to provide relative to information which must be annexed to such petition; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 19—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:24.10(C)(4), relative to LA 4 class ratio requirements; to provide for the applicability of provisions relative to the requirements for student to lead teacher and student to adult staff member ratios for LA 4 classes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the ratios required for LA 4 classes; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 20—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:88(A) and (C) and to enact R.S. 17:88(F), relative to the required dates for adoption and submission of school board budgets; to provide for the applicability of provisions relative to the required dates for school boards to adopt budgets and submit such budgets to the state superintendent of education; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the adoption and submission of such budgets; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 21—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:236, relative to the requirement for a minimum school session; to provide for the applicability of the requirement for a minimum school session of not less than one hundred eighty days for school classification purposes; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to the minimum school session; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 22—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:2112(A)(1) and to enact R.S. 17:2112(C), relative to the required time lines for conducting sight and hearing tests for certain pupils; to provide for the

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applicability of the requirement for testing the sight and hearing of pupils within thirty days after the admission of any pupils entering school late in the session; to provide for the State Board of Elementary and Secondary Education to adopt rules relative to such requirement; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 28—

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

To amend and reenact R.S. 29:735(A), relative to immunity of law enforcement agencies during Hurricane Katrina or Rita; to provide for limitation of liability for law enforcement agencies and officers based on detention of persons in any parish prison or local jail under certain circumstances; to provide for liability of law enforcement agencies under certain circumstances; to provide for retroactive application; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 33—

BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:154.3 and to enact R.S. 17:154.1(A)(5), relative to minimum requirements for instructional time; to provide for applicability of such requirements including the required number of certain work days per school year under specified circumstances; to provide for certification by the state superintendent of education relative to the applicability of the minimum requirements for instructional time for certain public schools and school systems; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to all such applicability; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 45—

BY REPRESENTATIVES HAMMETT AND PINAC
AN ACT

To amend and reenact R.S. 47:1508(B)(1), relative to the furnishing of tax information to the taxpayer or his duly authorized representative; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 56—

BY REPRESENTATIVES PINAC, MARTINY, JOHNS, AND HEATON
AN ACT

To enact R.S. 4:147.1, relative to live horse racing; to provide relative to the required number of live racing days; to provide for the authority of the Louisiana State Racing Commission to approve additional races or race days and locations, transfer proceeds and purse supplements, all as made necessary by damage to existing facilities due to a disaster, emergency, or force majeure, or other such occurrence; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 65—

BY REPRESENTATIVES HAMMETT, PINAC, BALDONE, CURTIS, GALLOT, E. GULLORY, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATORS FIELDS, MCPHERSON, AND MURRAY
AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), 2171(A)(introductory paragraph), 2180(A)(1)(a), and 2180.1(A) and to enact R.S. 47:1997(C), relative to assessment of immovable and movable property for tax year 2005 and for tax year 2006 in Orleans Parish; to change time periods for public inspection of assessment rolls; to change assessment deadlines; to change ad valorem tax collection procedures and deadline; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 65 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 13, following "thereafter," and before "a period" change "for" to "be"

HOUSE BILL NO. 78—

BY REPRESENTATIVES MARTINY, PINAC, JOHNS, AND HEATON
AN ACT

To amend and reenact R.S. 27:353(4), 354, and 361(B)(4)(a)(i) and (ii) and to enact R.S. 4:147.2, relative to slot machine gaming at live horse racing facilities; to amend the definition of an eligible facility to provide that the Louisiana State Racing Commission can approve less than eighty days within a twenty-week period in certain emergencies or disasters or other such occurrences; to provide for the effect of this determination; to provide relative to the powers and authority of the Louisiana State Racing Commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 90—

BY REPRESENTATIVES ANSARDI AND GALLOT AND SENATOR LENTINI
AN ACT

To enact Chapter 1 of Code Title III of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2551 through 2565, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and preemptive periods and other legal deadlines; to provide relative to the extension of prescription and preemptive periods and other legal deadlines; to provide relative to the ratification of Executive Orders KBB 2005-32, 48, and 67; to provide for retroactive application; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 90 by Representative Ansardi

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 2, following "page" and before "at," insert "2"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 6, following "after" and before "and" change "have" to "otherwise"

AMENDMENT NO. 3

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 24, following "state" and before "all," change "z" to "and"

AMENDMENT NO. 4

In Senate Committee Amendment No. 10 proposed by the Senate Committee on Judiciary A and adopted by the Senate on November 15, 2005, on page 1, line 29 and on page 2, line 9, at the beginning of the line, change "Vermillion" to "Vermilion"

AMENDMENT NO. 5

On page 2, line 15, before "if" change "only apply" to "apply only"

AMENDMENT NO. 6

On page 3, line 16, following "shall" and before "if" change "only apply" to "apply only"

AMENDMENT NO. 7

On page 3, lines 16 and 23, before "during" change "lapsed" to "occurred"

AMENDMENT NO. 8

On page 3, line 20, following "shall" and before "2006" change "lapse on January 4" to "be extended to January 3"

AMENDMENT NO. 9

On page 4, lines 18 and 21, following "Part IV of" and before "Code Title XXIV" insert "Chapter 1 of"

AMENDMENT NO. 10

On page 4, lines 18 and 21, following "Code Title XXIV" insert "of Code Book III"

AMENDMENT NO. 11

On page 4, line 18, following "A." and before "Act" change "The provisions of this" to "Chapter 1 of Code Title III of Code Book III of Title 9, as enacted by this"

HOUSE BILL NO. 92—

BY REPRESENTATIVE GREENE
AN ACT

To enact R.S. 9:304, relative to legal deadlines affected by Executive Order KBB 2005-32, as amended; to provide for the effect of such legal deadlines on judgments of divorce; to provide for the effect of certain waiting and abandonment periods; to provide for the effect of judgments of divorce; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 104—

BY REPRESENTATIVES GREENE, ANSARDI, AND GALLOT AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 9:315(C)(3)(a) and 315.1(B) and to enact R.S. 9:315(C)(3)(d)(v), 315.11(C), and 315.21(F), relative to child support; to provide for the definition of gross income; to provide for a deviation from the guidelines; to provide for voluntary unemployment or underemployment; to provide for retroactivity; to provide for a contingent effective date for R.S. 9:315.21(F); and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 127—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:824(B)(1)(b) and to enact R.S. 15:713, relative to medical care of prisoners; to provide for the payment of costs of medical care of prisoners in certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 131—

BY REPRESENTATIVES SALTER, DURAND, ALARIO, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT

To amend and reenact Section 5 of Act 182 of the 2005 Regular Session of the Legislature, relative to state fees; to provide for the effective date of the Healthcare Affordability Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 132— (Substitute for House Bill No. 12 by Representatives Quezairé and Salter)

BY REPRESENTATIVES QUEZAIRÉ, SALTER, AND LAMBERT
AN ACT

To enact R.S. 48:250.4, relative to contracts let by the Department of Transportation and Development; to authorize the Department of Transportation and Development to utilize the design-build method to construct transportation projects under certain circumstances; to provide for certain requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 142—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 17:3048.6, relative to continuing eligibility requirements for Tuition Opportunity Program for Students' awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide legislative oversight; to provide for implementation; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 143—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 17:3048.6, relative to initial eligibility requirements for Tuition Opportunity Program for Students awards applicable to students displaced as a consequence of certain natural disasters; to provide legislative findings; to provide definitions; to provide waivers and exceptions to certain program requirements and conditions; to provide applicability; to provide limitations; to provide relative to the authority of the Louisiana Student Financial Assistance Commission, including but not limited to requiring the adoption of certain rules relative to program waivers and exceptions; to provide for legislative oversight; to provide for implementation; to provide 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 Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

November 15, 2005

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 8—

BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU AND COAUTHORED BY SENATORS BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO, SCHEDLER AND THEUNISSEN AND REPRESENTATIVES PINAC, ALEXANDER, ARNOLD, BALDONE, BEARD, BOWLER, BURNS, CROWE, CURTIS, DARTEZ, DOVE, DOWNS, ERDEY, FAUCHEUX, GEYMAN, GREENE, HILL, HONEY, HUTTER, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MONTGOMERY, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To enact R.S. 45:859, relative to utilities; to provide that restoration and rebuilding of certain utilities is a valid public purpose; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 10—

BY SENATORS NEVERS AND MURRAY

AN ACT

To enact R.S. 23:1474(J), relative to unemployment compensation; to provide with respect to the maximum amount of wages on which contribution rates are assessed; to suspend the application of reductions in weekly benefit amounts payable to claimants; to provide for the state unemployment trust fund; and to provide for related matters.

Reported with amendments.

Respectfully submitted, ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

November 15, 2005

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 24—

BY REPRESENTATIVES HAMMETT, SALTER, ALARIO, DORSEY, PINAC, ARNOLD, BALDONE, BRUNEAU, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, MONTGOMERY, ODINET, ROBIDEAUX, SCALISE, SCHNEIDER, JANE SMITH, TOWNSEND, WHITE, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DANIEL, DEWITT, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARTINY,

MCDONALD, MORRELL, MORRISH, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits and deductions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, LAMBERT, MONTGOMERY, SCALISE, JANE SMITH, TOWNSEND, ALARIO, ALEXANDER, ANSARDI, BADON, BARROW, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

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

HOUSE BILL NO. 41—

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, MONTGOMERY, ODINET, SCALISE, JANE SMITH, TOWNSEND, TUCKER, ALARIO, ALEXANDER, ANSARDI, BEARD, BOWLER, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 42—

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

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property on a certain date from certain selling dealers; to provide restrictions on the types and cost of

purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 140—

BY REPRESENTATIVES ALARIO, SALTER, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 156—

BY REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

HOUSE BILL NO. 160—

BY REPRESENTATIVE MONTGOMERY
AN ACT

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

HOUSE BILL NO. 40—

BY REPRESENTATIVES HAMMETT, MONTGOMERY, PINAC, ARNOLD, CURTIS, DARTEZ, FAUCHEUX, HILL, KENNEY, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:331(P)(2), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax for sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint 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 BILL NO. 24—

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

To amend and reenact R.S. 47:287.85(C)(2) and 293(3), relative to income tax of estates and trusts, corporations, and individuals;

to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal disaster relief tax credits and deductions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 39—

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, KENNEY, LAMBERT, MONTGOMERY, SCALISE, JANE SMITH, TOWNSEND, ALARIO, ALEXANDER, ANSARDI, BADON, BARROW, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, CAZAYOUX, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, ERDEY, FANNIN, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFLEUR, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, RITCHIE, ROBIDEAUX, SALTER, SCHNEIDER, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT

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

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

HOUSE BILL NO. 40—

BY REPRESENTATIVES HAMMETT, MONTGOMERY, PINAC, ARNOLD, CURTIS, DARTEZ, FAUCHEUX, HILL, KENNEY, AND JANE SMITH
AN ACT

To amend and reenact R.S. 47:331(P)(2), relative to the state sales and use tax; to provide a reduction in the rate of the sales tax for sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 41—

BY REPRESENTATIVES HAMMETT, PINAC, ARNOLD, BALDONE, DARTEZ, FARRAR, FAUCHEUX, HEATON, HILL, MONTGOMERY, ODINET, SCALISE, JANE SMITH, TOWNSEND, TUCKER, ALARIO, ALEXANDER, ANSARDI, BEARD, BOWLER, BRUCE, BURNS, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FRITH, GEYMAN, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUTTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRELL, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SALTER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 42—

BY REPRESENTATIVES MONTGOMERY, ARNOLD, ALARIO, BALDONE, DARTEZ, DEWITT, DORSEY, FARRAR, FAUCHEUX, HAMMETT, HEATON, HILL, KENNEY, LABRUZZO, ODINET, SALTER, SCALISE, JANE SMITH, TOWNSEND, ALEXANDER, ANSARDI, BADON, BARROW, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DOERGE, DOVE, DOWNS, DURAND, ERDEY, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E.

GUILLORY, M. GUILLORY, HARRIS, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KLECKLEY, LAFONTA, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to consumer purchases of tangible personal property on a certain date from certain selling dealers; to provide restrictions on the types and cost of purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 140—

BY REPRESENTATIVES ALARIO, SALTER, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 156—

BY REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, AND SALTER AND SENATORS HEITMEIER, HINES, AND MOUNT

AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

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

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 56 in the Committee on Finance without the required 24 hour notice.

HOUSE BILL NO. 160—

BY REPRESENTATIVE MONTGOMERY

AN ACT

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

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

November 15, 2005

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request congress to encourage the banking industry to assist senior citizens and disabled persons without identification due to Hurricanes Katrina and Rita with negotiating their Social Security Supplemental Security Income checks.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend and express support for Louisiana: Vision 2020.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request congress to encourage the banking industry to assist senior citizens and disabled persons without identification due to Hurricanes Katrina and Rita with negotiating their Social Security Supplemental Security Income checks.

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	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux B	McPherson
Barham	Heitmeier	Mount
Broome	Hollis	Murray
Cheek	Jackson	Nevers
Dardenne	Jones	Smith
Duplessis	Kostelka	Theunissen
Dupre	Lentini	Ullo

Total - 27

NAYS

Total - 0

ABSENT

Amedee	Cravins	Quinn
Boasso	Fields	Romero
Cain	Gautreaux N	Schedler
Chaisson	Michot	Shepherd

Total - 12

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

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend and express support for Louisiana: Vision 2020.

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

**Senate Bills and Joint Resolutions
on Second Reading**

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

SENATE BILL NO. 110—

BY SENATORS MICHOT AND N. GAUTREAUX AND REPRESENTATIVES FRITH AND ROBIDEAUX
AN ACT

To enact R.S. 49:213.11, relative to hurricane protection, and coastal conservation, restoration and management; to authorize a hurricane protection feasibility study; to authorize and provide for the development and implementation of an intracoastal protection highway; to provide definitions, powers, and duties; and to provide for related matters.

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

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 27—

BY REPRESENTATIVES SALTER, ALARIO, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER, HINES, AND MOUNT
AN ACT

To provide for a special statewide election on the fifth Saturday in April of 2006 for the purpose of submitting constitutional amendments to the electors of the state; to provide for the conduct of such election; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the duplicate bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 121—

BY REPRESENTATIVES CRANE, ALARIO, DEWITT, DORSEY, HAMMETT, AND SALTER AND SENATORS DUPLESSIS, HEITMEIER, HINES, AND MOUNT

AN ACT

To amend and reenact R.S. 17:1990(A), (B)(1), (2)(a), and (4), (C)(1)(a), (2)(a), and (3), 3973(2)(b)(v)(aa), 3982(A)(1), and 3983(A)(2)(a) and to enact R.S. 17:10.7, 1990(F)(3), 3973(2)(b)(v)(cc), and 3983(A)(1)(g), relative to the Recovery School District; to provide for the transfer of certain schools to the recovery district; to provide for the operation and management of such schools; to require the development and approval of a plan for the operation of all schools transferred and to specify the contents of such plan; to provide for the duration and continuation of the transfer; to require the recovery district to make certain reports relative to the recovery district; to subject the administration of the recovery district to the approval of the State Board of Elementary and Secondary Education; to authorize the recovery district to manage and retain certain funding, including the authorization for retaining fund balances; to specify that the expenditure of certain funds by the recovery district is subject to the requirements of the approved Minimum Foundation Program formula; to provide with regard to the authority of the recovery district to contract with for-profit providers; to provide for the exercise of limited rights of ownership over property of transferred schools by the recovery district; to provide for the transfer of certain funding to

the recovery district; to provide for the process for the transfer of such funds and for a limitation on the transfer of such funds; to provide for the expenditure of certain retained funds by certain city, parish, or other local public school systems; to provide for the eligibility of a student to attend a school operated under the jurisdiction of the recovery district; to provide for the obligations of the recovery district in providing services to students; to expand the definition of a Type 5 charter school to include charters involving certain schools transferred to the recovery district; to prohibit members of certain school boards from also being members of the governing or management boards of certain Type 5 charter schools; to prohibit certain local school boards from considering or acting on Type 1 charter school applications under certain circumstances; to authorize the state Department of Education to enter into a charter to operate a charter school under certain circumstances; to provide for effectiveness; and to provide for related matters.

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

Recess

On motion of Senator Bajoie, the Senate took a recess until 3:00 o'clock P.M.

ROLL CALL

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

PRESENT

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

ABSENT

Schedler
Total - 1

The President of the Senate announced there were 38 Senators present and a quorum.

Senate Business Resumed

Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of allowing the Committee on Finance to continue to meet while the Senate is in Session.

Messages from the House

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

November 16, 2005

Message from the House
CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

November 15, 2005

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR B. GAUTREAUX
A CONCURRENT RESOLUTION

To commend Hornets' owner George Shinn for his resolve that the team will remain in New Orleans and his pledge to aid revitalization efforts.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR SHEPHERD
A CONCURRENT RESOLUTION

To urge and request the secretary of state to make all absentee ballots more reader friendly.

Reported without amendments.

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

**Introduction of Senate Bills
and Joint Resolutions**

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

SENATE BILL NO. 111—
BY SENATOR B. GAUTREAUX
AN ACT

To enact provisions related to reducing the state budget by providing an incentive for employees to retire; to provide an alternative to involuntary workforce reduction and individual agency budget cuts; to provide additional options for public servants employed by agencies seeking to reduce their budgets; to provide for early payment of the unfunded accrued liability of the Louisiana State Employees' Retirement System, for long-term savings in interest which would otherwise be owed by the state; to provide for state payroll reduction through a retirement incentive program and elimination of vacated positions; to allow certain members of the system to retire under specified conditions; to provide with respect to retirement eligibility and benefit calculation; to provide for maximum budget reduction through restrictions on the replacement and reemployment of certain retirees; to provide for an effective date; and to provide for related matters.

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

**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. 7—
BY SENATOR FONTENOT
A RESOLUTION

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

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

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

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

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

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Mount
Amedee	Duplessis	Murray
Barham	Fontenot	Nevers
Boasso	Hollis	Romero
Broome	Kostelka	Smith
Cain	Malone	Theunissen
Chaisson	Marionneaux	
Cravins	Michot	
Total - 22		

NAYS

Total - 0

ABSENT

Adley	Gautreaux B	McPherson
Bajoie	Gautreaux N	Quinn
Cheek	Heitmeier	Schedler
Dupre	Jackson	Shepherd
Ellington	Jones	Ullo
Fields	Lentini	
Total - 17		

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

November 16, 2005

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive the 3.7 billion dollars that the Federal Emergency Management Agency (FEMA) estimates that Louisiana owes FEMA for hurricane relief.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVES ODINET, DORSEY, FANNIN, M. GUILLORY, HUTTER, KATZ, QUEZAIRE, SALTER, SMILEY, AND ST. GERMAIN
A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana congressional delegation to direct the United States Army Corps of Engineers not to engage in dredging activities on the Mississippi River Gulf Outlet and to begin the necessary process to return the waterway to wetlands marsh status.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVES JEFFERSON, DORSEY, FANNIN, M. GUILLORY, HUTTER, KATZ, QUEZAIRE, AND ST. GERMAIN
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to waive the nonfederal or local portion of any cost-sharing agreement for the funding of a levee reconstruction and improvement project.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVES ODINET, DORSEY, FANNIN, M. GUILLORY, HUTTER, KATZ, QUEZAIRE, SALTER, SMILEY, AND ST. GERMAIN
A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana congressional delegation to direct the United States Army Corps of Engineers not to engage in dredging activities on the Mississippi River Gulf Outlet and to begin the necessary process to return the waterway to wetlands marsh status.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Michot
Barham	Duplessis	Mount
Boasso	Fontenot	Murray
Broome	Hollis	Nevers
Cain	Kostelka	Romero
Chaisson	Malone	Smith
Cravins	Marionneaux	Theunissen
Total - 21		

NAYS

Total - 0

ABSENT

Adley	Fields	Lentini
Amedee	Gautreaux B	McPherson

Bajoie	Gautreaux N	Quinn
Cheek	Heitmeier	Schedler
Dupre	Jackson	Shepherd
Ellington	Jones	Ullo
Total - 18		

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

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVES JEFFERSON, DORSEY, FANNIN, M. GUILLORY, HUTTER, KATZ, QUEZAIRE, AND ST. GERMAIN
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to waive the nonfederal or local portion of any cost-sharing agreement for the funding of a levee reconstruction and improvement project.

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	Dardenne	Michot
Amedee	Duplessis	Mount
Barham	Fontenot	Murray
Boasso	Hollis	Nevers
Broome	Kostelka	Romero
Cain	Lentini	Smith
Chaisson	Malone	Theunissen
Cravins	Marionneaux	
Total - 23		

NAYS

Total - 0

ABSENT

Adley	Gautreaux B	Quinn
Bajoie	Gautreaux N	Schedler
Cheek	Heitmeier	Shepherd
Dupre	Jackson	Ullo
Ellington	Jones	
Fields	McPherson	
Total - 16		

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

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive the 3.7 billion dollars that the Federal Emergency Management Agency (FEMA) estimates that Louisiana owes FEMA for hurricane relief.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Michot
Amedee	Duplessis	Mount
Barham	Fontenot	Murray
Boasso	Hollis	Nevers
Broome	Kostelka	Romero
Cain	Lentini	Smith

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Chaisson	Malone	Theunissen
Cravins	Marionneaux	
Total - 23		

NAYS

Total - 0

ABSENT

Adley	Gautreaux B	Quinn
Bajoie	Gautreaux N	Schedler
Cheek	Heitmeier	Shepherd
Dupre	Jackson	Uilo
Ellington	Jones	
Fields	McPherson	
Total - 16		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY A

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

November 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

HOUSE BILL NO. 4—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 13:5, relative to each of the clerks of court throughout the state and the recorder of mortgages and the register of conveyances for the parish of Orleans; to authorize the establishment of an ancillary office during times of declared state of emergency or disaster; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 88—
BY REPRESENTATIVES GALLOT, ANSARDI, AND THOMPSON AND SENATOR LENTINI
AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor in certain emergency periods; to provide for the right of the lessor to enter leased property to make necessary repairs; to provide for the removal and disposal of property; to provide for the duty of the lessor to preserve unsalvageable property; to provide for the payment of storage costs and the lessor's privilege; to provide for the taking of an inventory of the property; to provide for a presumption of intent to abandon the leased premises; to provide for notice to the lessee; to provide for definitions; to provide for applicability; to provide for retroactive effect; to provide for termination of provisions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

November 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE BILL NO. 107—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 40:2007.1 and 2116(J), and R.S. 46:437.11(F), relative to the licensure of healthcare providers; to provide relative to health care services in areas affected by declarations of emergency or disaster; to provide relative to the interruption of health care services; to provide relative to replacement and repair of health care facilities in certain areas; to provide relative to facility need review approvals for certain health care providers; to provide for licensure and facility need review; to provide relative to the termination of provider agreements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 5—
BY REPRESENTATIVES WALKER, KATZ, AND PINAC
AN ACT

To enact R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10), relative to minimum standards for licensure for hospitals, nursing facilities, and intermediate care facilities for the mentally retarded; to provide the Department of Health and Hospitals the authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOE MCPHERSON
Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

SENATE BILL NO. 107—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 40:2007.1 and 2116(J), and R.S. 46:437.11(F), relative to the licensure of healthcare providers; to provide relative to health care services in areas affected by declarations of emergency or disaster; to provide relative to the interruption of health care services; to provide relative to replacement and repair of health care facilities in certain areas; to provide relative to facility need review approvals for certain health care providers; to provide for licensure and facility need review; to provide relative to the termination of provider agreements; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 2 after "To" insert "amend and reenact R.S. 40:2109(B)(7) and to"

AMENDMENT NO. 2

On page 1, delete line 10 and insert the following: "Section 1. R.S. 40:2109(B)(7) is hereby amended and reenacted and R.S. 40:2007.1 and 2116(J) are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 3, delete lines 16 through 24 and insert the following: "D.(1) The Department of Health and Hospitals shall license, as of the date services commence, any outpatient off-campus facility of a licensed hospital, if the need for the off-campus facility was occasioned by an event which is the subject of an executive order or proclamation of emergency or disaster, issued in accordance with R.S. 29:724. In order to qualify for licensure of such an off-campus facility, the licensed hospital shall, no later than December 31, 2005, comply with the following:

(a) Notify the Department of Health and Hospitals that it has commenced operations at an outpatient off-campus facility, regardless of whether such off-campus facility is located in an area that is the subject of the executive order or proclamation of emergency or disaster issued in accordance with R.S. 29:724.

(b) Submit to the Department of Health and Hospitals an attestation of regulatory compliance specifying that, to the best of the hospital's knowledge, the outpatient off-campus facility is in compliance with all regulatory requirements, including life and safety and public health requirements, as of the date the off-campus facility commenced providing services.

(2) The Department of Health and Hospitals shall not require any documentation from a licensed hospital regarding an outpatient off-campus facility other than that listed in this Subsection.

* * *
* * *

§2109. Rules, regulations, and minimum standards

B. The minimum standards adopted by the secretary governing operation and maintenance of hospitals may contain regulations in relation to:

* * *

(7) Minimum number of beds required, which shall be ten. In the case of a parish in which the sole hospital providing inpatient and emergency department services temporarily ceases operations as a result of an event which is the subject of an executive order or a proclamation of emergency or disaster issued in accordance with R.S. 29:724, the Department of Health and Hospitals shall waive the minimum bed number. The requirement of a minimum number of beds shall be waived in order that a temporary hospital may be constructed or a modular building designed for inpatient services may be utilized in such parish. Such waiver shall be effective for a period of two years, beginning the date on which the temporary hospital commences operations as an inpatient facility. Extensions shall be granted by the Department of Health and Hospitals for good cause, including, but not limited to delays in construction beyond the provider's control."

AMENDMENT NO. 4

On page 4, delete line 22 and insert the following: "F. In accordance with federal regulations and subject to the approval of the Centers for Medicare and Medicaid Services, the secretary of the Department of Health and Hospitals shall not"

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

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

Senator Lentini 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.

HOUSE BILL NO. 4

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 13:5, relative to each of the clerks of court throughout the state and the recorder of mortgages and the register of conveyances for the parish of Orleans; to authorize the establishment of an ancillary office during times of declared state of emergency or disaster; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 4 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 3, after "mortgages" delete the remainder of the line and insert ", register of conveyances and office of notarial archives for the parish of Orleans; to"

AMENDMENT NO. 2

On page 1, line 9, after "conveyances" and before "for" insert "and office of notarial archives"

AMENDMENT NO. 3

On page 1, line 14, after "mortgages" delete the remainder of the line and insert ", register of conveyances and office of notarial archives for the"

On motion of Senator Lentini, 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. 5

BY REPRESENTATIVES WALKER, KATZ, AND PINAC
AN ACT

To enact R.S. 40:2009.4(A)(6), 2109(B)(1)(c), and 2180.2(10), relative to minimum standards for licensure for hospitals, nursing facilities, and intermediate care facilities for the mentally retarded; to provide the Department of Health and Hospitals the authority to promulgate rules for facilities located in areas subject to hurricanes, tidal surges, or flooding; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 5 by Representative Walker

AMENDMENT NO. 1

On page 1, delete line 14 and insert the following: "(6) The establishment or reestablishment of facilities"

AMENDMENT NO. 2

On page 1, line 17 after "of" delete "stricter"

AMENDMENT NO. 3

On page 1, delete line 18 and insert the following: "(b) Restrictions of location of newly approved facilities that are subject to the provisions of the facility need review process. (c) Provisions in the reimbursement methodology for prospective payment of expenses related to land purchases and building and construction codes and guidelines."

AMENDMENT NO. 4

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On page 2, line 1, change "(c)" to "(d)"

AMENDMENT NO. 5

On page 2, delete line 11 and insert the following:
"(c) The establishment or reestablishment of facilities"

AMENDMENT NO. 6

On page 2, line 14 after "of" delete "stricter"

AMENDMENT NO. 7

On page 2, delete line 15 and insert the following:
(ii) Restrictions of location of newly approved facilities that are subject to the provisions of the facility need review process.
(iii) Provisions in the reimbursement methodology for prospective payment of expenses related to land purchases and building and construction codes and guidelines."

AMENDMENT NO. 8

On page 2, delete line 22 and insert the following:
"(c) The establishment or reestablishment of facilities"

AMENDMENT NO. 9

On page 2, line 25 after "of" delete "stricter"

AMENDMENT NO. 10

On page 2, delete line 26 and insert the following:
(b) Restrictions of location of newly approved facilities that are subject to the provisions of the facility need review process.
(c) Provisions in the reimbursement methodology for prospective payment of expenses related to land purchases and building and construction codes and guidelines."

On motion of Senator Ellington, 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. 88

BY REPRESENTATIVES GALLOT, ANSARDI, AND THOMPSON AND SENATOR LENTINI

AN ACT

To enact R.S. 9:2554, relative to the removal and preservation of property by the lessor in certain emergency periods; to provide for the right of the lessor to enter leased property to make necessary repairs; to provide for the removal and disposal of property; to provide for the duty of the lessor to preserve unsalvageable property; to provide for the payment of storage costs and the lessor's privilege; to provide for the taking of an inventory of the property; to provide for a presumption of intent to abandon the leased premises; to provide for notice to the lessee; to provide for definitions; to provide for applicability; to provide for retroactive effect; to provide for termination of provisions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 88 by Representative Gallot

AMENDMENT NO. 1

On page 1, at the beginning of line 5, after "property;" delete the remainder of the line and insert "to provide relative to the protection, preservation, and storage of property; to"

AMENDMENT NO. 2

On page 1, line 9, delete "to provide for retroactive effect;"

AMENDMENT NO. 3

On page 1, line 10, after the semicolon ";" and before "and" insert "to provide for redesignation of provisions by the Louisiana State Law Institute;"

AMENDMENT NO. 4

On page 2, line 8, change "an immovable" to "immovable property"

AMENDMENT NO. 5

On page 2, line 10, after "premises" insert a period "." and delete the remainder of the line

AMENDMENT NO. 6

On page 2, between lines 12 and 13 insert the following:
(2) The lessor shall keep written records of contacts with insurance agents and other investigators, and of decisions on retrieval, preservation, and removal of movable property.
(3) The landlord shall salvage water-damaged books, heirlooms, photographs and documents.
(4) The lessor may take the following into consideration in prioritizing the salvageability of the other movable property:
(a) Immediate susceptibility to damage
(b) Rarity.
(c) Monetary value
(d) Whether the property is on loan
(e) Ability to move the object particularly without introducing the risk of additional damage.
(g) Degree of apparent damage.
(h) Degree of susceptibility over the time period of the salvage operation.
(5) If undamaged, movable property is in an unstable environment or area that is not secure, the lessor shall move the undamaged, movable property to any available storage site closest in proximity to the leased premises.

AMENDMENT NO. 7

On page 2, line 13, change "(2)" to "(6)"

AMENDMENT NO. 8

On page 2, line 18, change "(3)" to "(7)"

AMENDMENT NO. 9

On page 2, delete lines 28 and 29 and insert the following:
(8) The provisions of this Subsection are not applicable to any lessee who continues too occupy the premises or who has attempted to regain occupancy or remove his property within thirty days from the date that the affected area has been declared available for inspection by the local governing authority pursuant to the provisions of the Louisiana Homeland Security and Emergency Assistance and Disaster Act, R.S. 29:721 et seq.
D. (1) The lessor shall not move the movable property without documenting its condition. In order to document the condition of the movable property, the lessor may do either of the following:
(a) Use a camera or video camera to record conditions of the movable and immovable property and may make notes and voice recordings to accompany photographs or video.
(b) Cause an inventory to be made of the property."

AMENDMENT NO. 10

On page 3, at the beginning of line 1, before "The" insert "(2)"

AMENDMENT NO. 11

On page 3, at the end of line 22, change the period "." to ", provided that the lessor has been available for contact by lessee or present at the leased premises."

AMENDMENT NO. 12

On page 4, line 6, after "notify the lessee" and before the period "." insert ", has been available for contact by the lessee, and has complied with the provisions of this Section"

AMENDMENT NO. 13

On page 4, line 10, after "to" delete the remainder of the line

AMENDMENT NO. 14

On page 4, at the beginning of line 11, delete "door of the leased premises."

AMENDMENT NO. 15

On page 4, line 15, after "located" and before the period "." insert "or notice by certified mail if the lessee's address is ascertainable through disaster services' websites, such those maintained by the American Red Cross or FEMA, or posting a notice on the door of the lease premises if the lessee has not provided emergency contact information or cannot be reached through any other reasonable methods including those included in this Paragraph."

AMENDMENT NO. 16

On page 4, delete lines 22 and 23 in their entirety

AMENDMENT NO. 17

On page 4, line 24, change "K." to "J."

AMENDMENT NO. 18

On page 4, line 25, change "L." to "K."

AMENDMENT NO. 19

On page 4, between lines 26 and 27, insert the following:
 "Section. 2. The Louisiana State Law Institute shall redesignate the provisions of this Act as R.S.9:3391 of Chapter 5 of Code Title 9 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 20

On page 4, line 27, change "Section 2" to "Section 3"

On motion of Senator Lentini, 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 Concurrent Resolutions on Second Reading

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

HOUSE CONCURRENT RESOLUTION NO. 45—
 BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To encourage the state attorney general and state treasurer to request all records or other appropriate documentation from charitable organizations relative to any monetary donations collected on behalf of Louisiana's hurricane victims in the effort to ensure accountability as well as the state's timely receipt of such donations as it strives to meet the needs of Louisiana's citizens.

The resolution was read by title.

Floor Amendments Sent Up

Senator Boasso sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boasso to Original House Concurrent Resolution No. 45 by Representative Crowe

AMENDMENT NO. 1

On page 1, line 3, after "organizations" and before "relative" insert ", with the exception of local churches and their affiliates,"

AMENDMENT NO. 2

On page 2, line 11, after "organizations" and before "relative" insert ", with the exception of local churches and their affiliates,"

On motion of Senator Boasso, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Marionneaux
Amedee	Ellington	Michot
Barham	Fields	Mount
Boasso	Fontenot	Murray
Broome	Gautreaux N	Nevers
Cain	Hollis	Romero
Chaisson	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Total - 27		

NAYS

Total - 0

ABSENT

Adley	Gautreaux B	McPherson
Bajoie	Heitmeier	Quinn
Cheek	Jackson	Schedler
Dupre	Jones	Shepherd
Total - 12		

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

House Concurrent Resolutions

Senator Hines 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 second time by titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 48—
 BY REPRESENTATIVE WALKER

A CONCURRENT RESOLUTION

To commend and express support for Louisiana: Vision 2020.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux N	Nevers
Broome	Hollis	Romero
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneaux	
Total - 29		

NAYS

Total - 0

ABSENT

Adley	Gautreaux B	Quinn
Boasso	Heitmeier	Schedler
Cheek	Jackson	
Dupre	McPherson	
Total - 10		

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

Rules Suspended

Senator Hollis asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 6 from the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 6— BY REPRESENTATIVE PINAC AN ACT

To enact R.S. 51:1927.1(D), relative to time limits to make certain investments under the Capital Companies Tax Credit Program; to extend the time limit for making certain investments; to provide for an effective date; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 80, was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Hollis asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 135 from the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 135— BY REPRESENTATIVE PINAC AN ACT

To enact R.S. 6:121.6, relative to the powers of the commissioner of the Office of Financial Institutions; to authorize the commissioner to waive, suspend, or delay compliance of certain statutes during certain emergencies relating to certain nondepository institutions regulated by the commissioner; to provide for an effective date; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 82, was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, November 15, 2005, was reconsidered.

SENATE BILL NO. 6— BY SENATOR JONES AN ACT

To enact R.S. 18:115(F)(2)(d) and 425(A)(4), relative to the conduct of elections during or following a gubernatorially declared state of emergency; to provide relative to the registration of voters; to provide for the authority of a voter who has registered by mail who has not previously voted in the parish in which he is registered during certain emergencies; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; to provide relative to a parishwide shortage of commissioners due to an emergency; to authorize commissioners from other parishes to serve in the affected parish; to provide relative to selection, training, and certain expenses of such commissioners; and to provide for related matters.

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

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. 80— BY SENATOR HOLLIS AN ACT

To enact R.S. 51:1927.1(D), relative to time limits to make certain investments under the Capital Companies Tax Credit Program; to extend the time limit for making certain investments; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill, which is a duplicate of Senate Bill No. 6 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 82— BY SENATOR HOLLIS AN ACT

To enact R.S. 6:121.6, relative to the powers of the commissioner of the office of financial institutions; to authorize the commissioner to waive, suspend, or delay compliance of certain statutes relating to certain entities regulated by the commissioner; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill, which is a duplicate of Senate Bill No. 135 was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 96— BY SENATORS SHEPHERD, AMEDEE AND MARIONNEAUX AN ACT

To enact R.S. 47:305.54, relative to the state sales and use tax; to enact the 2005 Louisiana Sales Tax Holiday Act; to provide that the state sales and use tax shall not apply to certain consumer purchases of tangible personal property for non-business use on certain dates; to provide restrictions on the types and cost of purchases that are eligible for exemption; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 96 by Senator Shepherd

AMENDMENT NO. 1 On page 2, line 23, following "Section" delete ",."

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Engrossed Senate Bill No. 96 by Senator Shepherd

AMENDMENT NO. 1 On page 3, between lines 18 and 19, insert the following: "H. Notwithstanding any other provisions of law to the contrary, the terms of this Section shall be voluntary for retail dealers; however all retailers who intend to not grant the sales tax holiday authorized in this Section shall notify the Department of Revenue not less than three days prior to the holiday period and shall place public notice signs prominently displayed in their establishment to that effect."

On motion of Senator Fontenot, the amendments were adopted.

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 96 by Senator Shepherd

AMENDMENT NO. 1

On page 3, between lines 18 and 19, insert the following:

"I. All retail dealers who must make adjustments to their cash registers resulting from offering the sales tax holiday authorized in this Section shall be reimbursed at a rate of fifty dollars per cash register."

Senator Adley moved adoption of the amendments.

Senator Shepherd objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Mount
Adley	Ellington	Murray
Bajoie	Heitmeier	Nevers
Broome	Jones	Romero
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	McPherson	Ullo
Total - 21		

NAYS

Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux B	Michot
Cain	Gautreaux N	Quinn
Chaisson	Hollis	Shepherd
Cravins	Jackson	
Total - 17		

ABSENT

Schedler
Total - 1

The Chair declared the amendments were adopted.

Rules Suspended

Senator Shepherd asked for and obtained a suspension of the rules for the purpose of hearing the bill without the dual referral to Finance to obtain a fiscal note on the impact of the amendment just passed.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Fields	Marionneaux
Barham	Fontenot	Michot
Boasso	Gautreaux B	Quinn
Cain	Gautreaux N	Romero
Chaisson	Jackson	Shepherd
Dardenne	Jones	Smith
Dupre	Malone	Theunissen
Total - 21		

NAYS

Adley	Ellington	McPherson
Bajoie	Heitmeier	Mount
Cheek	Hollis	Murray
Cravins	Kostelka	Nevers
Duplessis	Lentini	Ullo
Total - 15		

ABSENT

Mr. President
Total - 3

The Chair declared the rules were suspended.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	McPherson
Amedee	Dupre	Michot
Bajoie	Ellington	Murray
Barham	Fields	Nevers
Boasso	Fontenot	Quinn
Broome	Jackson	Romero
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Total - 32		

NAYS

Adley	Heitmeier	Mount
Gautreaux B	Hollis	
Total - 5		

ABSENT

Gautreaux N
Total - 2

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

Personal Privilege

Senator N. Gautreaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 96 due to a malfunction of the voting machine. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**SENATE BILL NO. 98—
BY SENATOR MARIONNEAUX
AN ACT**

To enact R.S. 17:25.2, relative to the Minimum Foundation Program formula; to provide relative to the costs of the formula and the distribution of allocations; to provide relative to the application of the requirements of the formula to city, parish, and other local public school systems; and to provide for related matters.

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

November 16, 2005

SENATE BILL NO. 103— (Substitute of Senate Bill No. 11 by Senator Quinn;

BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures and for collection of tax on such property; to provide for filing dates of tax rolls for tax year 2005 (2006 Orleans); to provide for deadlines for payment of ad valorem taxes for tax year 2005 (2006 Orleans); and to provide for related matters.

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

SENATE BILL NO. 104— (Substitute of Senate Bill No. 14 by Senator Schedler)

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures and for collection of tax on such property; to provide for filing dates of tax rolls for tax year 2005 (2006 Orleans); to provide for deadlines for payment of ad valorem taxes for tax year 2005 (2006 Orleans); and to provide for related matters.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

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

Called from the Calendar

Senator Hollis asked that Senate Bill No. 44 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 44—

BY SENATOR HOLLIS

AN ACT

To enact Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.39, relative to state building codes; to provide for public policy of codes; to provide for enforcement; to provide for appointment of building official; to provide for adoption of codes; to provide for the creation of the Louisiana Building Codes Council; to provide for construction of farm structures; to provide for mandamus and injunctive relief; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 3, following "1730.39," and before "relative" insert "and to repeal Part IV-A of Chapter 8 of Title 40 of 1950, comprised of R. S. 40:1725 through 1730.1,"

AMENDMENT NO. 2

On page 1, line 10, following "8 of" and before "40" change "Tile" to "Title"

AMENDMENT NO. 3

On page 5, line 27, following "every" and before "years" change "3" to "three"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 3 after "1730.39" insert "and to repeal Part IV-A of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1725 through 1730.1,"

AMENDMENT NO. 2

On page 1, line 7 after "relief;" insert the following: "to provide for agreements with other governmental entities; to provide for council's code adoption authority; to provide for adoption of emergency wind and flood provisions; to provide for construction of industrial facilities; to provide for applicable codes for inspections; to provide for application and issuance of certificates of registration; to provide for revocation authority and injunctive relief; to provide for continuing education; to provide for authority of state fire marshal; to repeal the current state uniform construction code;"

AMENDMENT NO. 3

On page 2, line 3 after "therein" insert a period "." and delete the remainder of the line and at the beginning of line 4 delete "unsafe conditions in existing buildings."

AMENDMENT NO. 4

On page 2, line 7 after "buildings," and insert "balanced with affordability,"

AMENDMENT NO. 5

On page 3, line 25 delete "plumbing industry" and insert "Louisiana Association of Plumbing Heating Cooling Contractors"

AMENDMENT NO. 6

On page 4, at the beginning of line 18 after "A," delete "All" and insert "Notwithstanding any other law to the contrary, all"

AMENDMENT NO. 7

On page 4, delete lines 20 through 23 in their entirety and insert the following:

"B. Nothing in this Part shall conflict with the Federal Department of Housing and Urban Development's regulations regarding manufactured housing construction or the provisions of R.S. 51:912."

AMENDMENT NO. 8

On page 4, between lines 23 and 24 insert the following:

"C. In connection with the construction of any building, structure, or other improvement to immovable property, neither the performance of any enforcement procedure nor any provision of a building code shall constitute or be construed as a warranty or guarantee by an enforcement agency as to durability or fitness, or as a warranty or guarantee by an enforcement official that said building, structure, or other improvement to immovable property or any materials, equipment, or method or type of construction used therein is or will be free from defects, will perform in a particular matter, is fit for a particular purpose, or will last in any particular way."

AMENDMENT NO. 9

On page 4, at the beginning of line 25 insert "A."

AMENDMENT NO. 10

On page 5, between lines 3 and 4 insert the following:

"B. A commercial or residential contractor may establish agreements with certified third party providers to inspect and enforce the state uniform construction code. A third party provider must be certified by the International Code Council and registered with the Louisiana State Uniform Code Council."

AMENDMENT NO. 11

On page 5, at the beginning of line 6 insert "A." and after "parish" insert "and municipality"

AMENDMENT NO. 12

On page 5, line 9 after "building official." delete the remainder of the line and delete line 10 in its entirety and at the beginning of line 11 delete "building official within the municipal limits."

AMENDMENT NO. 13

On page 5, between lines 15 and 16 insert the following:

"B. Notwithstanding the provisions of Paragraph (A), a parish or municipality may utilize the services of a certified building inspector in lieu of a certified building official to enforce the provisions of this Part. The provisions of this Paragraph shall become null and void and of no effect on and after January 1, 2010."

AMENDMENT NO. 14

On page 5, line 18 after "council" delete "is authorized to" and insert "shall"

AMENDMENT NO. 15

On page 6, at the beginning of line 1 after "A." delete the remainder of the line and at the beginning of line 2 delete "areas after August 31, 2005," and insert the following:

"The parishes of Calcasieu, Cameron, Iberia, Jefferson, Lafouche, Orleans, Plaquemines, St. Bernard, St. Tammany, Terrebone, and Vermillion"

AMENDMENT NO. 16

On page 6, line 18 change "thirty" to "ninety"

AMENDMENT NO. 17

On page 7, delete lines 15 through 19 in their entirety.

AMENDMENT NO. 18

On page 7, at the beginning of line 20 change "(b)" to "(a)"

AMENDMENT NO. 19

On page 7, at the beginning of line 24 change "(c)" to "(b)"

AMENDMENT NO. 20

On page 7, at the beginning of line 25 change "(d)" to "(c)"

AMENDMENT NO. 21

On page 7, at the beginning of line 27 change "(e)" to "(d)"

AMENDMENT NO. 22

On page 7, at the beginning of line 29 change "(f)" to "(e)"

AMENDMENT NO. 23

On page 8, line 7 after "Code" insert ", not including Chapter 27- Electrical and Chapter 29 - Plumbing Systems,"

AMENDMENT NO. 24

On page 8, line 7 after "by the" delete "Louisiana" and delete line 8 in its entirety and insert the following:

"state health officer acting through the office of public health of the Department of Health and Hospitals."

AMENDMENT NO. 25

On page 8, at the beginning of line 18 delete "The" and insert the following:

"Excluding the applicable requirements of the Louisiana State Plumbing Code, the"

AMENDMENT NO. 26

On page 8, after line 29 insert the following:

**(8) 422710 bulk stations and materials.
(9) 486110 crude oil pipelines.
(10) 486910 refined petroleum products pipelines.
(11) 486210 natural gas pipelines.
(12) 486990 other pipelines."**

AMENDMENT NO. 27

On page 9, delete lines 15 through 20 in their entirety and insert the following:

"D. In order to qualify as a farm structure, the person owning the property, shall, prior to construction, file a written statement with the parish or municipal official responsible for enforcing the building code which states that the structure is being constructed as a farm structure. The statement must set forth the purpose or intended use of the proposed structure or addition."

AMENDMENT NO. 28

On page 11, line 4 after "council." insert the following:

"The council and its members shall be subject to the Open Meetings Law, the Public Records Law, and the Code of Governmental Ethics."

AMENDMENT NO. 29

On page 12, line 3 after "Section." delete the remainder of the line and delete line 4 in its entirety and insert the following:

"This registration for building code officials is valid for four years and may be renewed. This registration for residential building code inspectors is valid for six months and may be renewed."

AMENDMENT NO. 30

On page 12, line 16 after "Part." insert the following:

"A person, not employed by a parish or municipality or the State of Louisiana as a code enforcement officer, who intentionally violates the provisions of this Part shall be guilty of a misdemeanor and, upon conviction, may be fined not more than two hundred dollars or imprisoned not more than thirty days. Each day of the violation continues is a separate offense."

AMENDMENT NO. 31

On page 13, line 7 after "marshal" insert "and state health officer"

AMENDMENT NO. 32

On page 13, between lines 18 and 19 insert the following:

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

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 2, between lines 18 and 19, insert the following:

"E. To recommend that the citizens of Louisiana be educated and made aware that subterranean and formosan termites, and other structural pests, pose a serious threat in Louisiana and that citizens should employ measures to protect

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residential and commercial structures by using recognized treatments, or decay resistant materials, to guard against infestations."

AMENDMENT NO. 2

On page 2, at the beginning of line 19, change "E." to "F."

Senator Hollis moved adoption of the amendments.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Broome	Gautreaux B	Marionneaux
Chaisson	Gautreaux N	Michot
Duplessis	Jackson	Murray
Dupre	Jones	Shepherd
Fields	Kostelka	
Total - 14		

NAYS

Adley	Dardenne	Mount
Amedee	Ellington	Nevers
Barham	Fontenot	Romero
Boasso	Heitmeier	Smith
Cain	Hollis	Theunissen
Cheek	Malone	Ullo
Cravins	McPherson	
Total - 20		

ABSENT

Mr. President	Lentini	Schedler
Bajoie	Quinn	
Total - 5		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 10, at the beginning of line 5 delete "A."

AMENDMENT NO. 2

On page 10, delete lines 8 through 10 in their entirety.

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 6, line 5, after "(3)" insert a period, delete the remainder of the line and delete lines 6 through 9.

AMENDMENT NO. 2

On page 7, delete lines 20 through 23.

AMENDMENT NO. 3

On page 7, line 24, change "(c)" to "(b)"

AMENDMENT NO. 4

On page 7, line 25, change "(d)" to "(c)"

AMENDMENT NO. 5

On page 7, line 27, change "(e)" to "(d)"

AMENDMENT NO. 6

On page 7, line 29, change "(f)" to "(e)"

On motion of Senator Nevers, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 2 after "enact" insert "R.S. 22:1407(J) and"

AMENDMENT NO. 2

On page 1, line 7 after "relief;" insert "to provide for reduced rates or discounts on insurance premiums for insureds who comply with the state uniform construction code."

AMENDMENT NO. 3

On page 1, line 10 after "Section 1" insert "R.S. 22:1407(J) and"

AMENDMENT NO. 4

On page 1, between lines 11 and 12 insert the following:

"§1407. Rate filing

* * *

J. Any insurer who makes application to the Louisiana Rating Commission for a rate filing shall provide in their application details as to what discount or reduced rate will be given to insureds who comply with the State Uniform Construction Code."

* * *"

On motion of Senator Cain, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 44 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 26, after "governor" insert ", subject to Senate confirmation,"

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Michot
Amedee	Gautreaux B	Mount
Boasso	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Theunissen
Dardenne	Lentini	Ullo
Dupre	McPherson	

Total - 26

NAYS

Adley	Ellington	Marionneau
Barham	Fields	Shepherd
Cravins	Kostelka	Smith
Duplessis	Malone	

Total - 11

ABSENT

Bajoie	Schedler
--------	----------

Total - 2

The Chair declared the amended 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.

Personal Privilege

Senator Bajoie asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the vote on Senate Bill No. 44. She had intended to vote yea on the bill. She asked that the Official Journal so state.

Called from the Calendar

Senator Mount asked that Senate Bill No. 18 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 18—

BY SENATORS MOUNT, N. GAUTREUX AND MURRAY
A JOINT RESOLUTION

Proposing to add Article VII, Section 18(G)(5) and Section 20(A)(10) of the Constitution of Louisiana, relative to ad valorem property tax; to provide a procedure for the retention of the homestead exemption and the special assessment level if the homestead is damaged or destroyed in certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
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
Dardenne	Malone	
Duplessis	Marionneau	

Total - 37

NAYS

Total - 0

ABSENT

Fields	Schedler
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Total - 2

The Chair declared the 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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 20 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 20—

BY SENATORS MOUNT AND MURRAY
AN ACT

To amend and reenact R.S. 47:2106 and to enact R.S. 47:1703(E), relative to ad valorem property tax on damaged property; to provide for continuation of the homestead exemption where the owner is unable to occupy the homestead due to a disaster or emergency; to provide for the postponement and later collection of such taxes in parishes affected by disasters and other calamities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Schedler

Total - 1

The Chair declared the 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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 19 be called from the Calendar at this time for its final passage.

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SENATE BILL NO. 19—
BY SENATORS MOUNT AND MURRAY
AN ACT

To amend and reenact R.S. 47:1992(F)(1) and (G), 2101(A)(2) and (3), the introductory paragraph of 2171(A), 2180(A)(1)(a) and 2180.1(A), and to enact R.S. 47:1997(C) relative to ad valorem property tax procedures; to provide with respect to deadlines in Title 47 of the Louisiana Revised Statutes of 1950 as to assessments and tax collections for property; to provide with respect to such deadlines for property damaged by natural disasters in 2005; and to provide for related matters.

The bill was read by title. Senator Mount 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 Michot
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
Dardenne Lentini Ullo
Duplessis Malone
Total - 38

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the 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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 39 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 39—
BY SENATORS MOUNT, MURRAY AND NEVERS
AN ACT

To enact R.S. 47:305.54, relative to the sales and use tax of the state and political subdivisions whose boundaries are coterminous with those of the state; to provide that the state sales or use tax shall not apply to manufacturing machinery and equipment purchased, leased, or rented by manufacturers, or repair services or parts, for use in the repair or replacement of hurricane-damaged equipment; to provide for the applicability of certain definitions; to provide an effective date and termination date; and to provide for related matters.

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Engrossed Senate Bill No. 39 by Senator Mount

AMENDMENT NO. 1
On page 1, line 12, after "A" delete "(1)"

AMENDMENT NO. 2
On page 2, delete line 4 in its entirety

Senator Amedee moved adoption of the amendments.

Senator Mount objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Cain Malone
Barham Fontenot Quinn
Boasso Kostelka Shepherd
Total - 9

NAYS

Mr. President Ellington McPherson
Adley Fields Michot
Bajoie Gautreaux B Mount
Broome Gautreaux N Murray
Chaisson Heitmeier Nevers
Cheek Hollis Romero
Cravins Jackson Smith
Dardenne Jones Theunissen
Duplessis Lentini Ullo
Dupre Marionneaux
Total - 29

ABSENT

Schedler
Total - 1

The Chair declared the amendments were rejected.

The bill was read by title. Senator Mount 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 Michot
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
Dardenne Lentini Ullo
Duplessis Malone
Total - 38

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the 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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 41 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 41—
BY SENATORS MOUNT, MURRAY AND NEVERS
AN ACT

To amend and reenact R.S. 47:609(A), relative to corporate franchise tax; to provide an exemption from the corporation franchise tax for extraordinary debt by corporations directly affected by hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount 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	Michot
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
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the 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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 78 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 78—
BY SENATORS MOUNT AND MURRAY
AN ACT

To amend and reenact R.S. 47:1508(B)(1), relative to the furnishing of tax information to taxpayers; to authorize the Department of Revenue to release to taxpayers their income tax information; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount 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	Michot

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
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the 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.

Called from the Calendar

Senator Mount asked that Senate Bill No. 42 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 42—
BY SENATORS MOUNT AND MURRAY
AN ACT

To amend and reenact R.S. 47:287.85(C)(2) and R.S. 47:293(3), relative to income tax of estates and trusts, corporations, and individuals; to provide that the Louisiana federal income tax deduction shall not be reduced by the amount of certain federal disaster relief tax credits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount 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	Michot
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
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the 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.

Senator Bajoie in the Chair

Called from the Calendar

Senator Mount asked that Senate Bill No. 38 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 38—
BY SENATORS MOUNT, CAIN, MURRAY AND NEVERS
AN ACT

To amend and reenact R.S. 47:331(P)(2), relative to the sales and use tax of the state and political subdivisions whose boundaries are coterminous with those of the state; to limit the sales tax paid on sales of natural gas and electricity; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson Schedler
Total - 2

The Chair declared the 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.

Called from the Calendar

Senator Hines asked that Senate Bill No. 64 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 64—
BY SENATOR HINES
AN ACT

To provide for a special statewide election on the fifth Saturday in April of 2006 for the purpose of submitting constitutional amendments to the electors of the state; to provide for the conduct of such election; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington McPherson
Adley Ellington Michot
Amedee Fields Mount
Fontenot

Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Broome Heitmeier Quinn
Cain Hollis Romero
Chaisson Jackson Shepherd
Cheek Jones Smith
Cravins Kostelka Theunissen
Dardenne Lentini Ullo
Duplessis Malone
Dupre Marionneaux
Total - 37

NAYS

Boasso
Total - 1

ABSENT

Schedler
Total - 1

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

Called from the Calendar

Senator Hines asked that Senate Bill No. 81 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 81—
BY SENATOR HINES
AN ACT

To enact R.S. 42:1114.3, relative to disclosure of certain contracts; to require elected officials and appointed state officials to disclose information to the Board of Ethics regarding the receipt of certain things of value related to certain contracts and subcontracts; to provide for the content of such disclosure; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 81 by Senator Hines

AMENDMENT NO. 1

On page 4, between lines 12 and 13, insert the following:

"G. Nothing in this Section shall require the disclosure of any thing of economic value received from an individual assistance claim."

On motion of Senator Hines, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 81 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2 after "require" insert "certain"

AMENDMENT NO. 2

On page 1, line 3 after "state officials" insert "and to require certain elected officials"

AMENDMENT NO. 3

On page 2, line 21 after "official" insert ". other than a legislator,"

AMENDMENT NO. 4

On page 2, line 25 after "later." insert the following
"Each member of the legislature subject to the provisions of
this Section shall file an initial disclosure statement with the
clerical officer of the house to which he or she belongs no later
than thirty days after the effective date of this Section or fifteen
days after the legislator, spouse, or legal entity enters into the
contract or subcontract, whichever occurs later."

AMENDMENT NO. 5

On page 3, line 6 delete "with the Board of Ethics"

AMENDMENT NO. 6

On page 4, between lines 12 and 13 insert the following:
"G. The secretary of the Senate and the clerk of the House
of Representatives jointly shall prescribe a form for filing of
reports by members of the legislature, as is required by this
Section. The secretary shall notify each member of the Senate
and the clerk shall notify each member of the House of
Representatives that the report is due within the time as is
provided by this Section. Within fifteen days of receipt, the
secretary and the clerk shall transmit to the Board of Ethics
copies of all disclosure reports filed with them, respectively.
Reports transmitted by the secretary of the Senate and the clerk
of the House shall be deemed to having been filed with the Board
of Ethics by the member, as of the date of filing with the clerical
officer."

On motion of Senator Cain, the amendments were adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill
No. 81 by Senator Hines

AMENDMENT NO. 1

On page 1, line 3, after "state officials" and before "to", insert "and
certain others"

AMENDMENT NO. 2

On page 4, between lines 12 and 13, insert the following:
"G. Notwithstanding any other provision of law to the contrary,
any person who was serving as chairman of a political party in
Louisiana on the dates that Hurricanes Katrina or Rita struck
the state shall disclose the same information and make the same
filings required by an elected or appointed official subject to the
provisions of this Section, and shall be subject to a civil penalty
of one hundred dollars per day for failure to file or disclose as set
forth in this Section."

Senator Romero moved adoption of the amendments.

Senator Hines objected.

Senator Chaisson asked for a ruling from the Chair as to whether
the amendment was germane to the call.

The Chair ruled that the amendment was not germane to the call.

The amendment was withdrawn.

The bill was read by title. Senator Hines 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 Michot
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
Dardenne Lentini Ullo
Duplessis Malone

Total - 38

NAYS

Total - 0

ABSENT

Schedler
Total - 1

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

Mr. President in the Chair

Called from the Calendar

Senator Ellington asked that Senate Bill No. 54 be called from
the Calendar at this time for its final passage.

SENATE BILL NO. 54—

BY SENATORS ELLINGTON AND NEVERS
AN ACT

To amend and reenact R.S. 47:331(P)(2) and to enact R.S.
47:301(3)(j) and (13)(l), and 302(T), 321(J), and 331(R),
relative to state sales and use tax of the state and any political
subdivision whose boundaries are coterminous with those of the
state; to provide for a limitation on the sale price and cost price
of natural gas for certain taxpayers; to provide for an exemption
for electricity for certain taxpayers; to provide for an effective
date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the
Legislative Bureau to Engrossed Senate Bill No. 54 by Senator
Ellington

AMENDMENT NO. 1

On page 2, between lines 14 and 15, insert "*" * "*"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Ellington 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 Michot
Bajoie Fontenot Mount
Barham Gautreaux B Murray
Boasso Gautreaux N Nevers

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Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Shepherd
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 38		

NAYS

Total - 0

ABSENT

Schedler
Total - 1

The Chair declared the amended 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.

Called from the Calendar

Senator Jones asked that Senate Bill No. 6 be called from the Calendar at this time for its reconsideration.

SENATE BILL NO. 6—
BY SENATOR JONES

AN ACT

To enact R.S. 18:115(F)(2)(d) and 425(A)(4), relative to the conduct of elections during or following a gubernatorially declared state of emergency; to provide relative to the registration of voters; to provide for the authority of a voter who has registered by mail who has not previously voted in the parish in which he is registered during certain emergencies; to require an affidavit attesting to the voter's eligibility; to provide for the effectiveness of such provisions; to provide relative to a parishwide shortage of commissioners due to an emergency; to authorize commissioners from other parishes to serve in the affected parish; to provide relative to selection, training, and certain expenses of such commissioners; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Bajoie	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Chaisson	Heitmeier	Shepherd
Cravins	Jackson	Ullo
Duplessis	Jones	
Dupre	Marionneaux	
Total - 19		

NAYS

Adley	Dardenne	Malone
Amedee	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Hollis	Romero
Cain	Kostelka	Smith
Cheek	Lentini	Theunissen
Total - 18		

ABSENT

Quinn
Total - 2

The Chair declared the bill failed to pass.

The Chair declared the bill failed to pass. Senator Ellington moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

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 Bills and Joint Resolutions

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

SENATE BILL NO. 112—
BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S. 47:609(A), relative to the corporation franchise tax; to provide for the computation of borrowed capital which includes extraordinary debt incurred by corporations directly affected by hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

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

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. 29—
BY SENATOR ULLO AND REPRESENTATIVE CRANE
A CONCURRENT RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR SMITH
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 adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Barham	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Hollis	Shepherd
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Malone	
Dupre	McPherson	

Total - 34

NAYS

Total - 0

ABSENT

Boasso	Lentini	Schedler
Chaisson	Marionneaux	

Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 31—
 BY SENATOR MURRAY AND REPRESENTATIVE BRUNEAU
 A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Chaisson	Marionneaux
Lentini	Schedler

Total - 4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent 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 on Second Reading

The following Senate Concurrent Resolutions advanced to a second reading earlier today were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 27—
 BY SENATOR DUPRE

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Chaisson	Marionneaux
Lentini	Schedler

Total - 4

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

November 16, 2005

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 1—

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

AN ACT

To amend and reenact R.S. 15:542(A), (C)(2) and (F) and 545(A) and to enact R.S. 15:542(A)(4), relative to registration of sex offenders; to provide for enhanced penalties for failure to register as a sex offender; to provide for registration of offenders housed in emergency housing; to provide for re-registration of sex offenders under certain circumstances; to provide for the

November 16, 2005

police chief or police department to send written notices; and to provide for related matters.

Reported with amendments.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

November 16, 2005

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 36—
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, AND THOMPSON
AN ACT

To enact Subpart I of Part II-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.31 and 100.32, relative to state funds; to establish the Restoration Fund as a special fund in the state treasury; to provide for accounts within the fund; to provide for the deposit of monies into the fund; to provide for appropriation and use of monies in the fund; to provide for limitations on appropriations; to require the development of an annual prioritized program for projects and expenditures recommended for funding through appropriations from the fund; to authorize the Joint Legislative Committee on the Budget to provide by resolution for the content and schedule for submission and consideration of the program; to provide for the consideration, amendment, and approval of such program by the Joint Legislative Committee on the Budget; to authorize rulemaking; and to provide for related matters.

HOUSE BILL NO. 101—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 51:3084(11), relative to the Louisiana Community Development Financial Institution Act; to define low-income community to include areas affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 115—
BY REPRESENTATIVE BAYLOR AND SENATOR FIELDS
AN ACT

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

HOUSE BILL NO. 75—
BY REPRESENTATIVE JEFFERSON
AN ACT

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

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

House Bills and Joint Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint 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 BILL NO. 36—
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, AND THOMPSON
AN ACT

To enact Subpart I of Part II-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.31 and 100.32, relative to state funds; to establish the Restoration Fund as a special fund in the state treasury; to provide for accounts within the fund; to provide for the deposit of monies into the fund; to provide for appropriation and use of monies in the fund; to provide for limitations on appropriations; to require the development of an annual prioritized program for projects and expenditures recommended for funding through appropriations from the fund; to authorize the Joint Legislative Committee on the Budget to provide by resolution for the content and schedule for submission and consideration of the program; to provide for the consideration, amendment, and approval of such program by the Joint Legislative Committee on the Budget; to authorize rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 75—
BY REPRESENTATIVE JEFFERSON
AN ACT

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

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

HOUSE BILL NO. 101—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 51:3084(11), relative to the Louisiana Community Development Financial Institution Act; to define low-income community to include areas affected by Hurricanes Katrina and Rita; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 115—
BY REPRESENTATIVE BAYLOR AND SENATOR FIELDS
AN ACT

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

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

Rules Suspended

Senator Fields asked for and obtained a suspension of the rules for the purpose of hearing House Concurrent Resolution No. 41 in the Committee on Local and Municipal Affairs without the required 24 hour notice.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

November 16, 2005

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive the debt of Louisiana's local governments resulting from seven hundred fifty million dollars in loans made available to them as disaster relief.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 50—
BY REPRESENTATIVE BALDONE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to forgive the debt of Louisiana's local governments resulting from seven hundred fifty million dollars in loans made available to them as disaster relief.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Shepherd
Cheek	Jones	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo

Dupre
Total - 32

McPherson
NAYS

Total - 0

ABSENT

Boasso
Chaisson
Cravins
Total - 7

Hollis
Kostelka
Lentini

Schedler

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON INSURANCE

Senator Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

November 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

SENATE BILL NO. 30—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO
AN ACT

To amend and reenact the introductory paragraph of R.S. 42:851(E)(1) and to enact R.S. 42:851(D)(4), relative to Office of Group Benefits programs; to prohibit any reduction in the minimum state contribution for premium payments for certain employees affected by hurricanes Katrina and Rita under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE BOWLER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact comprehensive natural disaster insurance legislation affecting financial capacity and loss prevention that will address, encourage, and support insurance company reserving for future catastrophes by making such reserves deductible for federal income tax purposes.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 44—
BY REPRESENTATIVE K. CARTER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact a health insurance premium reimbursement program and a federal income tax credit for the health insurance premiums for affected victims of Hurricanes Katrina and Rita.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON LOCAL AND MUNICIPAL AFFAIRS

November 16, 2005

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

November 16, 2005

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 102—
BY SENATOR FIELDS AND REPRESENTATIVE BAYLOR
AN ACT

To amend and reenact amend and reenact R.S. 33:2711.9(B)(3) and to repeal R.S. 33:4574.1(A)(1)(d), 4574.1.1(E), 4574.9(C)(1)(d), 4574.12(D)(1)(d), 4574.13(C)(1)(d), and 4575.3(20)(d), relative to hotel occupancy taxes; to delete the exemption of certain rooms from hotel occupancy tax in certain parishes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CLEO FIELDS
Chairman

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

November 16, 2005

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. 148— (Substitute for House Bill No. 64 by Representative Hammett)
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS AND PUBLIC WORKS

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

November 16, 2005

To the President and Members of the Senate:

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

SENATE BILL NO. 95—
BY SENATORS BOASSO, ADLEY, AMEDEE, BARHAM, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HOLLIS, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SMITH AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON
AN ACT

To amend and reenact R.S. 38:291 (D)(2) and (3), (G)(2), (K)(2), (R)(2), 304(A) and (B), 326.2(A), to enact R.S. 38:291(G)(3), (K)(3), (R)(3), (V), and (W), and 306.1 through 306.7, and to repeal R.S. 38:304.2 and 304.3, relative to levees; to establish the Southeast Louisiana Levee Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for jurisdiction over certain levee districts in areas of southeast Louisiana; to reorganize the powers, duties, and functions of certain levee boards; to retain the territorial limits of such levee districts; to transfer all authority, obligations, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for the jurisdiction of the board of commissioners; to provide for qualifications of an executive director; to create a levee district for St. Tammany Parish and provide for the authority powers, duties, functions, and responsibilities of the district to be exercised by the authority; to provide for funding; to provide for applicability; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

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

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

SENATE BILL NO. 30—
BY SENATOR HEITMEIER AND REPRESENTATIVE ALARIO
AN ACT

To amend and reenact the introductory paragraph of R.S. 42:851(E)(1) and to enact R.S. 42:851(D)(4), relative to Office of Group Benefits programs; to prohibit any reduction in the minimum state contribution for premium payments for certain employees affected by hurricanes Katrina and Rita under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 30 by Senator Heitmeier

AMENDMENT NO. 1
On page 1, line 2 after "R.S. 42:851(E)(1)" insert "and (M)(1)"

AMENDMENT NO. 2
On page 1, line 3 after "42:851(D)(4)" insert "and (M)(4)"

AMENDMENT NO. 3
On page 1, line 8 after "R.S.42:851(D)(4)" delete "is" and insert "and (M)(1) are"

AMENDMENT NO. 4

On page 1, line 9 after "R.S. 42:851(E)(1)" delete "is" and insert "and (M)(1) are"

AMENDMENT NO. 5

On page 1, delete lines 15 through 17 and insert the following:
"(4) Notwithstanding any provision of law to the contrary, any lapse in participation for employees furloughed or terminated as the result of Hurricanes Katrina and Rita and subsequently rehired between August 30, 2005 and December 31, 2006 shall not reduce the state minimum contribution."

AMENDMENT NO. 6

On page 2, delete lines 1 through 2

AMENDMENT NO. 7

On page 2, between lines 10 and 11 insert:
 "M.(1) Notwithstanding any provision of law or any rule or regulation to the contrary, the state of Louisiana shall continue to contribute its portion of the premium or charges due under this Section for which an employee is granted leave of absence without pay due to a service-related injury ~~or at the request of the agency~~ for a period not to exceed twelve months.

* * *

(4) An employee who is granted leave of absence without pay for any reason other than those enumerated above may continue participation in the Office of Group Benefits program for a period not to exceed twelve months upon the employee's payment of the full premium or charges due.

* * *

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

SENATE BILL NO. 95—

BY SENATORS BOASSO, ADLEY, AMEDEE, BARHAM, CAIN, CHAISSON, CRAVINS, DARDENNE, DUPLISSIS, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HOLLIS, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SMITH AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, K. CARTER, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

AN ACT

To amend and reenact R.S. 38:291 (D)(2) and (3), (G)(2), (K)(2), (R)(2), 304(A) and (B), 326.2(A), to enact R.S. 38:291(G)(3), (K)(3), (R)(3), (V), and (W), and 306.1 through 306.7, and to repeal R.S. 38:304.2 and 304.3, relative to levees; to establish the Southeast Louisiana Levee Authority; to provide for its powers, duties, jurisdiction, and members; to provide for appointments to the board of commissioners of the authority; to provide for qualifications of commissioners; to provide for meetings of the board; to provide for jurisdiction over certain levee districts in areas of southeast Louisiana; to reorganize the powers, duties, and functions of certain levee boards; to retain the territorial limits of such levee districts; to transfer all authority, obligations, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for the jurisdiction of the board of commissioners; to provide for qualifications of an executive director; to create a levee district for St. Tammany Parish and provide for the authority powers, duties, functions, and responsibilities of the district to be exercised by the authority; to provide for funding; to provide for applicability; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 95 by Senator Boasso

AMENDMENT NO. 1

On page 1, line 2, after "(G)(2)," delete the remainder of the line and insert "and 304(A) and (B)."

AMENDMENT NO. 2

On page 1, delete line 3, and insert "to enact R.S. 38:291(G)(3) and (V), and 306.1"

AMENDMENT NO. 3

On page 1, line 4, change "R.S. 38:304.2 and 304.3" to "R.S. 38:304.3"

AMENDMENT NO. 4

On page 1, line 8, after "board;" delete the remainder of the line and delete lines 9 through 13 and insert "to provide for the management of certain levee districts in areas of southeast Louisiana; to terminate the terms of commissioners on certain levee boards; to reorganize the governance of such levee districts by providing for representation of such district on the board of commissioners to the authority; to retain the territorial limits of such levee districts; to transfer authority, duties, powers, functions, and responsibilities from such levee boards to the authority; to provide for obligations, tax proceeds, and property of the district; to provide for qualifications of an executive director; to create a"

AMENDMENT NO. 5

On page 2, line 1, after "(G)(2)," delete the remainder of the line and insert "and 304(A) and (B)."

AMENDMENT NO. 6

On page 2, delete line 2, and insert "are hereby amended and reenacted, and R.S. 38:291(G)(3) and (V)."

AMENDMENT NO. 7

On page 2, line 3, delete "(W)."

AMENDMENT NO. 8

On page 2, line 22, before "**Jefferson**" insert "the eastbank of"

AMENDMENT NO. 9

On page 3, delete lines 11 through 29 and on page 4, delete lines 1 through 19

AMENDMENT NO. 10

On page 4, delete line 29, and on page 5, delete lines 1 through 17

AMENDMENT NO. 11

On page 6, delete line 6 and insert in lieu thereof "except as provided in R.S. 38:291(P), 291(T), and 304.2 and 304.3."

AMENDMENT NO. 12

On page 6, delete line 10 and insert in lieu thereof "except as provided in R.S. 38:291(P), 291(T), and 304.2 and 304.3. All members"

AMENDMENT NO. 13

On page 6, line 20, after "authority," delete the remainder of the line and delete lines 21 through 24, and insert:
"through its board of commissioners as provided for in this Section shall exercise all authority over and have management, oversight and control of the East Jefferson Levee District, Lake Borgne Basin Levee District, and the St. Tammany Levee District as provided by law for the boards of commissioners of such levee districts to which the authority is a successor and to the extent provided for in R.S. 38:306.1 through 306.7."

AMENDMENT NO. 14

On page 6, line 26, after "authority," insert "Any appointment made to the board shall be subject to confirmation by the Senate."

AMENDMENT NO. 15

On page 6, line 29, after "representing" insert "the eastbank of"

AMENDMENT NO. 16

On page 7, delete lines 3 through 5

AMENDMENT NO. 17

On page 7, line 6, change "(3)" to "(2)"

AMENDMENT NO. 18

On page 7, line 9, change "(4)" to "(3)"

AMENDMENT NO. 19

On page 7, line 13, change "(5)" to "(4)"

AMENDMENT NO. 20

On page 7, line 16, line 20, change "nonvoting" to "non-voting"

AMENDMENT NO. 21

On page 7, line 19, change "(6)" to "(5)"

AMENDMENT NO. 22

On page 7, line 23, before "Lake" change the comma to "and" and at the end of the line delete ", Orleans Levee Board,"

AMENDMENT NO. 23

On page 7, line 24, delete "West Jefferson Levee Board" and insert "holding such office on December 31, 2005"

AMENDMENT NO. 24

On page 7, line 27, change "Orleans" to "Jefferson"

AMENDMENT NO. 25

On page 7, line 28, after "ex-officio" insert "and non-voting"

AMENDMENT NO. 26

On page 8, line 4, after "expire" delete the remainder of the line and delete line 5 and insert ", respectively, as follows: two members in twelve months, two members in sixteen months, two members in twenty months, two members in twenty-four months, and one member in thirty months, from the first day of"

AMENDMENT NO. 27

On page 8, line 8, after "years" insert "as provided in Subsection B of this Section"

AMENDMENT NO. 28

On page 8, line 10, change "Any" to "Except as provided for the commissioner appointed by the secretary of the Department of Transportation and Development as provided for in Paragraph (B)(5) of this Section, any"

AMENDMENT NO. 29

On page 8, delete lines 13 through 17, and insert:
"(2) Have resided in the territory of the respective levee district of the governing authority or legislative delegation appointing him for at least the preceding ten years and shall continue to reside and be a qualified voter there during his term on the board."

AMENDMENT NO. 30

On page 8, line 18, change "(5)" to "(3)"

AMENDMENT NO. 31

On page 9, line 4, before "call" insert "the"

AMENDMENT NO. 32

On page 9, line 18, change "Orleans" to "St. Bernard"

AMENDMENT NO. 33

On page 9, at the end of line 24, delete "authority" insert "southeast levee authority or any levee district under the authority, oversight, and control of the board"

AMENDMENT NO. 34

On page 9, line 25, after "authority" insert "or any such levee district"

AMENDMENT NO. 35

On page 9, line 29, delete "Orleans Levee District," and insert "and"

AMENDMENT NO. 36

On page 10, line 1, delete "and the West Jefferson Levee District"

AMENDMENT NO. 37

On page 10, delete line 3, and on line 4, delete "establish" and insert:
"other powers and duties provided by law for the boards of commissioners of such levee districts to which the authority is a successor, the board shall have the authority, subject to the limitations concerning funding provided for in R.S. 38:306.3(B), to establish for the levee districts under its authority"

AMENDMENT NO. 38

On page 10, line 10, change "The" to "Subject to the limitations concerning funding provided for in R.S. 38:306.3(B), the" and after "nature" insert "on behalf of the levee districts under its authority"

AMENDMENT NO. 39

On page 10, line 17, change "The" to "Subject to the limitations concerning funding provided for in R.S. 38:306.3(B), the" and after "agreements" insert "on behalf of the levee districts under its authority"

AMENDMENT NO. 40

On page 10, line 19, change "jointly" to "the levee districts under its authority jointly with any person or entity"

AMENDMENT NO. 41

On page 10, line 22, change "The" to "Subject to the limitations concerning funding provided for in R.S. 38:306.3(B), the" and after "authority to" insert "require the levee districts under its authority to"

AMENDMENT NO. 42

On page 10, line 27, change "The" to "Subject to the limitations concerning funding provided for in R.S. 38:306.3(B), the" and after "property" insert "of a levee district under its control"

AMENDMENT NO. 43

On page 10, line 28, after "contracts" insert "on behalf of such levee districts"

AMENDMENT NO. 44

On page 11, line 5, change "jurisdiction" to "authority"

AMENDMENT NO. 45

On page 11, line 11, change "Authority" to "southeast levee authority"

AMENDMENT NO. 46

On page 11, line 14, change "district" to "territory of the levee districts under its authority"

AMENDMENT NO. 47

On page 11, line 19, after "A," insert "(1)" and at the end of the line after "District" change the comma to "and"

AMENDMENT NO. 48

On page 11, line 20, delete ", Orleans Levee District, and West Jefferson" and on line 21, delete "Levee District"

AMENDMENT NO. 49

On page 11, line 23, at the end of the line delete "Orleans"

AMENDMENT NO. 50

On page 11, delete line 24, and insert "and St. Tammany Levee District."

AMENDMENT NO. 51

On page 11, delete lines 25 through 29, and insert "**(2)(a) Any legal proceeding to which either the East Jefferson Levee District or Lake Borgne Basin Levee District**"

AMENDMENT NO. 52

On page 12, line 1, delete "**Levee District**"

AMENDMENT NO. 53

On page 12, line 8, after "**2006.**" delete the remainder of the line and delete lines 9 through 11 and insert as follows:

"(b) Notwithstanding any other provision of law to the contrary, no provision of law providing the southeast levee authority with any authority over and management, oversight, and control of the levee districts provided for in R.S. 38:306.2(A) shall be construed or interpreted to make the taxes or other revenue of a levee district payable for the liability of another levee district or for any liability of the authority when acting on behalf of another levee district.

(3) All obligations and unfinished business of the East Jefferson Levee District and Lake Borgne Basin Levee District shall be managed on behalf of the districts by the southeast levee authority."

AMENDMENT NO. 54

On page 12, line 15, before "**Lake**" change the comma to "**and**" and at the end of the line delete "**, Orleans Levee District, and**"

AMENDMENT NO. 55

On page 12, line 16, delete "**West Jefferson Levee District**"

AMENDMENT NO. 56

On page 12, line 17, after "**taxed in**" delete the remainder of the line and delete lines 18 through 20 and insert as follows:

"the parishes of Jefferson and St. Bernard by and on behalf of such levee districts and any other revenue from operations of such districts shall be administered by the board of commissioners of the southeast levee authority; however, the taxes and revenues of each such levee district shall only be used and expended for the purposes of such district. No tax or revenue collected in a levee district may be used or expended for any purpose other than for one related to the district where the taxes and revenue are collected except for the operations of the authority as provided for and limited by R.S. 38:306.5(C)."

AMENDMENT NO. 57

On page 12, line 24, after "**Any**" insert "**books, records, documents, funds, movable property,**"

AMENDMENT NO. 58

On page 12, line 25, before "**Lake**" change the comma to "**or**" and at the end of the line delete "**, Orleans Levee District, and West**"

AMENDMENT NO. 59

On page 12, line 26, delete "**Jefferson Levee District**"

AMENDMENT NO. 60

On page 12, line 27, after "**situated**" and before the period "." insert "**, but shall be managed by the southeast levee authority."**

AMENDMENT NO. 61

On page 13, line 15, change "**an advanced college degree**" to "**a bachelor's degree, at a minimum,**"

AMENDMENT NO. 62

On page 14, delete lines 5 through 7, and insert:

"C. The southeast levee authority is hereby prohibited from expending more than two and three-tenths percent of the annual revenue of any levee district under its authority to fund its operations."

AMENDMENT NO. 63

On page 14, line 11, before "**Lake**" change the comma to "**or the**"

AMENDMENT NO. 64

On page 14, line 12, delete "**, Orleans Levee District, and West Jefferson Levee**" and on line 13, delete "**District**"

AMENDMENT NO. 65

On page 14, at the beginning of line 17, delete "**A.**"

AMENDMENT NO. 66

On page 14, delete lines 26 through 29

AMENDMENT NO. 67

On page 15, line 1, after "Section 2." delete the remainder of the line and insert "R.S. 38:304.3 is hereby repealed."

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

SENATE BILL NO. 102—

BY SENATOR FIELDS AND REPRESENTATIVE BAYLOR
AN ACT

To amend and reenact amend and reenact R.S. 33:2711.9(B)(3) and to repeal R.S. 33:4574.1(A)(1)(d), 4574.1.1(E), 4574.9(C)(1)(d), 4574.12(D)(1)(d), 4574.13(C)(1)(d), and 4575.3(20)(d), relative to hotel occupancy taxes; to delete the exemption of certain rooms from hotel occupancy tax in certain parishes; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 102 by Senator Fields

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact"

AMENDMENT NO. 2

On page 1, line 2, after "reenact" and before "R.S. 33:2711.9(B)(3)" insert the following:

"Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act 939 of the 1986 Regular Session of the Legislature, Act No. 40 of the 1989 Regular Session of the Legislature, and Act 864 of the 2003 Regular Session of the Legislature and"

AMENDMENT NO. 3

On page 2 between lines 5 and 6, insert the following:

"Section 3. Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act 939 of the 1986 Regular Session of the Legislature, Act No. 40 of the 1989 Regular Session of the Legislature, and Act 864 of the 2003 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

* * *

Section 3.A. In order to provide funds for the operation of the commission, the governing authority of the parish is hereby authorized and empowered to levy and collect a tax upon the occupancy of hotel rooms and overnight camping facilities located within the parish of Lafayette. Said tax shall not exceed four percent of the rent or fee charged for such occupancy. The word "hotel" as used herein shall mean and include any establishment engaged in the business of furnishing or providing rooms or overnight camping facilities intended or designed for dwelling, lodging, or sleeping purposes to transient guests and shall not encompass any hospital, convalescent or nursing home, sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families. The tax shall be paid by the person who exercises or is entitled to occupancy of the hotel room or camping facility and shall be paid at the time the rent or fee for occupancy is paid. The word "person" as used herein shall have the same definition as that contained in R.S. 47:301(8).

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The tax shall not apply to the rent for hotel rooms rented to the same occupant for a period of thirty or more consecutive days, nor shall it apply to hotel rooms rented for less than three dollars a day or those hotel rooms rented on an annual contract basis for consecutive or nonconsecutive days. The governing authority of Lafayette Parish shall impose the tax by ordinance, and said governing authority shall have the right to provide in the ordinance necessary and appropriate rules and regulations for the imposition, collection, and enforcement of the tax.

* * *

Section 4. Notwithstanding any other general or local law to the contrary, any tax levied and collected by the governing authority of any parish or any tourist commission upon the occupancy of hotel rooms, motel rooms, and overnight camping facilities within the jurisdiction of a tourist commission located within any such parish, shall also apply to the rent for hotel rooms rented to the same occupant for a period of 15 or more consecutive calendar days and to those hotel rooms rented on an annual contract basis for consecutive or nonconsecutive days."

AMENDMENT NO. 4

On page 2, at the beginning of line 6, change "Section 3." to "Section 5."

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

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.

HOUSE BILL NO. 148— (Substitute for House Bill No. 64 by Representative Hammett)

BY REPRESENTATIVE ARNOLD AN ACT

To amend and reenact R.S. 47:1993(D) and 2101(A)(1) and to enact R.S. 47:1978.1, relative to the assessment of land and property damaged or destroyed during a disaster or emergency declared by the governor; to provide for assessment procedures; to provide for filing dates of tax rolls for certain tax years; to provide for deadlines for payment of ad valorem taxes for certain tax years; 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. 148 by Representative Arnold

AMENDMENT NO. 1

On page 1, delete lines 12 through 21, and insert:

"A.(1)(a)(i) If lands or property, including buildings, structures, or personal property, are destroyed, uninhabitable, or non-operational due to a disaster or emergency declared by the governor for tax year 2005, the Louisiana Tax Commission may order the ad valorem property taxes in a parish in which such lands or property are located to be assessed and collected for that year within such parish pursuant to Subsection C of this Section provided that the tax commission first receives notice in writing within ten days of the initial effective date of this Section from a majority of the elected taxing authorities in such parish that they have adopted a resolution declaring their intention to consider having the lands or property located within the parish assessed and collected for that year pursuant to Subsection C of this Section. Upon a receipt of such notice from a majority of the elected taxing authorities within the parish, the tax commission shall notify the assessor and collector of the parish.

(ii) For the purposes of this Section property subject to a mandatory evacuation shall be deemed to be uninhabitable or non-operational during the pendency of the mandatory evacuation.

(b) Except as provided for in Subsection D, if the tax commission does not receive notice of such intention in writing from a majority of the elected taxing authorities in such parish, the assessors in such parish shall proceed to assess ad valorem property tax within the parish in the manner provided for in Subsection B of this Section.

(2)(a) If the tax commission receives timely the notice provided for in Paragraph (1) of this Subsection from a majority of the elected taxing authorities in a parish, the tax commission shall notify the assessor and tax collector for the parish.

(b)(i) The elected taxing authorities within the parish which have timely adopted the resolution and provided notice to the tax commission as provided for in Paragraph (1) of this Subsection may adopt another resolution in the manner provided for in Item (ii) of this Subparagraph requesting an order from the tax commission that the lands or property located within the parish be assessed and collected for that year pursuant to Subsection C of this Section. Written notice of the adoption of the resolution shall be provided to the tax commission.

(ii) The resolution must be adopted by a vote of two-thirds of the members of the elected taxing authority after a public meeting conducted in accordance with the open meetings law. In addition to any other requirements of the open meetings law, special public notice of the time, place and subject matter of such meeting shall be published on two separate days within fifteen days preceding the meeting in the official journal of the taxing authority and another newspaper with a larger distribution than that of the official journal, if one exists in the parish.

(3)(a) If the tax commission determines that it has received notice from a majority of the elected taxing authorities in a parish requesting that the lands or property located within the parish be assessed and collected for that year pursuant to Subsection C of this Section, and that the notice of each such elected tax authority was received within thirty days of the tax commission's receipt of the first notice provided for in Paragraph (1) of this Subsection, then the tax commission shall order the assessor and collector of such parish to proceed to assess and collect all ad valorem property taxes in the parish pursuant to Subsection C of this Section.

(b) Except as provided for in Subsection D, if the tax commission does not receive timely notice of the request provided for in Subparagraph (a) of this Paragraph from a majority of the elected taxing authorities, it shall notify the assessor and tax collector of such fact and the assessor and tax collector of such parish shall proceed to assess and collect all taxes within the parish pursuant to Subsection B of this Section.

(4)(a) For purposes of this Subsection, "elected taxing authorities" means taxing authorities whose member or members are chosen by a vote of the electorate.

(b) Municipalities shall be considered by the tax commission as one elected taxing authority for purposes of making the following determinations:

(i) Whether it has received the notice provided for in Paragraph (1) of this Subsection from a majority of elected taxing authorities in a parish.

(ii) Whether it has received the notice provided for in Paragraph (3) of this Subsection from a majority of the elected taxing authorities in a parish requesting that the lands or property located within the parish be assessed and collected for that year pursuant to Subsection C of this Section.

(5) The provisions of this Subsection shall not apply in the parishes of Jefferson, Orleans, Plaquemines, and St. Bernard."

AMENDMENT NO. 2

On page 2, line 1, after "B.(1)" insert:

"Unless the tax commission orders the assessment of land and property in the parish pursuant to Subsection C of this Section as provided for in Subsection A of this Section, and except as provided for in Subsection D, an assessor shall proceed to assess damaged and destroyed property pursuant to this Subsection.

(2)The assessor shall assess lands or property for the year in which damage has occurred at the percentage of fair market value

provided in the Constitution of Louisiana by taking into consideration all the damages to the lands or other property and the depreciation of the value of such land or other property caused by the disaster or emergency described in this Section. Notwithstanding other provisions of law to the contrary, but except as provided in Subsection D, the assessor shall make these assessments whether the time fixed by law for filing assessment rolls has elapsed or not.

(3)(a)"

AMENDMENT NO. 3

On page 2, at the end of line 2, delete "of" and delete line 3, and insert:

"lands and other property are damaged or destroyed during a disaster or emergency declared by the governor, the general assessment roll has"

AMENDMENT NO. 4

On page 2, delete line 10, and insert:

"(b) If at the time lands and other property are damaged or destroyed during a disaster or emergency declared by the governor the"

AMENDMENT NO. 5

On page 2, at the end of line 12, insert "or destroyed"

AMENDMENT NO. 6

On page 2, line 17, change "(3)" to "(c)"

AMENDMENT NO. 7

On page 3, line 5, change "(C)" to "(3)"

AMENDMENT NO. 8

On page 3, between lines 9 and 10, insert:

"C.(1)(a) Except as provided for in Subsection D of this Section, if the tax commission orders the assessment of land and property in the parish pursuant to this Subsection as provided for in Subsection A of this Section, the ad valorem taxes due for the year in which property within the parish is damaged or destroyed will, upon application of the property owner, be prorated.

(b) Proration shall be calculated as follows: the ad valorem taxes resulting from the assessed valuation for the year in which the damage or destruction occurred shall be multiplied by a factor to determine the ad valorem taxes owed for that year. The factor shall be the number of months during the tax year that the property was habitable, divided by twelve. For the purposes of this calculation, a fraction of a month is to be considered a month.

(2) If the provisions of this Subsection are applicable, any property owner seeking to have his ad valorem tax bill prorated shall notify the assessor in writing, providing a request to have his property tax bill prorated, including a description of the damage and the number of whole months in which the property was uninhabitable due to the damage during the tax year at issue.

(3) If the provisions of this Subsection are applicable, the ad valorem property tax bill provided to each taxpayer shall include the following statement:

"If the property set forth herein was severely damaged or destroyed, rendering the property uninhabitable for a portion of the year for which these taxes are due, you MAY be entitled to have your tax bill reduced. Contact the tax collector for details on obtaining a reduction."

D. The provisions of this Section shall not apply to lands or property in any parish for which the assessment rolls for tax year 2005 were certified, or partially or conditionally certified, by the Louisiana Tax Commission prior to the initial effective date of this Section."

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.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

November 16, 2005

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR B. GAUTREAUX

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, Department of Social Services, and the office of homeland security to include the Louisiana Emergency Response Network and its board in any and all discussions and decisions regarding emergency and disaster preparation and response.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR HEITMEIER AND REPRESENTATIVES ALARIO AND SALTER

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR ADLEY AND REPRESENTATIVES BURRELL, R. CARTER, DORSEY, FAUCHEUX, GALLOT, GREENE, HEBERT, M. POWELL AND RICHMOND

A CONCURRENT RESOLUTION

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

Respectfully submitted,
CHARLES D. JONES
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

November 16, 2005

To the Honorable President and Members of the Senate:

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

November 16, 2005

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to create a national wind insurance program to be combined with the National Flood Insurance Program in order to create a national catastrophe insurance program.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVES BRUNEAU, BRUCE, CROWE, DOERGE, FRITH, KLECKLEY, LAFONTA, PINAC, T. POWELL, RITCHIE, STRAIN, TRAHAN, WADDELL, WHITE, ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BEARD, BOWLER, BURRELL, K. CARTER, R. CARTER, CRANE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DURAND, ERDEY, FANNIN, FAUCHEUX, GLOVER, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HONEY, HOPKINS, HUNTER, HUTTER, JOHNS, KATZ, KENNEY, LABRUZZO, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRISH, ODINET, PIERRE, PITRE, M. POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND, TRICHE, TUCKER, WALKER, WALSWORTH, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To urge and request the Office of Financial Institutions, the Federal Deposit Insurance Corporation, and the federal Office of the Comptroller of the Currency to provide flexibility for the modification of loan terms for entities and persons affected by Hurricanes Rita and Katrina.

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVES JEFFERSON AND DORSEY
A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop and implement an age, grade, and geographically appropriate curriculum for disaster awareness education in all city, parish, and other local public school systems.

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to grant for distributions from DROP accounts to active state and local government employees who are members of public retirement systems similar tax relief as that provided to members of qualified retirement plans by the Katrina Emergency Tax Relief Act of 2005 and to permit such distributions from tax-qualified plans.

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVES K. CARTER, ERDEY, FAUCHEUX, HARRIS, HEBERT, KLECKLEY, SCALISE, GARY SMITH, TOOMY, AND WALSWORTH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to increase the coverage limit for a single-family structure under the National Flood Insurance Program from two hundred fifty thousand dollars to five hundred thousand dollars.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVES K. CARTER, BOWLER, ERDEY, FAUCHEUX, HEBERT, GARY SMITH, AND TOOMY
A CONCURRENT RESOLUTION

To urge and request the Louisiana Property and Casualty Insurance Commission to study and to work to bring more insurers who write supplemental flood insurance coverage into the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVE DORSEY
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to promulgate rules in accordance with the Administrative Procedure Act to establish a plan to be implemented in times of emergency with regard to convicted sex offenders who are on supervised probation or parole.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to grant to victims of Hurricane Rita similar tax relief as that provided by the Katrina Emergency Tax Relief Act of 2005, and to include distributions from DROP accounts to active state and local government employees who are members of public retirement systems and who are victims of Hurricane Katrina or Hurricane Rita as eligible retirement plan distributions, and to permit such distributions from tax-qualified plans.

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE GRAY
A CONCURRENT RESOLUTION

To strongly urge and request the Louisiana secretary of state to make every extraordinary effort and to work with other state and federal agencies to contact individuals displaced by Hurricanes Katrina and Rita in order to provide them information relative to their voting rights and how to register to vote and vote in upcoming elections

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

To memorialize the United States Congress to take such actions as are necessary to require all federal jobs that have been lost or relocated due to Hurricanes Katrina and Rita and their associated funding to be restored as soon as possible.

HOUSE CONCURRENT RESOLUTION NO. 40—
BY REPRESENTATIVE LAFONTA
A CONCURRENT RESOLUTION

To urge and request the Environmental Protection Agency (EPA) to conduct a comprehensive study of the sediment and the air and water quality in Orleans Parish and other parishes affected by Hurricane Katrina.

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

November 16, 2005

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 84— (Duplicate of Senate Bill No. 65)
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER
AN ACT

To suspend and otherwise make of no effect certain provisions of law relating to the comprehensive annual financial report and the narrative report of the state for the fiscal year ending June 30, 2005, and to provide for an extension of certain deadlines for completion and distribution; and to provide for related matters.

HOUSE BILL NO. 94— (Duplicate of Senate Bill No. 32)
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER
AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2006-2007, certain provisions of law relating to the submission of budget requests by state agencies and submission of the executive budget and supporting document by the governor to the legislature and to provide for an extension of certain deadlines for submission; and to provide for related matters.

HOUSE BILL NO. 95— (Duplicate of Senate Bill No. 33)
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER
AN ACT

To suspend and otherwise to make of no effect, for purposes of Fiscal Year 2004-2005, the preparation of an annual report by an undersecretary with respect to activities of his office as provided in R.S. 36:8(B); and to provide for related matters.

HOUSE BILL NO. 96— (Duplicate of Senate Bill No. 31)
BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER
AN ACT

To suspend and otherwise make of no effect, for purposes of Fiscal Year 2006-2007, the preparation of the continuation budget by the division of administration budget office as required by R.S. 39:29(A)(2); and to provide for related matters.

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

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

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Amedee	½ Day	Boasso	½ Day
Chaisson	½ Day	Cravins	½ Day
Fields	½ Day	N. Gautreaux	½ Day
Michot	½ Day	Quinn	½ Day
Romero	½ Day	Schedler	1 Day
Shepherd	½ Day		

Adjournment

Senator Bajoie moved that the Senate adjourn until Thursday, November 17, 2005, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Thursday, November 17, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk