

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

THIRTEENTH 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

Sunday, November 20, 2005

The Senate was called to order at 5:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Total - 0

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

Prayer

The prayer was offered by Senator Jones, 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 Jones, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide financial assistance to the state necessary to maintain essential public services to the people of Louisiana following the devastation caused by hurricanes Katrina and Rita.

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

ROLL CALL

The roll was called with the following result:

PRESENT

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

ABSENT

Dupre	Heitmeier	Michot
Total - 3		

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

Rules Suspended

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

Senator Ellington in the Chair

Special Order of the Day

The following Senate Concurrent Resolution, which was made Special Order of the Day No. 1, was taken up and acted upon 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneau
Adley	Ellington	McPherson
Amedee	Fontenot	Michot
Barham	Gautreaux B	Mount
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn
Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	
Total - 35		

NAYS

November 20, 2005

Bajoie
Fields
Total - 4

Murray
Shepherd

ABSENT

Total - 0

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

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

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

SENATE BILL NO. 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 police chief or police department to send written notices; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Cravins to Reengrossed Senate Bill No. 1 by Senator Amedee (Duplicate of House Bill No. 26)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:542" delete the remainder of the line and on line 3 delete "15:542(A)(4)," and insert "(C)(2)(a) and (b) and (F)(1),"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" delete the remainder of the line

AMENDMENT NO. 3

On page 1, line 4, after "offender;" delete the remainder of the line and delete lines 5 and 6 in their entirety and on line 7, delete "department to send written notices;" and insert the following:

"to provide that penalties for failure to register as a sex offender shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residence due to an evacuation order or declaration of an emergency; to amend the criminal penalties for a first conviction of failure to register as a sex offender;"

AMENDMENT NO. 4

On page 1, line 9, after "R.S. 15:542" delete "(A), (C)(2) and (F) and 545(A)" and insert "(C)(2)(a) and (b) and (F)(1)"

AMENDMENT NO. 5

On page 1, line 10, delete "and "R.S. 15:542(A)(4) is hereby enacted"

AMENDMENT NO. 6

On page 1, delete lines 12 through 17 in their entirety and on page 2, delete lines 1 through 23 in their entirety

AMENDMENT NO. 7

On page 2, line 28, after "parish" and before the comma "," insert "or is temporarily displaced from his residence due to an evacuation order or declaration of emergency issued by the governor or the local governing authority"

AMENDMENT NO. 8

On page 3, line 4, after "the sheriff" delete the remainder of the line and on line 5, delete "in excess of four hundred fifty thousand, the police department"

AMENDMENT NO. 9

On page 3, at the beginning of line 9, after "parish" and before the comma "," insert "or is temporarily displaced from his residence due to an evacuation order or declaration of emergency issued by the governor or the local governing authority"

AMENDMENT NO. 10

On page 3, at the end of line 16, delete "and the police" and delete line 17 in its entirety and on line 18, delete "hundred fifty thousand, the police department"

AMENDMENT NO. 11

On page 3, line 22, after "conviction, be" delete the remainder of the line and delete lines 23 through 25 in their entirety and insert the following:

"imprisoned with or without hard labor for not less than ~~one year~~ thirty days nor more than five years, ~~or both, with at least thirty days~~ imposed without benefit of probation, parole, or suspension of sentence, and may be fined not less than five hundred dollars nor more than one thousand dollars."

AMENDMENT NO. 12

On page 3, delete lines 26 through 29 in their entirety and on page 4, delete lines 1 through 17 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cravins to Reengrossed Senate Bill No. 1 by Senator Amedee

AMENDMENT NO. 1

Delete the set of Conforming Amendments proposed by Representative Cravins and adopted by the House of Representatives on November 14, 2005.

AMENDMENT NO. 2

On page 1, line 2, after "545(A)" delete the remainder of the line and at the beginning of line 3, delete "15:542(A)(4)"

AMENDMENT NO. 4

On page 1, line 5, after "housing;" delete the remainder of the line and insert in lieu thereof "to provide that penalties for failure to register shall apply to sex offenders who fail to notify appropriate law enforcement officials when they are temporarily displaced from their residences in certain circumstances;"

AMENDMENT NO. 5

On page 1, delete line 6 in its entirety and at the beginning of line 7, delete "department to send written notices;" and insert in lieu thereof "to provide with respect to the duty of law enforcement officials to forward registration information to the Louisiana Bureau of Criminal Identification and Information;"

AMENDMENT NO. 6

On page 1, line 10, after "reenacted" and before "to" delete "and R.S. 15:542(A)(4) is hereby enacted"

AMENDMENT NO. 7

On page 2, line 4, change "(2)" to "(2)(a)"

AMENDMENT NO. 8

On page 2, line 6, after "enters" delete the remainder of the line and insert in lieu thereof "an emergency shelter" and on line 7, delete "other emergency housing facility"

AMENDMENT NO. 9

On page 2, line 8, change "management" to "manager or director" and change "facility" to "shelter"

AMENDMENT NO. 10

On page 2, between lines 10 and 11, insert the following:

"(b) For purposes of this Subsection, "emergency shelter" includes the use of any facility, building or structure operated by a nonprofit, tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code which provides the basic necessities of life, including but not limited to water, food, and shelter, to persons who are displaced from their homes due to a man-made or natural emergency or disaster."

AMENDMENT NO. 11

On page 2, delete lines 11 through 13 in their entirety and insert in lieu thereof:

"(3) The manager or director of the emergency shelter shall make a reasonable effort to notify the chief law enforcement officer of the parish or municipality in which the shelter is located of the presence of the sex offender in the emergency shelter. No person associated with a nonprofit organization which operates an emergency shelter shall be liable for any injury or claim arising out of the failure of the manager or operator to communicate the presence of a sex offender in the shelter to the appropriate law enforcement official."

AMENDMENT NO. 12

On page 2, delete lines 14 through 23 in their entirety

AMENDMENT NO. 13

On page 2, line 28, after "parish," and before "the" insert "or is temporarily displaced from his residence and establishes any temporary residence for a period of not less than ten consecutive days following the issuance of an evacuation order or declaration of emergency issued by the governor or the local governing authority in accordance with law"

AMENDMENT NO. 14

On page 3, at the beginning of line 9, after "parish," and before "the" insert "or is temporarily displaced from his residence and establishes any temporary residence for a period of not less than ten consecutive days following the issuance of an evacuation order or declaration of emergency issued by the governor or the local governing authority in accordance with law"

Senator Amedee moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bajoie	Heitmeier
Ellington	Quinn
Total - 4	

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

SENATE BILL NO. 10—

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

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.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Engrossed Senate Bill No. 10 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 15, after "effective" delete the remainder of the line and insert in lieu thereof "on January 1, 2006."

AMENDMENT NO. 2

On page 1, delete lines 16 and 17 in their entirety

AMENDMENT NO. 3

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen

November 20, 2005

Dardenne
Duplessis
Dupre
Total - 37

Malone
Marionneau
McPherson

Ullo

NAYS

Total - 0

ABSENT

Bajoie
Total - 2

Heitmeier

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

Appointment of Conference Committee on Senate Bill No. 1

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1: Senators Amedee, Fontenot and Chaisson.

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Broome
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total - 38

Dupre
Ellington
Fields
Fontenot
Gautreaux B
Gautreaux N
Hollis
Jackson
Jones
Kostelka
Lentini
Malone
Marionneau

McPherson
Michot
Mount
Murray
Nevers
Quinn
Romero
Schedler
Shepherd
Smith
Theunissen
Ullo

NAYS

Total - 0

ABSENT

Heitmeier
Total - 1

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Mr. President in the Chair

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.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 111 by Senator B. Gautreaux

AMENDMENT NO. 1
On page 2, line 26, change "January 31," to "February 28,"

AMENDMENT NO. 2
On page 2, line 27, after "eligible" insert a comma "," and "notwithstanding the provisions of R.S. 441(A)(1)(a), (b), or (c),"

AMENDMENT NO. 3
On page 3, line 3, after "or" and before "the provisions" insert "pursuant to"

AMENDMENT NO. 4
On page 3, line 6, change "January 31," to "February 28,"

AMENDMENT NO. 5
On page 3, line 7, after "be" delete the remainder of the line and delete line 8 in its entirety and insert in lieu thereof "subject to the provisions of law pursuant to which he receives the greater benefit."

AMENDMENT NO. 6
On page 3, at the beginning of line 10, insert "retirement"

AMENDMENT NO. 7
On page 3, at the beginning of line 22, change "Section 5." to Section 5. A."

AMENDMENT NO. 8
On page 3, line 24, change "March 1," to "March 15,"

AMENDMENT NO. 9

On page 4, at the beginning of line 5, insert "B."

AMENDMENT NO. 10

On page 4, at the beginning of line 7, delete "of this Act." and insert in lieu thereof "of this Act, as reported pursuant to the provisions of Subsection A. of this Section."

On motion of Senator Murray, the amendments were adopted.

The amended bill was read by title.

Senator Hollis moved that Senate Bill No. 111 be referred to the Committee on Retirement.

Senator B. Gautreaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Hollis	Romero
Barham	Kostelka	Schedler
Boasso	Lentini	Smith
Cain	Malone	Theunissen
Dardenne	Marionneaux	Ullo
Ellington	Michot	
Fontenot	Mount	
Total - 19		

NAYS

Mr. President	Cravins	Jones
Amedee	Duplessis	McPherson
Bajoie	Fields	Murray
Broome	Gautreaux B	Quinn
Chaisson	Gautreaux N	Shepherd
Cheek	Jackson	
Total - 17		

ABSENT

Dupre	Heitmeier	Nevers
Total - 3		

The Chair declared the bill was referred to the Committee on Retirement as amended.

Personal Privilege

Senator Quinn asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on the motion by Senator Hollis. She voted nay on the motion and had intended to vote yea. She asked that the Official Journal so state.

Rules Suspended

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

House Concurrent Resolutions on Third Reading and Final Passage

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

**HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVES LANCASTER AND JEFFERSON
A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2006 Regular Session of the Legislature of Louisiana the provisions of R.S. 18:192, which provides for the annual canvass of registered voters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Dupre	Heitmeier	Quinn
Total - 3		

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

Senator Bajoie in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage

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

**HOUSE BILL NO. 7—
BY REPRESENTATIVE SALTER
AN ACT**

To enact R.S. 24:31.4(D), relative to office expense allowances for members of the legislature; to provide for the payment of rent and other expenses for members of the legislature under certain circumstances; 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	Michot
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Barham	Gautreaux N	Quinn
Boasso	Hollis	Romero
Broome	Jackson	Schedler
Cain	Jones	Shepherd
Chaisson	Kostelka	Smith
Cheek	Lentini	Theunissen
Cravins	Malone	Ullo
Dardenne	Marionneaux	
Duplessis	McPherson	
Total - 37		

NAYS

Total - 0

ABSENT

Dupre Heitmeier
Total - 2

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.

HOUSE BILL NO. 8—

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

AN ACT

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

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

HOUSE BILL NO. 9—

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

AN ACT

To enact R.S. 42:1114.3 and to repeal R.S. 42:1114.1(B)(2), relative to disclosure; to require certain officials to disclose information to the Board of Ethics regarding certain contracts or subcontracts; to provide for the content of such disclosure; to provide for penalties; and to provide for related matters.

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

Mr. President in the Chair

HOUSE BILL NO. 11—

BY REPRESENTATIVES SMILEY, ALEXANDER, BEARD, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, FRITH, GEYMANN, GREENE, HUTTER, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SCHNEIDER, JANE SMITH, STRAIN, 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. 32:706.1 and to enact R.S. 32:702(14) and (15) and 707.3, relative to vehicles sustaining water damage from a declared disaster; to provide for definitions; to provide for disclosure before transfer; to provide for certificates of destruction; to provide for restrictions on transfer and registration; to provide for dismantling or crushing; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Senator Broome in the Chair

Floor Amendments Sent Up

Senator Amedee sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee to Reengrossed House Bill No. 11 by Representative Smiley

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on November 17, 2005.

Senator Amedee moved adoption of the amendments.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee Cravins Murray
Chaisson Gautreaux B Shepherd
Total - 6

NAYS

Mr. President Gautreaux N Michot
Adley Heitmeier Mount
Bajoie Hollis Nevers
Boasso Jackson Romero
Broome Jones Schedler
Cheek Kostelka Smith
Dardenne Lentini Theunissen
Duplessis Malone Ullo
Ellington Marionneaux
Fields McPherson

Total - 28

ABSENT

Barham Dupre Quinn
Cain Fontenot
Total - 5

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 11 by Representative Smiley

AMENDMENT NO. 1

On page 1, line 2 after "(15)" insert ", 707(E),"

AMENDMENT NO. 2

On page 1, line 10 after "(15)" insert ", 707(E),"

AMENDMENT NO. 3

On page 2, between lines 28 and 29, insert the following:
"§707. Application for certificates of title; exception; salvage title; antique vehicles; reconstructed title
* * *

E. Upon application for certificate of title of a vehicle previously titled or registered outside of this state, the application shall show on its face such fact and the time and place of the last issuance of certificate of title, or registration, of such vehicle outside this state, and the name and address of the governmental officer, agency, or authority making such registration, together with such further information relative to its previous registration as may reasonably be required by the commissioner, including the time and place of original registration, if known, and if different from such last foreign registration. The applicant shall surrender to the commissioner all unexpired seals, certificates, registration cards, or other evidence of foreign registration pertaining to the vehicles. The certificate of title issued by the commissioner for a vehicle previously registered outside the state shall give the name of the state or country in which such vehicle was last previously registered outside this state. An

application for a certificate of title, other than a certificate of destruction, of a vehicle previously titled or registered outside of this state shall be denied by the secretary of the Department of Public Safety and Corrections if the vehicle is damaged as provided in R.S. 32:702(14)."

On motion of Senator McPherson, 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

Boasso	Fontenot	Michot
Broome	Hollis	Nevers
Cheek	Jackson	Romero
Dardenne	Jones	Schedler
Duplessis	Kostelka	Smith
Ellington	Lentini	Uilo
Fields	McPherson	
Total - 20		

NAYS

Adley	Cravins	Mount
Amedee	Gautreaux B	Murray
Bajoie	Gautreaux N	Quinn
Barham	Heitmeier	Shepherd
Cain	Malone	Theunissen
Chaisson	Marionneaux	
Total - 17		

ABSENT

Mr. President	Dupre
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.

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 156 out of its regular order.

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.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 15, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 2, delete lines 6 through 9, and insert in lieu thereof:

"Section 3.D. The sum of One Hundred Twenty-five Thousand and No/100 (\$125,000.00) Dollars is hereby appropriated to Schedule 12-440 Office of Revenue for Fiscal Year 2005-2006 from the State General Fund (Direct) for the Tax Collection Program."

AMENDMENT NO. 2

In Senate Committee Amendment No. 17, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 2, line 23, change "Section 4.D." to "Section 4.C.", on page 2, line 27, change "Section 4.E." to "Section 4.D." and on page 2, line 31, change "Section 4.F." to "Section 4.E.", and on page 2, between lines 34 and 35, insert the following:

"Section 4.F. The sum of Three Hundred Forty-one Thousand Nine Hundred Eighty-six and No/100 (\$341,986.00) Dollars is hereby appropriated for Fiscal Year 2005-2006 from the State General Fund (Direct) to Schedule 01-100 Executive Office for the Louisiana Indigent Defense Assistance Board for restoration of services."

AMENDMENT NO. 3

In Senate Committee Amendment No. 19, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 2, delete lines 39 through 43 and on line 44, change "(C)" to "(B)"

AMENDMENT NO. 4

In Senate Committee Amendment No. 19, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 10, change "Act No. 461" to "Act No. 179"

AMENDMENT NO. 5

In Senate Committee Amendment No. 23, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 4, line 4, after "39:75" and before the period "." insert "beginning January 1, 2006"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 10, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 24, change "seven (7)" to "three (3)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 12, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 28, change "\$4,606,670" to "\$4,335,193"

Senator Ellington moved adoption of the amendments.

Senator Bajoie objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux B	McPherson
Amedee	Heitmeier	Nevers
Cheek	Hollis	Smith
Dupre	Jones	
Ellington	Kostelka	
Total - 16		

NAYS

Bajoie	Duplessis	Quinn
Barham	Fields	Romero
Boasso	Gautreaux N	Schedler
Broome	Jackson	Shepherd
Cain	Malone	Theunissen
Chaisson	Michot	Ullo
Cravins	Mount	
Dardenne	Murray	
Total - 22		

ABSENT

Lentini
Total - 1

The Chair declared the amendments were rejected.

Personal Privilege

Senator Boasso asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Ellington to House Bill No. 156 due to a malfunction of the voting machine. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

On page 9, line 6 change "ratified and confirmed." to "adopted and approved for implementation."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 14 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005.

Senator Dardenne moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Duplessis	Marionneaux
Amedee	Dupre	Mount
Barham	Ellington	Nevers
Boasso	Fields	Quinn
Broome	Fontenot	Romero
Cain	Gautreaux N	Schedler
Chaisson	Hollis	Shepherd
Cheek	Jackson	Smith

Cravins
Dardenne
Total - 29

Kostelka
Malone

Theunissen

NAYS

Mr. President
Bajoie
Gautreaux B
Total - 9

Heitmeier
Jones
Lentini

McPherson
Murray
Ullo

ABSENT

Michot
Total - 1

The Chair declared 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 Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 19 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 3, line 4, after "2006." and before "Provided" insert the following:

"Provided, further, that the Louisiana Technical College, pursuant to the aforementioned "spending freeze" and reduction of expenditures, shall prioritize its necessary budget adjustments so that initial reductions are applied to the greatest extent possible to the following administrative components: the Louisiana Technical College Central Office; the Louisiana Technical College college-wide budget, including, but not limited to, assessments charged by the Louisiana Community and Technical College System; Management Information System/PeopleSoft Implementation; and the Louisiana Technical College District Offices."

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

On page 7, between lines 9 and 10, insert:

"Section 3.D. The commissioner of administration is hereby authorized and directed to adjust the means of finance for the Department of Education contained in Act 16 of the 2005 Regular Session of the Legislature by transferring a total of \$3,000,000 in appropriations from the State General Fund (Direct) into Schedule 19-695 Minimum Foundation Program from the following budget units: Schedule 19-678 State Activities; 19-681 Subgrantee Assistance; Schedule 19-682 Recovery School District; Schedule 19-697 Nonpublic Educational Assistance; and Schedule 19-699 Special School Districts. These funds shall be utilized in Schedule 19-695 Minimum Foundation Program so as to correct a funding error negatively impacting the Pointe Coupee Parish School District."

Senator Marionneaux moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Boasso	Gautreaux B	Quinn
Broome	Gautreaux N	Romero
Chaisson	Hollis	Shepherd
Cravins	Jones	Smith
Total - 27		

NAYS

Cain	Jackson	Schedler
Cheek	Lentini	Theunissen
Dardenne	Malone	Ullo
Heitmeier	Nevers	
Total - 11		

ABSENT

Michot
Total - 1

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

On page 9, line 23, after "Section 9." insert "A."

AMENDMENT NO. 2

On page 9, between lines 26 and 27 insert the following:
"Section 9.B. The legislature hereby recognizes the intention of the Senate thereof as represented by the Honorable Donald E. Hines, President, to reduce its expenditures during the Fiscal Year 2005-2006 so as to produce a savings to the state of Louisiana of five hundred thousand dollars."

Senator Dardenne moved adoption of the amendments.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Gautreaux B	Quinn
Barham	Gautreaux N	Romero
Boasso	Lentini	Schedler
Cheek	Malone	Shepherd
Dardenne	Marionneaux	Smith
Dupre	Mount	Theunissen
Total - 18		

NAYS

Mr. President	Ellington	Kostelka
Adley	Fields	McPherson
Bajoie	Fontenot	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Ullo

Cravins
Duplessis
Total - 19

Jackson
Jones

ABSENT

Chaisson
Total - 2

Michot

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

On page 10, at the bottom of the page, insert:

"Section 15. The reduction of the state general fund by statutory dedications for 19-600 Louisiana State University Board of Supervisors out of the Fireman's Training Fund by \$275,000 as provided for in this Act shall not occur to the extent that expenditures from such fund for the Tuition Opportunity Program for the fiscal year are less than eight million dollars (\$8,000,000) of amount appropriated for such program as of November 20, 2005."

Senator Fontenot moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dardenne	Kostelka
Amedee	Duplessis	Malone
Bajoie	Dupre	Marionneaux
Barham	Fontenot	Quinn
Boasso	Gautreaux B	Romero
Cain	Gautreaux N	Schedler
Cravins	Hollis	Smith
Total - 21		

NAYS

Broome	Jackson	Nevers
Chaisson	Jones	Shepherd
Cheek	Lentini	Theunissen
Ellington	McPherson	Ullo
Fields	Mount	
Heitmeier	Murray	
Total - 16		

ABSENT

Mr. President
Total - 2

Michot

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 20 proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005

AMENDMENT NO. 2

On page 9, line 14, after "positions" insert "or salaries"

AMENDMENT NO. 3

On page 9, line 16, after "abolished" insert ", unless otherwise provided by law"

Senator N. Gautreaux moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Amedee	Cravins	McPherson
Boasso	Dardenne	Schedler
Cain	Gautreaux N	
Chaisson	Marionneaux	
Total - 10		

NAYS

Adley	Gautreaux B	Nevers
Bajoie	Heitmeier	Quinn
Barham	Hollis	Romero
Cheek	Jackson	Shepherd
Duplessis	Jones	Smith
Dupre	Kostelka	Theunissen
Ellington	Malone	Ullo
Fields	Mount	
Fontenot	Murray	
Total - 25		

ABSENT

Mr. President	Lentini
Broome	Michot
Total - 4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

In the set of five Senate Floor Amendments proposed by Senator Heitmeier and adopted by the Senate on November 20, 2005, delete Amendment No. 5 on page 1, lines 29 through 31.

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 5, proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005, on page 1, line 10 delete "\$36,000,000" and insert "\$36,500,000"

AMENDMENT NO. 2

On page 10, between lines 9 and 10, insert the following:

"Section 12. The sum of Five Hundred Thousand and No/100 (\$500,000) Dollars is hereby appropriated for Fiscal Year 2005-2006 from the State General Fund (Direct) to Schedule 19-600 Louisiana State University Board of Supervisors for the Truancy Assessment and Service Centers."

AMENDMENT NO. 3

On page 10, at the beginning of line 10, delete "Section 12" and insert "Section 13"

Senator Ullo moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dardenne	Mount
Amedee	Fontenot	Quinn
Boasso	Hollis	Romero
Broome	Jones	Shepherd
Cravins	Malone	Ullo
Total - 15		

NAYS

Mr. President	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Gautreaux B	Murray
Cain	Gautreaux N	Nevers
Chaisson	Heitmeier	Schedler
Cheek	Jackson	Smith
Duplessis	Kostelka	Theunissen
Dupre	Lentini	
Total - 23		

ABSENT

Michot
Total - 1

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Shepherd to Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

On page 10, between lines 9 and 10, insert the following:

"Section 12. It is the intent of the legislature that compensation for travel expenses shall be limited to only in-state travel for the appointed members of the management boards. For the purposes of this Section, management boards shall be defined as the Board of Regents, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges. The provisions of this Section shall expire on June 30, 2006."

AMENDMENT NO. 2

On page 10, at the beginning of line 10, delete "Section 12" and insert "Section 13"

On motion of Senator Shepherd, 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 Reengrossed House Bill No. 156 by Representative Alario

AMENDMENT NO. 1

On page 10, after line 14, insert the following:
 "Section 13. Notwithstanding any other provision of this Act or any other Act making legislative appropriation to the contrary, no one person shall receive compensation for both a legislative assistant and a legislative aide during their participation during a regular or special session."

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Bajoie	Boasso	Cravins
Total - 3		

ABSENT

Michot
Total - 1

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

Rules Suspended

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

Messages from the House

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

Message from the House

HOUSE CONFEREES APPOINTED

November 20, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 1 by Senator Amedee:

Representatives Cravins, Martiny and Lambert.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

November 20, 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. 27—

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

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.2 and 10.5(B) and (C) of the Constitution of Louisiana, relative to the Wetlands Conservation and Restoration Fund; to change the name of the fund to the Coastal Protection and Restoration Fund; to provide relative to deposits and uses of the fund; to provide relative to certain federal revenues received by the state generated from Outer Continental Shelf oil and gas activity; to provide for the depositing and crediting of such monies into the fund, and for the uses of such federal revenues; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 71—

BY SENATORS DUPRE, AMEDEE, BAJOIE, CAIN, CHAISSON, CHEEK, CRAVINS, DUPLESSIS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JONES, LENTINI, MALONE, MARIONNEAU, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SHEPHERD AND ULLO

AN ACT

To amend and reenact R.S. 49:213.1, 213.2, 213.3, 213.4, 213.5, 213.6, 213.7, 214.11, 214.12(A)(1) and 214.13, and to enact R.S. 49:213.11, relative to coastal protection, conservation, restoration and management; to authorize and provide for the development and implementation of a comprehensive coastal protection plan; to provide powers, duties, terms, procedures, definitions, conditions, and requirements; to provide relative to hurricane protection and coastal restoration; to provide relative to enforcement; to provide relative to certain authorities, commissions, and departments; to change the name of the Wetlands Conservation and Restoration Authority to the Coastal Protection and Restoration Authority and set forth its powers, duties and members; to change the name of the Governor's Advisory Commission on Coastal Restoration and Conservation

to the Governor's Advisory Commission on Coastal Protection, Restoration and Conservation and set forth its powers, duties, and members; and to provide for related matters.

Reported with amendments.

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

November 20, 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. 25—
BY SENATORS HOLLIS, ADLEY, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAUX, N. GAUTREAUX, HINES, JACKSON, JONES, KOSTELKA, LENTINI, MARIONNEAUX, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide financial assistance to the state necessary to maintain essential public services to the people of Louisiana following the devastation caused by hurricanes Katrina and Rita.

Reported without amendments.

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."

Reported without amendments.

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

A CONCURRENT RESOLUTION

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

Reported without amendments.

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

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 34—

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

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR SHEPHERD

A CONCURRENT RESOLUTION

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

Reported without amendments.

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

A CONCURRENT RESOLUTION

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

Reported without amendments.

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

Message from the House

SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

November 20, 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. 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.

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.

HOUSE BILL NO. 19—

BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO

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.

HOUSE BILL NO. 20—

BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO

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.

HOUSE BILL NO. 21—

BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO

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.

HOUSE BILL NO. 22—

BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO

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 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.

HOUSE BILL NO. 28—

BY REPRESENTATIVES MARTINY, ALEXANDER, BEARD, BRUNEAU, BURNS, R. CARTER, CROWE, DANIEL, DOVE, DOWNS, ERDEY, GEYMANN, 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, THEUNISSEN, N. GAUTREAUX, AND MURRAY

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.

HOUSE BILL NO. 33—

BY REPRESENTATIVE CRANE AND SENATORS CHAISSON, QUINN, THEUNISSEN, AND ULLO

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.

HOUSE BILL NO. 35—

BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, KENNEY, ODINET, AND TOWNSEND AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 47:1987(A), relative to assessment procedure; to provide for a change of the time and date when the assessor of Orleans Parish has to complete the work on preparing and making up the assessment lists; to provide for additional time to reassess and prepare the tax rolls for 2006 in Orleans Parish; to provide for an effective date; and to provide for related matters.

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.

HOUSE BILL NO. 56—

BY REPRESENTATIVES PINAC, MARTINY, JOHNS, AND HEATON AND SENATOR MARIONNEAUX

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.

HOUSE BILL NO. 78—

BY REPRESENTATIVES MARTINY, PINAC, JOHNS, AND HEATON AND SENATOR MARIONNEAUX

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.

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

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

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

November 20, 2005

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES PINAC AND LAFONTA AND SENATOR MARIONNEAUX

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.

HOUSE CONCURRENT RESOLUTION NO. 39—
BY REPRESENTATIVES SCALISE, SCHNEIDER, ALEXANDER, ARNOLD, BAUDOIN, BEARD, BOWLER, BRUCE, BRUNEAU, CAZAYOUX, CRAVINS, CROWE, DOWNS, FANNIN, FAUCHEUX, FRITH, GEYMAN, GREENE, HEBERT, HOPKINS, HUTTER, JOHNS, KATZ, KENNEY, LAMBERT, LANCASTER, MCDONALD, MCVEA, MONTGOMERY, ODINET, PINAC, PITRE, M. POWELL, T. POWELL, ROMERO, SALTER, GARY SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To urge and request that the governor include within the call of the 2006 First Extraordinary Session an item to authorize legislation to protect the inherent rights of citizens recognized under the constitutions of Louisiana and the United States and to rectify the denial of these rights in the wake of Hurricane Katrina.

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.

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVES BOWLER, TOOMY, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON,

WOOTON, AND WRIGHT AND SENATORS HEITMEIER, HOLLIS, LENTINI, QUINN, SHEPHERD, AND ULLO

A CONCURRENT RESOLUTION

To commend Dr. Diane M. Roussel, Superintendent of the Jefferson Parish Public School System, upon being named Superintendent of the Year by the Louisiana Association of School Executives.

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.

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

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

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

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, November 21, 2005, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 10:00 o'clock A.M. on Monday, November 21, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk