

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

**FOURTEENTH 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

Monday, November 21, 2005

The Senate was called to order at 10:00 o'clock A.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

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

**PRESENT**

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

**ABSENT**

Total - 0

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

**Prayer**

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

**Morning Hour**

**Introduction of Resolutions,  
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 13—**  
BY SENATOR SHEPHERD

**A RESOLUTION**

To memorialize the Congress of the United States to adopt legislation that would provide funding through the Department of Housing and Urban Development in the form of Community Development Block Grants to investor owned utilities for the restoration of electric and gas service damaged by hurricanes Katrina and Rita.

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

**SENATE RESOLUTION NO. 14—**

BY SENATORS FIELDS, BROOME, JONES AND MARIONNEAUX  
**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Alphonse Maurice Haynes, an attorney, educator, and businessman.

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

**SENATE RESOLUTION NO. 15—**

BY SENATOR JACKSON  
**A RESOLUTION**

To commend Mrs. Berdia C. Jackson for her dedication to her family, her church, and her community.

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

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATORS MICHOT AND CAIN AND REPRESENTATIVE SCALISE  
**A CONCURRENT RESOLUTION**

To honor and commend the pastors with PRC Compassion who mobilized their churches to rescue and assist Louisiana citizens displaced by hurricanes Katrina and Rita.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Mount
Adley	Ellington	Murray
Amedee	Fontenot	Nevers
Barham	Gautreaux N	Quinn
Boasso	Jackson	Romero
Cain	Kostelka	Schedler
Cheek	Lentini	Shepherd
Cravins	Marionneaux	Smith
Dardenne	McPherson	Theunissen
Duplessis	Michot	Ullo
Total - 30		

**NAYS**

Total - 0

**ABSENT**

Bajoie	Fields	Hollis
Broome	Gautreaux B	Jones
Chaisson	Heitmeier	Malone
Total - 9		

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

**Senator Dupre in the Chair**

**SENATE CONCURRENT RESOLUTION NO. 40—**  
BY SENATOR NEVERS

**A CONCURRENT RESOLUTION**

To request the Senate Committee on Labor and Industrial Relations and the House Committee on Labor and Industrial Relations to meet and to function as a joint committee to study advanced

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manufacturing/integrated systems technology training and other training opportunities in Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Mount
Adley Ellington Murray
Amedee Fontenot Nevers
Barham Gautreaux B Quinn
Boasso Gautreaux N Romero
Cain Jackson Schedler
Chaisson Kostelka Shepherd
Cheek Lentini Smith
Cravins Marionneaux Theunissen
Dardenne McPherson Ullo
Duplessis Michot
Total - 32

NAYS

Total - 0

ABSENT

Bajoie Heitmeier Malone
Broome Hollis
Fields Jones
Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 41— BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Congress of the United States to change the coastal line by which the state receives tax and mineral revenue from three miles to twelve miles to be consistent with the states of Texas and Mississippi as it relates to the receipt of federal tax and mineral revenue.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Mount
Adley Ellington Murray
Amedee Fontenot Nevers
Barham Gautreaux B Quinn
Boasso Gautreaux N Romero
Cain Jackson Schedler
Chaisson Kostelka Shepherd
Cheek Lentini Smith
Cravins Marionneaux Theunissen
Dardenne McPherson Ullo
Duplessis Michot
Total - 32

NAYS

Total - 0

ABSENT

Bajoie Heitmeier Malone
Broome Hollis

Fields Jones
Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 42— BY SENATOR MARIONNEAUX

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education (BESE) to make adjustments in the Minimum Foundation Program formula (MFP) for the 2006-2007 school year and thereafter as necessary to correct an error in allocation which was created by a tax assessment which was overturned by the Louisiana Supreme Court which consequently resulted in an erroneous calculation of certain salary adjustments to be paid by the Pointe Coupee Parish School Board.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dupre Mount
Adley Ellington Murray
Amedee Fontenot Nevers
Barham Gautreaux B Quinn
Boasso Gautreaux N Romero
Cain Jackson Schedler
Chaisson Kostelka Shepherd
Cheek Lentini Smith
Cravins Marionneaux Theunissen
Dardenne McPherson Ullo
Duplessis Michot
Total - 32

NAYS

Total - 0

ABSENT

Bajoie Heitmeier Malone
Broome Hollis
Fields Jones
Total - 7

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

Mr. President in the Chair

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 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 and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 53—**

BY REPRESENTATIVE SCALISE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 54—**

BY REPRESENTATIVE WALSWORTH  
A CONCURRENT RESOLUTION

To urge and request local governing authorities to provide that the local sales and use tax shall not apply to certain consumer purchases on the same dates as the sales tax holiday established by state law in the First Extraordinary Session of 2005.

**HOUSE CONCURRENT RESOLUTION NO. 55—**

BY REPRESENTATIVES T. POWELL AND WOOTON  
A CONCURRENT RESOLUTION

To commend the workers of the state's developmental centers, to recognize the difficulty of recruiting and retaining direct care workers in today's competitive labor market, and to urge and request the office for citizens with developmental disabilities (OCDD) of the Louisiana Department of Health and Hospitals and the Louisiana Department of State Civil Service (Civil Service) to work cooperatively and with Metropolitan Developmental Center and Hammond Developmental Center to recruit and retain such workers as doing so is in the best interest of the residents of such centers.

**HOUSE CONCURRENT RESOLUTION NO. 56—**

BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the state and its political subdivisions to utilize Louisiana companies in their rebuilding, restoring, and renewing efforts matching skills with needs through the Hudson Initiative.

**HOUSE CONCURRENT RESOLUTION NO. 57—**

BY REPRESENTATIVES JOHNS, FRITH, GEYMANN, E. GUILLORY, HILL, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN  
A CONCURRENT RESOLUTION

To commend Adam McBride, director of the Port of Lake Charles, upon the joyous and historic occasion of becoming an American citizen.

**HOUSE CONCURRENT RESOLUTION NO. 58—**

BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general, state of Louisiana, the Honorable Charles C. Foti, to file suit seeking declaratory judgment that provisions of homeowners' insurance policies excluding coverage for damage sustained as a result of wind, hail, and hurricanes are null and void as against the public policy of the state of Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 59—**

BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general to file suit seeking a declaratory judgment holding that the flooding of New Orleans was caused by a design or construction defect, as opposed to an Act of God or natural flooding caused by Hurricane Katrina.

**HOUSE CONCURRENT RESOLUTION NO. 60—**

BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To commend the National Guard units from Louisiana and beyond who provided assistance in the rescue, recovery, and relief efforts in Cameron and Vermilion parishes for their valiant efforts during and following Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 61—**

BY REPRESENTATIVE ROBIDEAUX  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Transportation and Development to act jointly to study the feasibility of the construction of a coastal protection highway stretching from the Texas border to New Orleans.

**HOUSE CONCURRENT RESOLUTION NO. 63—**

BY REPRESENTATIVE BRUNEAU  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative Lloyd R. Himel.

**HOUSE CONCURRENT RESOLUTION NO. 64—**

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

To commend Isaac Greggs upon his retirement as the director of the Southern University marching band.

**HOUSE CONCURRENT RESOLUTION NO. 66—**

BY REPRESENTATIVE BEARD  
A CONCURRENT RESOLUTION

To urge and request elected officials not to accept campaign finance contributions from any person who has entered into a contract, subcontract, or transaction to provide goods or services related to hurricane rebuilding efforts, if such contract, subcontract, or transaction is under the jurisdiction or supervision of the agency of the elected official.

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. 53—**

BY REPRESENTATIVE SCALISE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Murray
Adley	Ellington	Nevers
Amedee	Fontenot	Quinn
Barham	Gautreaux B	Romero
Boasso	Gautreaux N	Schedler
Cain	Jackson	Shepherd
Chaisson	Lentini	Smith
Cheek	Marionneaux	Theunissen
Cravins	McPherson	Ullo
Dardenne	Michot	

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Duplessis  
Total - 31

Mount

NAYS

Total - 0

ABSENT

Bajoie  
Broome  
Fields  
Total - 8

Heitmeier  
Hollis  
Jones

Kostelka  
Malone

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

**HOUSE CONCURRENT RESOLUTION NO. 54—**  
BY REPRESENTATIVE WALSWORTH  
A CONCURRENT RESOLUTION

To urge and request local governing authorities to provide that the local sales and use tax shall not apply to certain consumer purchases on the same dates as the sales tax holiday established by state law in the First Extraordinary Session of 2005.

The resolution was read by title. Senator Kostelka moved to concur in the House 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  
Total - 36

Duplessis  
Dupre  
Ellington  
Fontenot  
Gautreaux B  
Gautreaux N  
Jackson  
Jones  
Kostelka  
Lentini  
Malone  
Marionneaux

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

NAYS

Total - 0

ABSENT

Fields  
Total - 3

Heitmeier

Hollis

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

**HOUSE CONCURRENT RESOLUTION NO. 55—**  
BY REPRESENTATIVES T. POWELL AND WOOTON  
A CONCURRENT RESOLUTION

To commend the workers of the state's developmental centers, to recognize the difficulty of recruiting and retaining direct care workers in today's competitive labor market, and to urge and request the office for citizens with developmental disabilities (OCDD) of the Louisiana Department of Health and Hospitals and the Louisiana Department of State Civil Service (Civil Service) to work cooperatively and with Metropolitan Developmental Center and Hammond Developmental Center to recruit and retain such workers as doing so is in the best interest of the residents of such centers.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Amedee  
Bajoie  
Barham  
Boasso  
Broome  
Cain  
Chaisson  
Cheek  
Cravins  
Dardenne  
Total - 34

Duplessis  
Dupre  
Ellington  
Fontenot  
Gautreaux B  
Gautreaux N  
Jackson  
Kostelka  
Lentini  
Malone  
Marionneaux  
McPherson

Michot  
Mount  
Murray  
Nevers  
Romero  
Schedler  
Shepherd  
Smith  
Theunissen  
Ullo

NAYS

Total - 0

ABSENT

Fields  
Heitmeier  
Total - 5

Hollis  
Jones

Quinn

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

**HOUSE CONCURRENT RESOLUTION NO. 56—**  
BY REPRESENTATIVE QUEZAIRE  
A CONCURRENT RESOLUTION

To urge and request the state and its political subdivisions to utilize Louisiana companies in their rebuilding, restoring, and renewing efforts matching skills with needs through the Hudson Initiative.

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

**HOUSE CONCURRENT RESOLUTION NO. 57—**  
BY REPRESENTATIVES JOHNS, FRITH, GEYMAN, E. GULLORY, HILL, KLECKLEY, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN  
A CONCURRENT RESOLUTION

To commend Adam McBride, director of the Port of Lake Charles, upon the joyous and historic occasion of becoming an American citizen.

The resolution was read by title. Senator Mount moved to concur in the House 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  
Total - 36

Duplessis  
Dupre  
Ellington  
Fields  
Fontenot  
Gautreaux B  
Gautreaux N  
Heitmeier  
Kostelka  
Lentini  
Malone  
Marionneaux

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

NAYS

Total - 0

ABSENT

Hollis Jackson Jones  
Total - 3

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

**HOUSE CONCURRENT RESOLUTION NO. 58—**  
BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general, state of Louisiana, the Honorable Charles C. Foti, to file suit seeking declaratory judgment that provisions of homeowners' insurance policies excluding coverage for damage sustained as a result of wind, hail, and hurricanes are null and void as against the public policy of the state of Louisiana.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hollis Jones  
Total - 2

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

**HOUSE CONCURRENT RESOLUTION NO. 59—**  
BY REPRESENTATIVES RICHMOND AND BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the attorney general to file suit seeking a declaratory judgment holding that the flooding of New Orleans was caused by a design or construction defect, as opposed to an Act of God or natural flooding caused by Hurricane Katrina.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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	Jackson	Schedler
Chaisson	Kostelka	Shepherd
Cravins	Lentini	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Cheek	Hollis	Jones
Total - 3		

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

**HOUSE CONCURRENT RESOLUTION NO. 60—**

BY REPRESENTATIVES FRITH, 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, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend the National Guard units from Louisiana and beyond who provided assistance in the rescue, recovery, and relief efforts in Cameron and Vermilion parishes for their valiant efforts during and following Hurricanes Katrina and Rita.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Hollis	Jones
Total - 2	

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

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HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVE ROBIDEAUX
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Transportation and Development to act jointly to study the feasibility of the construction of a coastal protection highway stretching from the Texas border to New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Hollis, Jones.

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

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative Lloyd R. Himel.

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

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

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Hollis, Jones.

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

HOUSE CONCURRENT RESOLUTION NO. 64—

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

A CONCURRENT RESOLUTION

To commend Isaac Greggs upon his retirement as the director of the Southern University marching band.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Lists Hollis, Jones.

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

HOUSE CONCURRENT RESOLUTION NO. 66—

BY REPRESENTATIVE BEARD
A CONCURRENT RESOLUTION

To urge and request elected officials not to accept campaign finance contributions from any person who has entered into a contract, subcontract, or transaction to provide goods or services related to hurricane rebuilding efforts, if such contract, subcontract, or transaction is under the jurisdiction or supervision of the agency of the elected official.

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

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. 27—**

BY SENATORS DUPRE, ADLEY, 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.

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

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 27 by Senator Dupre (Duplicate of House Bill No. 139)

**AMENDMENT NO. 1**

On page 1, line 2, after "Sections" insert "10(D)(2)(e)," and after "10.2" insert a comma ","

**AMENDMENT NO. 2**

On page 1, line 8, after "revenues;" delete "and to specify an election" and insert "to provide"

**AMENDMENT NO. 3**

On page 1, delete line 9 in its entirety and insert "proposed amendment to the electors; and to provide for related matters."

**AMENDMENT NO. 4**

On page 1, line 13, after "Sections" insert "10(D)(2)(e)," and after "10.2" insert a comma ","

**AMENDMENT NO. 5**

On page 1, between lines 13 and 14, insert the following:

§10. Expenditure of State Funds  
Section 10.

\* \* \*  
(D) Appropriations. \* \* \*

(2) Except as otherwise provided in this constitution, the appropriation or allocation of any money designated in the official forecast as nonrecurring shall be made only for the following purposes:

\* \* \*

(e) Providing for allocation or appropriation for deposit into the ~~Wetlands Conservation~~ Coastal Protection and Restoration Fund established in Article VII, Section 10.2 of this constitution.

\* \* \*

**AMENDMENT NO. 6**

On page 1, line 16, delete "Effective July 1, 1990, there" and insert "There"

**AMENDMENT NO. 7**

On page 4, line 2, delete "protection, including" and insert "wetlands."

**AMENDMENT NO. 8**

On page 4, delete lines 7 and 8 in their entirety

**AMENDMENT NO. 9**

On page 5, line 13, after "ballot" delete the remainder of the line and insert "on November 7, 2006."

**AMENDMENT NO. 10**

On page 5, line 24, delete "relative to" and delete line 25 in its entirety and on line 26, delete "deposits required by the constitution," and insert "that"

**AMENDMENT NO. 11**

On page 5, line 28, delete "by the treasurer"

**AMENDMENT NO. 12**

On page 6, line 3, after "Sections" insert "10(D)(2)(e)," and after "10.2" insert a comma ","

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 27 by Senator Dupre

**AMENDMENT NO. 1**

On page 1, line 3, after "Louisiana," delete the comma "," and insert "and to repeal Act No. 513 of the 2005 Regular Session,"

**AMENDMENT NO. 2**

Delete Amendment No. 7 of the Conforming Amendments proposed by Representative Alario and adopted by the House on November 16, 2005

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Hollis	Jones
Total - 2	

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

**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,

November 21, 2005

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.

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

**Rules Suspended**

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

**Senate Resolutions to be Adopted, Subject to Call**

The following Senate Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Fields asked that Senate Resolution No. 14 be called from the Calendar at this time.

**SENATE RESOLUTION NO. 14—  
BY SENATORS FIELDS, BROOME, JONES AND MARIONNEAUX  
A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Alphonse Maurice Haynes, an attorney, educator, and businessman.

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

**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:

**Rules Suspended**

Senator Duplessis asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 121 out of its regular order.

**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.

The bill was read by title. Senator Duplessis 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
Barham	Fontenot	Mount
Boasso	Gautreaux B	Nevers
Broome	Gautreaux N	Quinn
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 33

**NAYS**

Bajoie	Murray
Cravins	Shepherd

Total - 4

**ABSENT**

Hollis	Jones
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Total - 2

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

**HOUSE BILL NO. 17—  
BY REPRESENTATIVE HUTTER  
AN ACT**

To amend and reenact R.S. 11:281(B), relative to delinquent contributions to certain public retirement systems; to waive interest on certain delinquent contributions during a gubernatorially declared disaster or emergency; to provide for applicability; to provide limitations and an effective date; and to provide for related matters.



**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 17 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "relative to" and before "delinquent" insert the following:

"retirement; to provide for retirement eligibility and benefit calculation; to provide for payment of certain unfunded accrued liabilities; to provide relative to"

AMENDMENT NO. 2

On page 1, between lines 18 and 19, insert the following:

"Section 2. (A)(1)Any active contributing member of the Louisiana State Employees' Retirement System and any person who has creditable service in the system who has been furloughed, terminated, or placed on leave without pay due to the budget reductions required by the effects of hurricanes Katrina and Rita, who is ineligible to retire under the provisions of R.S. 11:441(A)(1)(a), (b), or (c), but who has earned a minimum of ten years of creditable service and who has attained the age of fifty years, and who elects to retire under the provisions of this Section on or after December 1, 2005, and on or before February 28, 2006, shall be eligible, notwithstanding the provisions of R.S. 11:441(A)(1)(a), (b), or (c), to retire from state service and receive a retirement allowance equal to two and one-quarter percent of his average compensation, as determined pursuant to R.S. 11:231, for every year of creditable service.

(2) Notwithstanding any other provision of law to the contrary, any person who has attained the age of fifty years to whom this Section would otherwise apply who retired pursuant to the provisions of Act 194 of the 2004 regular legislative session or pursuant to the provisions of R.S. 11:441(A)(1)(d) on or after November 1, 2005, shall, upon application to the system's board of trustees, have his retirement benefit recalculated under the provisions of this Section, so long as his application for recalculation is received by the system on or before February 28, 2006. The person shall receive the greater of the two benefit calculations and shall be subject to the provisions of the law pursuant to which he receives the greater benefit.

(3) The provisions of this Section shall not apply to any person who receives an additional retirement benefit under any other provision of law included but not limited to R.S. 11:557, 582, and 602 and R.S. 24:36.

(B) All unused accumulated sick and annual leave of a person retiring under the provisions of this Section shall be converted to retirement credit in accordance with the provisions of R.S. 11:424 and no payment shall be made therefor by any state agency other than the system; however, the individual may opt at the time of retirement to receive a lump sum benefit payment from the system for up to three hundred hours of annual leave so converted. Any lump-sum benefit payment made by the system under the provisions of this Section shall be calculated based on the person's rate of pay on the date he separates from service and shall not be calculated based on average compensation. Payment hereunder shall be made only after certification by the division of administration of the person's leave balance and of the fact that the person has not previously received payment for any leave.

(C)(1) The division of administration shall report to the Joint Legislative Committee on the Budget the number of positions vacated pursuant to the provisions of this Section and the fiscal savings created thereby on or before March 15, 2006. Positions within the executive branch of state government which are caused to be vacated by this Section, directly or indirectly, including by promotion to fill a vacated position, shall not be filled, except upon approval of the division of administration and in accordance with the rules and regulations of the Civil Service Commission. However, before any such approval by the division of administration of the employment of a person not already employed by the agency or not currently

employed by the state, the agency shall, if necessary and feasible, and subject to the approval of the division of administration, refill the vacancy from within the agency or in cooperation with the Civil Service Commission transfer employees from another agency to refill the vacancy.

(2) In no case, shall any department within the executive branch of state government refill more than twenty-five percent of the positions caused to be vacated by the provisions of this Section, as reported pursuant to the provisions of Paragraph (1) of this Subsection. The division of administration shall make quarterly reports to the Joint Legislative Committee on the Budget on the number of positions which have been filled by the hiring of new employees or by transfer from one agency to another agency and the salaries associated therewith.

(D) Any person who elects to retire under the provisions of this Section who is reemployed in a position which would otherwise make him eligible for system membership shall not become a member; his benefit shall be suspended upon reemployment and no supplemental benefit shall be earned while he is so employed. The system shall promulgate rules to provide for the implementation of the provisions of this Section, including agency reporting of any retirees reemployed

(E) The legislature shall annually appropriate out of the general fund or any budget surplus an amount equal to ten percent of the reduction in the general fund expenditures attributable to the provisions of this Section to make an additional payment to the Louisiana State Employees' Retirement System for purposes of reducing the unfunded accrued liability that existed on June 30, 1988".

AMENDMENT NO. 3

On page 1, at the beginning of line 19, change "Section 2. This Act is" to "Section 3. The provisions of Section 1 of this Act are"

AMENDMENT NO. 4

On page 2, at the beginning of line 1, change "Section 3." to "Section 4."

Senator B. Gautreaux moved adoption of the amendments.

Senator Theunissen objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Cravins	Jackson
Adley	Duplessis	Marionneau
Amedee	Dupre	McPherson
Bajoie	Fields	Mount
Broome	Fontenot	Murray
Cain	Gautreaux B	Nevers
Chaisson	Gautreaux N	Shepherd
Cheek	Heitmeier	

Total - 23

NAYS

Barham	Lentini	Smith
Boasso	Malone	Theunissen
Dardenne	Michot	Ullo
Ellington	Romero	
Kostelka	Schedler	

Total - 13

ABSENT

Hollis	Jones	Quinn
Total - 3		

The Chair declared the amendments were adopted.

November 21, 2005

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. 17 by Representative Hutter

AMENDMENT NO. 1

In Senate Floor Amendment proposed by Senator B. Gautreaux and adopted by the Senate on November 21, 2005, in amendment no. 2 on page 2, delete line 5 and insert "of this Section."

On motion of Senator Adley, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and representatives under the YEAS category, including Mr. President, Adley, Amedee, Bajoue, Barham, Broome, Cain, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Kostelka, Lentini, Malone, Marionneaux, McPherson, Mount, Murray, Nevers, and Shepherd.

NAYS

Table listing names of senators and representatives under the NAYS category, including Boasso, Dardenne, Michot, Romero, Schedler, Smith, Theunissen, and Uilo.

ABSENT

Table listing names of senators and representatives under the ABSENT category, including Jones and Quinn.

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

HOUSE BILL NO. 18—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 11:163(A) and (C), relative to retirement service and salary credit for public employees on involuntary furlough or leave without pay; to allow certain employees to continue to earn service and salary credit while on such furlough or leave; to provide for payment therefor; to provide limitations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 18 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 3, after "pay" and before "to allow" insert the following:

"to provide for retirement eligibility and benefit calculation; to provide for payment of certain unfunded accrued liabilities;"

AMENDMENT NO. 2

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

"Section 2. (A)(1) Any active contributing member of the Louisiana State Employees' Retirement System and any person who has creditable service in the system who has been furloughed, terminated, or placed on leave without pay due to the budget reductions required by the effects of hurricanes Katrina and Rita, who is ineligible to retire under the provisions of R.S. 11:441(A)(1)(a), (b), or (c), but who has earned a minimum of ten years of creditable service and who has attained the age of fifty years, and who elects to retire under the provisions of this Section on or after December 1, 2005, and on or before February 28, 2006, shall be eligible, notwithstanding the provisions of R.S. 11:441(A)(1)(a), (b), or (c), to retire from state service and receive a retirement allowance equal to two and one-quarter percent of his average compensation, as determined pursuant to R.S. 11:231, for every year of creditable service.

(2) Notwithstanding any other provision of law to the contrary, any person who has attained the age of fifty years to whom this Section would otherwise apply who retired pursuant to the provisions of Act 194 of the 2004 regular legislative session or pursuant to the provisions of R.S. 11:441(A)(1)(d) on or after November 1, 2005, shall, upon application to the system's board of trustees, have his retirement benefit recalculated under the provisions of this Section, so long as his application for recalculation is received by the system on or before February 28, 2006. The person shall receive the greater of the two benefit calculations and shall be subject to the provisions of the law pursuant to which he receives the greater benefit.

(3) The provisions of this Section shall not apply to any person who receives an additional retirement benefit under any other provision of law included but not limited to R.S. 11:557, 582, and 602 and R.S. 24:36.

(B) All unused accumulated sick and annual leave of a person retiring under the provisions of this Section shall be converted to retirement credit in accordance with the provisions of R.S. 11:424 and no payment shall be made therefor by any state agency other than the system; however, the individual may opt at the time of retirement to receive a lump sum benefit payment from the system for up to three hundred hours of annual leave so converted. Any lump-sum benefit payment made by the system under the provisions of this Section shall be calculated based on the person's rate of pay on the date he separates from service and shall not be calculated based on average compensation. Payment hereunder shall be made only after certification by the division of administration of the person's leave balance and of the fact that the person has not previously received payment for any leave.

(C)(1) The division of administration shall report to the Joint Legislative Committee on the Budget the number of positions vacated pursuant to the provisions of this Section and the fiscal savings created thereby on or before March 15, 2006. Positions within the executive branch of state government which are caused to be vacated by this Section, directly or indirectly, including by promotion to fill a vacated position, shall not be filled, except upon approval of the division of administration and in accordance with the rules and regulations of the Civil Service Commission. However, before any such approval by the division of administration of the employment of a person not already employed by the agency or not currently employed by the state, the agency shall, if necessary and feasible, and subject to the approval of the division of administration, refill the vacancy from within the agency or in cooperation with the Civil Service Commission transfer employees from another agency to refill the vacancy.

(2) In no case, shall any department within the executive branch of state government refill more than twenty-five percent of the positions caused to be vacated by the provisions of this Section, as reported pursuant to the provisions of Paragraph (1) of this Subsection. The division of administration shall make quarterly reports to the Joint Legislative Committee on the Budget on the number of positions which have been filled by the hiring of new

employees or by transfer from one agency to another agency and the salaries associated therewith.

(D) Any person who elects to retire under the provisions of this Section who is reemployed in a position which would otherwise make him eligible for system membership shall not become a member; his benefit shall be suspended upon reemployment and no supplemental benefit shall be earned while he is so employed. The system shall promulgate rules to provide for the implementation of the provisions of this Section, including agency reporting of any retirees reemployed

(E) The legislature shall annually appropriate out of the general fund or any budget surplus an amount equal to ten percent of the reduction in the general fund expenditures attributable to the provisions of this Section to make an additional payment to the Louisiana State Employees' Retirement System for purposes of reducing the unfunded accrued liability that existed on June 30, 1988".

**AMENDMENT NO. 3**

On page 3, at the beginning of line 4, change "Section 2. This Act is" to "Section 3. The provisions of Section 1 of this Act are"

**AMENDMENT NO. 4**

On page 3, at the beginning of line 6, change "Section 3." to "Section 4."

Senator B. Gautreaux moved adoption of the amendments.

Senator Dardenne objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Marionneau
Amedee	Ellington	McPherson
Bajoie	Fields	Mount
Broome	Gautreaux B	Murray
Chaisson	Heitmeier	Nevers
Cheek	Jackson	Shepherd
Total - 21		

**NAYS**

Barham	Hollis	Schedler
Boasso	Lentini	Smith
Cain	Malone	Theunissen
Dardenne	Michot	Ullo
Fontenot	Quinn	
Gautreaux N	Romero	
Total - 16		

**ABSENT**

Cravins	Jones
Total - 2	

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. 18 by Representative Hutter

**AMENDMENT NO. 1**

In Senate Floor Amendment proposed by Senator B. Gautreaux, and adopted by the Senate on November 21, 2005, in amendment no. 2 on page 2, delete line 5, and insert "of the Section."

On motion of Senator Adley, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Duplessis	Kostelka
Adley	Dupre	Malone
Amedee	Ellington	Marionneau
Bajoie	Fields	McPherson
Broome	Fontenot	Mount
Cain	Gautreaux B	Murray
Chaisson	Heitmeier	Nevers
Cheek	Jackson	Shepherd
Total - 24		

**NAYS**

Barham	Lentini	Smith
Boasso	Michot	Theunissen
Dardenne	Quinn	Ullo
Gautreaux N	Romero	
Hollis	Schedler	
Total - 13		

**ABSENT**

Cravins	Jones
Total - 2	

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

**Recess**

On motion of Senator Bajoie, the Senate took a recess until 1:30 o'clock P.M.

**After Recess**

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

**ROLL CALL**

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

**PRESENT**

Mr. President	Dupre	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.

**Senate Business Resumed**

**House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed**

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up 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, ERDEY, FANNIN, FRITH, GEYMANN, 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.

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**

Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Kostelka	Shepherd
Cravins	Lentini	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Mr. President	Gautreaux B	Jones
Boasso	Jackson	Quinn
Total - 6		

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.

**Personal Privilege**

Senator Quinn 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 House Bill No. 24. She had intended to vote yea on the bill. She asked that the Official Journal so state.

**Senator Bajoie in the Chair**

**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, GEYMANN, 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, MOUNT, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, N. GAUTREAUX, HOLLIS, KOSTELKA, LENTINI, MALONE, MCPHERSON, MICHOT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN, AND ULLO

**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.

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**

Adley	Dupre	McPherson
Amedee	Ellington	Michot
Bajoie	Fields	Mount
Barham	Fontenot	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Kostelka	Shepherd
Cravins	Lentini	Smith
Dardenne	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 33		

**NAYS**

Total - 0

**ABSENT**

Mr. President	Gautreaux B	Jones
Boasso	Jackson	Quinn
Total - 6		

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.

**Personal Privilege**

Senator Quinn 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 House Bill No. 39. She had intended to vote yea on the bill. She asked that the Official Journal so state.

**Personal Privilege**

Senator Boasso 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 House Bill No. 39. He had intended to vote yea on the bill. He asked that the Official Journal so state.

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.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 40 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:331(P)(2)" insert: "and to enact R.S. 47:301(3)(j) and (13)(l), and 302(T), 321(J), and 331(R)"

AMENDMENT NO. 2

On page 1, line 6, change "enacted" to the following: "amended and reenacted and R.S. 47:301(3)(j) and (13)(l), and 302(T), 321(J), and 331(R) are hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert: "§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

- (3) \* \* \* \* \*

(j) For the purpose of the sales and use taxes imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the "cost price" of natural gas for the period January 1, 2006 through December 31, 2008, purchased or used by paper or wood products manufacturing facilities shall not include any amount in excess of six dollars and twenty cents per MMBtu.

- (13) \* \* \* \* \*

(l) For purposes of the sales and use tax imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the "sales price" of natural gas the period January 1, 2006 through December 31, 2008, sold for use by paper or wood products manufacturing facilities shall not include any amount in excess of six dollars and twenty cents per MMBtu.

§302. Imposition of tax

T. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to the tax levied pursuant to the provisions of this Section for the period January 1, 2006 through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities.

§321. Imposition of tax

J. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable,

operable, and effective as to the tax levied pursuant to the provisions of this Section for the period January 1, 2006 through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities.

AMENDMENT NO. 4

On page 1, line 15, change "For" to the following: "Except as provided for in Subsection R of this Section, for"

AMENDMENT NO. 5

On page 1, after line 22, insert: "\* \* \*

R. Notwithstanding any other provision of law to the contrary and specifically notwithstanding any provision of Act No. 4 of the 2004 First Extraordinary Session which makes any state sales and use tax exemption inapplicable, inoperable, and of no effect, the exemption provided for electric power or energy shall be applicable, operable, and effective as to all of the tax levied pursuant to the provisions of this Section for the period January 1, 2006 through December 31, 2008, for the sale, purchase, or use of such electric power or energy by paper or wood products manufacturing facilities."

On motion of Senator Ellington, 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 Engrossed House Bill No. 40 by Representative Hammett

AMENDMENT NO. 1

On page 1, between lines 5 and 6, insert: "Section 1. The Legislature of the State of Louisiana hereby recognizes that the effect of provisions of this Act on the state fisc is lessened by the fact that no taxpayers have taken advantage of the income tax credit provided for in Act 504 of the 2005 Regular Session of the Legislature for contractors and subcontractors who offer to pay a certain amount of the premiums for health insurance coverage for their employees and dependents, and therefore tax receipts to the state and have not been reduced as anticipated. Further, the Legislature of the State of Louisiana recognizes that the enactment of this Act will have a similar effect as Act 504 because it contributes to an effort to save jobs under dire threat in the paper and wood products manufacturing industry, jobs which have health insurance coverage for employees."

AMENDMENT NO. 2

On page 1, line 6, change "Section 1." to "Section 2."

AMENDMENT NO. 3

On page 2, line 1, change "Section 2." to "Section 3."

AMENDMENT NO. 4

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

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Position, and Status. Includes Adley, Ellington, McPherson, Amedee, Fields, Michot, Bajoe, Fontenot, Mount, Barham, Gautreaux B, Murray.

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Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Schedler
Cravins	Kostelka	Shepherd
Dardenne	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Mr. President	Boasso	Jones
Total - 3		

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

Personal Privilege

Senator Boasso 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 House Bill No. 40. He had intended to vote yea on the bill. He asked that the Official Journal so state.

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, GEYMANN, 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.

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

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

NAYS

Total - 0

ABSENT

Mr. President	Boasso	Jones
Total - 3		

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.

Personal Privilege

Senator Boasso 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 House Bill No. 41. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 63—

BY REPRESENTATIVES SCHNEIDER, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SMILEY, JANE SMITH, STRAIN, 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 enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Mr. President Boasso Quinn  
Total - 3

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

**HOUSE BILL NO. 120—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Mr. President Boasso Cravins  
Total - 3

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

**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.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Mr. President Boasso Cravins  
Total - 3

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

**HOUSE BILL NO. 81—**  
BY REPRESENTATIVES ARNOLD, BALDONE, HEATON, ODINET, TOWNSEND, AND TUCKER  
AN ACT

To enact R.S. 39:1034.1, relative to the Board of Liquidation, City Debt, for the city of New Orleans; to prohibit increases in millage rates for the year 2006, under certain circumstances and

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the collection of taxes based upon such millage rates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for the bill, including Adley, Amedee, Bajoie, Barham, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, and Ullo.

Total - 36

NAYS

Total - 0

ABSENT

Mr. President Boasso Shepherd
Total - 3

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

HOUSE BILL NO. 97— BY REPRESENTATIVE ALARIO AND SENATOR HEITMEIER AN ACT

To amend and reenact R.S. 42:851(E)(1)(introductory paragraph) and (M)(1) and to enact R.S. 42:851(D)(4) and (M)(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.

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. 97 by Representative Alario

AMENDMENT NO. 1

On page 2, at the end of line 13, insert the following:

"The state may contribute its portion of the premium and charges due under this Section for which an employee is granted leave of absence without pay due to active military duty or is granted leave without pay under the provisions of the federal Family and Medical Leave Act."

On motion of Senator Heitmeier, 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

Table listing names of senators who voted 'YEAS' for the bill, including Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, and Ullo.

Total - 36

NAYS

Total - 0

ABSENT

Mr. President McPherson Shepherd
Total - 3

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.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for the bill, including Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, and Ullo.

Total - 37

NAYS

Total - 0

ABSENT

Mr. President Shepherd
Total - 2

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



**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.

**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. 140 by Representative Alario

**AMENDMENT NO. 1**

Delete Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on November 19, 2005.

Senator Heitmeier moved adoption of the amendments.

Senator Ullo objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Ullo  
 Total - 1

**ABSENT**

Gautreaux B                      Mount                      Shepherd  
 Total - 3

The Chair declared 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	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Boasso	Gautreaux N	Nevers
Broome	Heitmeier	Quinn

Cain	Hollis	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	
Duplessis	Malone	
Total - 37		

**NAYS**

Total - 0

**ABSENT**

Shepherd                      Ullo  
 Total - 2

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.

**Mr. President in the Chair**

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

The following House 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 Mount asked that House Bill No. 42 be called from the Calendar at this time for its final passage.

**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, ANSAU, 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, GEYMANN, 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.

**Floor Amendments Sent Up**

Senator Mount sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Mount to Reengrossed House Bill No. 42 by Representative Montgomery

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on November 18, 2005, on page 1, line 9, after "title" insert:

"nor the purchase of meals furnished for consumption on the premises where purchased, including to-go orders"

On motion of Senator Mount, 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. 42 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 5, change "on certain date" to "certain dates"

AMENDMENT NO. 2

On page 2, line 2, change "on December 9, 10, and 11, 2005" to "on December 16, 17, and 18, 2005."

AMENDMENT NO. 3

On page 2, line 12, after "only if" delete the remainder of the line and insert:

"during the period provided for in Subsection A of this Section,"

AMENDMENT NO. 4

On page 2, line 20, change "December 9, 10, and 11, 2005" to "the period provided for in Subsection A of this Section"

AMENDMENT NO. 5

On page 2, line 24, change "on December 9, 10, and 11, 2005" to "during the period provided for in Subsection A of this Section"

AMENDMENT NO. 6

On page 2, line 28, change "December 11, 2005" to "such period"

AMENDMENT NO. 7

On page 3, line 1, change "on December 9, 10, and" to "during the period provided for in Subsection A of this Section" and on line 2, delete "11, 2005"

AMENDMENT NO. 8

On page 3, line 3, change "December 11, 2005" to "such period"

AMENDMENT NO. 9

On page 3, line 5, change "December 9, 10, and 11, 2005" to "the period provided for in Subsection A of this Section"

AMENDMENT NO. 10

On page 3, line 6, change "on December 9, 10, and 11, 2005" to "during the period provided for in Subsection A of this Section"

AMENDMENT NO. 11

On page 3, line 14, change "December 11, 2005" to "the period provided for in Subsection A of this Section"

On motion of Senator N. Gautreaux, the amendments were adopted.

**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. 42 by Representative Montgomery

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 and 2 proposed by Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate November 18, 2005.

AMENDMENT NO. 2

On page 1, delete lines 11 through 13 and delete pages 2 and on page 3, delete lines 1 through 21, and insert the following:

"A. This Act shall be known as the 2005 Louisiana Sales Tax Holiday Act.

B.(1) Notwithstanding any other provisions of law to the contrary, the sales tax levied by the state of Louisiana and its political subdivisions whose boundaries are coterminous of those of the state shall not apply to consumer purchases of tangible personal property for non-business use which occur between 3:00 p.m. Thursday, December 8, 2005, and midnight Sunday, December 11, 2005.

(2) For purposes of this Act, "consumer purchases" shall mean purchases of items of tangible personal property costing ten thousand dollars or less per unit that are not for use in a trade, business or profession. Manufacturers' coupons and rebates and charges for delivery to the customer shall not be considered in determining whether an item costs ten thousand dollars or less. "Consumer purchases" as used in this Paragraph shall not mean the purchase of a vehicle subject to license and title.

C. This provision will apply if and only if during the period provided in Subsection A of this Section, one of the following occur:

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

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

(3) The customer makes final payment and withdraws an item from layaway that might have been placed before the period provided in Subsection A of this Section.

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

D. Eligible items that customers purchase during the period provided in Subsection A of this Section with "rain checks" will qualify for exemption, regardless of when the "rain checks" were issued. However, issuance of "rain checks" during the exemption period will not qualify items for exemption if the otherwise eligible items are actually purchased after such period.

E.(1) When a customer purchases an eligible item during the period provided in Subsection A of this Section, and exchanges the item without additional cash consideration after such period, for an essentially similar item of different size, color, or because of a flaw or failure of the item, no additional tax is due.

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

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

G. For a sixty-day period after the period provided in Subsection A of this Section, when a customer returns an item that would qualify for an exemption, no credit or refunds of sales tax shall be given unless the customer provides a receipt or invoice that shows that the state sales tax was paid, or the retailer has sufficient documentation that shows that the tax was paid on the specific item. This sixty-day period is not intended to change a dealer's policy concerning the time period during which returns will be accepted.

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.**

**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.**

Section 2. The secretary of the Department of Revenue is authorized to adopt and promulgate rules for the administration of the provisions of this Act in accordance with the Administrative Procedure Act."

Senator Shepherd moved adoption of the amendments.

Senator Mount objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Amedee	Duplessis	Marionneaux
Barham	Fields	McPherson
Boasso	Fontenot	Michot
Broome	Gautreaux B	Murray
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Shepherd
Cravins	Lentini	
Dardenne	Malone	
Total - 25		

**NAYS**

Adley	Mount	Theunissen
Bajoie	Nevers	Ullo
Ellington	Quinn	
Kostelka	Smith	
Total - 10		

**ABSENT**

Mr. President	Gautreaux N
Dupre	Hollis
Total - 4	

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. 42 by Representative Montgomery

**AMENDMENT NO. 1**

In Senate Floor Amendment No. 2 proposed by Senator Shepherd and adopted by the Senate on November 21, 2005:

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

On page 1, at the end of line 17, after "profession" insert:

"unless such trade, business, or profession is purchasing items to replace or repair items of tangible personal property lost or damaged by wind, water, fire, or criminal act as a result of conditions created by Hurricanes Katrina and Rita"

On page 1, between lines 21 and 22, insert:

"(b) No trade, business, or profession shall be entitled to purchase items of tangible personal property without payment of the tax imposed by R.S. 47:302, 321, and 331 before submitting to the secretary of the Department of Revenue a signed and notarized application of the principal, partner, member, or officer certifying that such items are purchased to replace or repair items of tangible

personal property lost or damaged by wind, water, fire, or criminal act as a result of conditions created by Hurricanes Katrina and Rita."

On motion of Senator N. Gautreaux, 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. 42 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, line 5, change "on certain date" to "certain dates"

**AMENDMENT NO. 2**

On page 2, line 2, change "on December 9, 10, and 11, 2005" to "on December 15, 16, 17, and 18, 2005."

**AMENDMENT NO. 3**

On page 2, line 12, after "only if" delete the remainder of the line and insert:

"during the period provided for in Subsection A of this Section,"

**AMENDMENT NO. 4**

On page 2, line 20, change "December 9, 10, and 11, 2005" to "the period provided for in Subsection A of this Section"

**AMENDMENT NO. 5**

On page 2, line 24, change "on December 9, 10, and 11, 2005" to "during the period provided for in Subsection A of this Section"

**AMENDMENT NO. 6**

On page 2, line 28, change "December 11, 2005" to "such period"

**AMENDMENT NO. 7**

On page 3, line 1, change "on December 9, 10, and" to "during the period provided for in Subsection A of this Section" and on line 2, delete "11, 2005"

**AMENDMENT NO. 8**

On page 3, line 3, change "December 11, 2005" to "such period"

**AMENDMENT NO. 9**

On page 3, line 5, change "December 9, 10, and 11, 2005" to "the period provided for in Subsection A of this Section"

**AMENDMENT NO. 10**

On page 3, line 6, change "on December 9, 10, and 11, 2005" to "during the period provided for in Subsection A of this Section"

**AMENDMENT NO. 11**

On page 3, line 14, change "December 11, 2005" to "the period provided for in Subsection A of this Section"

On motion of Senator N. Gautreaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fields	Mount

November 21, 2005

Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Heitmeier	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Dardenne	Malone	Ullo
Duplessis	Marionneau	
Total - 38		

NAYS

Total - 0

ABSENT

Hollis  
Total - 1

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

**Senator Fields in the Chair  
Called from the Calendar**

Senator Hines asked that House Bill No. 9 be called from the Calendar at this time for its final passage.

**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.

**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. 9 by Representative LaFleur

AMENDMENT NO. 1  
Delete Senate Committee Amendments Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on November 17, 2005.

Senator Dardenne moved adoption of the amendments.

Senator Hines objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Fontenot	Mount
Amedee	Gautreaux B	Quinn
Barham	Gautreaux N	Romero
Boasso	Heitmeier	Schedler
Cain	Lentini	Smith
Cheek	Malone	Theunissen
Dardenne	McPherson	Ullo
Dupre	Michot	

Total - 23

NAYS

Mr. President	Ellington	Kostelka
Broome	Fields	Marionneau
Chaisson	Hollis	Murray
Cravins	Jackson	Nevers
Duplessis	Jones	Shepherd

Total - 15

ABSENT

Bajoie  
Total - 1

The Chair declared 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 Re-Engrossed House Bill No. 9 by Representative LaFleur

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 4, after "subcontracts;" insert "to provide the method by which legislators report certain contracts and subcontracts;"

AMENDMENT NO. 3

On page 2, line 20 after "**official**" insert "**other than a legislator,**"

AMENDMENT NO. 4

On page 2, line 24 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 4 delete "**with the Board**" and on line 5, delete "**of Ethics**"

AMENDMENT NO. 6

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

**"H. 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.

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	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen
Duplessis	Malone	Ullo

Total - 39

**NAYS**

Total - 0

**ABSENT**

Total - 0

The Chair declared the 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 N. Gautreaux asked that House Bill No. 8 be called from the Calendar at this time for its final passage.

**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.

The bill was read by title. Senator N. Gautreaux 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	Schedler
Cheek	Jones	Shepherd
Cravins	Kostelka	Smith
Dardenne	Lentini	Theunissen

Duplessis  
Total - 39

Malone

Ullo

**NAYS**

Total - 0

**ABSENT**

Total - 0

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

**Called from the Calendar**

Senator McPherson asked that House Bill No. 5 be called from the Calendar at this time for its final passage.

**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.

**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. 5 by Representative Walker

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005.

AMENDMENT NO. 2

Delete Senate Committee Amendment No. 3, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005 and 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 for the facility-specific Medicaid reimbursement of costs directly incurred as a result of compliance.

(d) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause."

AMENDMENT NO. 3

Delete Senate Committee Amendment No. 4, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005 and on page 2, delete lines 1 and 2.

AMENDMENT NO. 4

Delete Senate Committee Amendment No. 5, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005.

AMENDMENT NO. 5

Delete Senate Committee Amendment No. 7, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005 and on page 2, delete line 15 and insert the following:

"(ii) Provisions for the facility-specific Medicaid reimbursement of costs directly incurred as a result of compliance.

(iii) Provisions for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause."

AMENDMENT NO. 6

Delete Senate Committee Amendment No. 8, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005.

AMENDMENT NO. 7

Delete Senate Committee Amendment No. 10, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on November 16, 2005 and 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 for the facility-specific Medicaid costs directly incurred as a result of compliance.

(d) Provision for reasonable time periods for compliance, not to exceed three years, except when extensions are granted by the department for good cause.

On motion of Senator McPherson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Dupre, McPherson, etc.

NAYS

Total - 0

ABSENT

Hollis
Total - 1

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

Rules Suspended

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

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

Called from the Calendar

Senator Dupre asked that Senate Bill No. 71 be called from the Calendar at this time.

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, MARIONNEAUX, 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.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 71 by Senator Dupre(Duplicate of House Bill No. 141)

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 49:213.1" delete the comma "," and delete the remainder of the line and insert "through 213.8, 214.3(1), 214.11,"

AMENDMENT NO. 2

On page 1, line 3, after "214.12(A)(1)" insert a comma "," and after "R.S. 49:213.11," insert "and to repeal Act No. 300 of the 2005 Regular Session of the Louisiana Legislature,"

AMENDMENT NO. 3

On page 1, line 11, after "duties" insert a comma "," and after "members;" insert "to change the name of the Wetlands Conservation and Restoration Fund to the Coastal Protection and Restoration Fund and to provide relative to deposits and expenditures of the fund;"

AMENDMENT NO. 4

On page 1, line 16, after "R.S. 49:213.1" delete the comma "," and delete the remainder of the line and insert "through 213.8, 214.3(1), 214.11,"

AMENDMENT NO. 5

On page 1, line 17, after "214.12(A)(1)" insert a comma ","

AMENDMENT NO. 6

On page 2, line 14, after "energy" insert a comma ","

AMENDMENT NO. 7

On page 2, at the end of line 18, delete "the" and insert "a single agency with"

AMENDMENT NO. 8

On page 2, line 11, change "hurricanes" to "Hurricanes"

AMENDMENT NO. 9

On page 3, line 1, delete "recognizing" and insert "that recognizes"

AMENDMENT NO. 10

On page 3, at the beginning of line 3, after "plan" delete the comma ","

AMENDMENT NO. 11

On page 3, at the end of line 4, delete "Comprehensive" and insert "Further, comprehensive"

AMENDMENT NO. 12

On page 3, line 5, change "recognizing" to "that recognizes"

AMENDMENT NO. 13

On page 3, line 6, after "duties of" delete "levee districts and" and after "subdivisions" insert "including levee districts"

AMENDMENT NO. 14

On page 3, line 28, after "plan" delete "in" and insert "with"

AMENDMENT NO. 15

On page 4, line 4, after "placed" delete "in" and insert "with"

AMENDMENT NO. 16

On page 4, line 6, after "maximize" insert "the effectiveness of" and after "protection" and before the period "." insert "efforts"

AMENDMENT NO. 17

On page 4, line 7, after "Development" delete the comma ","

AMENDMENT NO. 18

On page 4, line 8, after "activities" delete the comma ","

AMENDMENT NO. 19

On page 4, at the end of line 9, after "agencies" delete the comma "," and delete "levee" and at the beginning of line 10, delete "districts."

AMENDMENT NO. 20

On page 4, line 10, after "subdivisions" delete the period "." and insert a comma ",", and "including levee districts."

AMENDMENT NO. 21

On page 4, line 14, after "plan" and before "annually" insert "submitted"

AMENDMENT NO. 22

On page 4, at the beginning of line 15, delete "submitted" and after "Part" delete "and" and insert "including"

AMENDMENT NO. 23

On page 4, line 21, insert a comma "," after "policies"

AMENDMENT NO. 24

On page 4, line 22, after "protection or coastal" delete the comma "," and delete "or coastal wetland."

AMENDMENT NO. 25

On page 5, line 15, delete the comma "," after "wetlands" and after "reefs" delete "and" and insert a comma "," and "including"

AMENDMENT NO. 26

On page 5, line 16, delete the comma "," after "include" and delete the comma "," after "limited to"

AMENDMENT NO. 27

On page 5, line 19, insert a comma "," after "operations"

AMENDMENT NO. 28

On page 6, line 2, delete "law." and insert "R.S. 49:213.5."

AMENDMENT NO. 29

On page 6, line 11, delete the comma "," after "law"

AMENDMENT NO. 30

On page 6, line 16, after "policy" insert "implementation"

AMENDMENT NO. 31

On page 6, line 17, insert a comma "," after "conservation" and after "area" insert "of the state" and after "through" delete "the"

AMENDMENT NO. 32

On page 6, line 18, after "programs and" insert "by"

AMENDMENT NO. 33

On page 6, at the beginning of line 19, delete "those" and change "requiring" to "which require"

AMENDMENT NO. 34

On page 6, line 19, after "which" and before "significantly" insert "could" and at the end of the line delete "such" and insert "protection, conservation, and restoration"

AMENDMENT NO. 35

On page 6, line 22, delete "report" and insert "make reports on," and after "oversight" change "of" to "for"

AMENDMENT NO. 36

On page 6, line 24, after "agencies," delete "levee districts," and after "subdivisions," insert "including levee districts."

AMENDMENT NO. 37

On page 6, line 25, after "The" delete "coastal protection"

AMENDMENT NO. 38

On page 6, line 26, insert a comma "," after "conservation"

AMENDMENT NO. 39

On page 6, line 28, after "projects" and before the comma "," insert "and programs"

AMENDMENT NO. 40

On page 7, line 1, after "developed" delete "and" and insert "as the annual implementation of the comprehensive master plan and shall be"

AMENDMENT NO. 41

On page 7, line 2, delete "this Part." and insert "R.S. 49:213.6."

AMENDMENT NO. 42

On page 7, line 14, after "to the" delete the remainder of the line and delete line 15 in its entirety and insert "House Committee on Natural Resources and the Senate Committee on Natural Resources the"

AMENDMENT NO. 43

On page 7, line 16, change "plan" to "plans"

AMENDMENT NO. 44

On page 7, line 20, delete "annual" and change "plan" to "plans" and at the end of the line, delete "on"

AMENDMENT NO. 45

On page 7, delete line 21 in its entirety and insert "and prior to"

AMENDMENT NO. 46

On page 7, line 22, after "of the" delete "annual" and change "plan," to "plans," and at the end of the line, delete "annual" and change "plan," to "plans."

AMENDMENT NO. 47

On page 8, line 1 delete "(a)"

AMENDMENT NO. 48

On page 8, line 2, delete the comma "," after "management"

AMENDMENT NO. 49

On page 8, line 3, after "fund" insert "for coastal wetlands conservation and restoration"

AMENDMENT NO. 50

On page 8, line 4, after "any" insert "such" and after "project" delete the remainder of the line

AMENDMENT NO. 51

On page 8, line 5, delete "and restoration; and (b)" and insert "and"

AMENDMENT NO. 52

On page 8, line 6, after "Development" insert a comma "," and "in conjunction with political subdivisions."

AMENDMENT NO. 53

On page 8, line 7, after "fund" delete the remainder of the line and on line 8, delete "or project pertaining to" and insert "for"

AMENDMENT NO. 54

On page 8, line 8, after "protection" delete the comma "," and delete the remainder of the line and delete line 9 in its entirety and insert "and shall implement any such program or project."

AMENDMENT NO. 55

On page 8, between lines 9 and 10, insert the following:  
"(4) (5) Be authorized to delegate any of its powers, duties, and functions to the executive assistant."

AMENDMENT NO. 56

On page 8, line 10, delete "(5) Authorize the development of" and insert "(6) Develop"

AMENDMENT NO. 57

On page 8, line 11, delete "the taking of" and insert "take"

AMENDMENT NO. 58

On page 8, delete line 12 in its entirety and insert "including political subdivisions, to enforce compliance with"

AMENDMENT NO. 59

On page 8, at the end of line 13, after "actions" insert "may"

AMENDMENT NO. 60

On page 8, line 14, delete the comma "," after "include" and delete the comma "," after "limited to"

AMENDMENT NO. 61

On page 8, at the end of line 16, insert a comma "," after "relief"

AMENDMENT NO. 62

On page 9, line 27, change "the" to "this"

AMENDMENT NO. 63

On page 11, line 6, delete "seek to" and insert "would"

AMENDMENT NO. 64

On page 11, line 8, delete "such" and delete "insofar as they are"

AMENDMENT NO. 65

On page 11, lines 24, 25, 26, 27, and 28, change "their designee." to "his designee."

AMENDMENT NO. 66

On page 12, lines 1, 2, 4, and 5, change "their designee." to "his designee."

AMENDMENT NO. 67

On page 12, delete lines 6 through 8 in their entirety, and on line 9, delete "in three zones" and insert the following:

"(10) Three members selected from among and by the presidents of the twelve levee districts in the Louisiana coastal zone grouped in three regions"

AMENDMENT NO. 68

On page 12, line 11, after "Levee District." insert "North Lafourche Conservation, Levee and Drainage District."

AMENDMENT NO. 69

On page 12, line 14, after "and" insert "the"

AMENDMENT NO. 70

On page 12, delete lines 15 and 16 in their entirety and insert "The member from each region shall"

AMENDMENT NO. 71

On page 12, line 18, after "by the" insert "executive board of directors of the"

AMENDMENT NO. 72

On page 12, line 19, after "from" delete the remainder of the line and insert "the governing authorities of parishes located in the coastal zone in which there are no levee districts. One member shall be from a parish"

AMENDMENT NO. 73

On page 12, line 20, after "one member" insert "shall be"

AMENDMENT NO. 74

On page 12, line 21, delete "Both" and insert "The two"

AMENDMENT NO. 75

On page 12, lines 23, 25, 26, 27, 28, and 29, change "their designee." to "his designee."

AMENDMENT NO. 76

On page 13, lines 2, 3, and 4, change "their designee." to "his designee."

AMENDMENT NO. 77

On page 13, between lines 8 and 9, insert the following:  
"B. Any member of the authority who represents a political subdivision shall recuse himself from deliberations and from voting on any matter concerning the taking of action against that political subdivision for lack of compliance with the plan."

AMENDMENT NO. 78

On page 13, line 10, delete "A member of the" and delete lines 11 through 13 in their entirety

AMENDMENT NO. 79

On page 13, at the end of line 14, change "plan;" to "plans;"

AMENDMENT NO. 80

On page 13, line 17, after "develop" insert "a comprehensive master plan for coastal protection and"

AMENDMENT NO. 81

On page 13, line 18, insert a comma "," after "conserving"

AMENDMENT NO. 82

On page 13, line 25, change "R.S. 49:213.6(D)." to "Paragraph (2) of this Subsection and Subsection D of this Section." and after "The" insert "comprehensive master plan and the"

AMENDMENT NO. 83

On page 13, line 26, after "include" delete "funding" and after "for" insert "funding of"

AMENDMENT NO. 84

On page 13, line 28, delete "annually" and delete "such plan" and insert "the plans"

AMENDMENT NO. 85

On page 14, line 5, change "plan" to "plans"

AMENDMENT NO. 86

On page 14, line 7, insert a comma "," after "districts"

AMENDMENT NO. 87

On page 14, line 21, change "plan" to "plans"

AMENDMENT NO. 88



On page 14, line 22, delete "annual" and insert "comprehensive"

AMENDMENT NO. 89

On page 14, line 23, delete "short" and insert "short-term"

AMENDMENT NO. 90

On page 14, line 24, insert a comma "," after "management"

AMENDMENT NO. 91

On page 15, line 4, after "the" and before "plan" insert "comprehensive master"

AMENDMENT NO. 92

On page 15, line 5, insert a comma "," after "engineering"

AMENDMENT NO. 93

On page 15, line 11, change "annual" to "comprehensive"

AMENDMENT NO. 94

On page 15, line 24, after "(1)" delete "The" and insert "After adoption by the authority, the comprehensive master plan shall be submitted to the House Committee on Natural Resources and the Senate Committee on Natural Resources for approval. In addition, the"

AMENDMENT NO. 95

On page 15, at the end of line 24, delete "natural" and delete line 25 in its entirety and insert "House Committee on Natural Resources and the Senate Committee on Natural Resources"

AMENDMENT NO. 96

On page 15, line 26, delete "legislature" and at the end of the line insert a period "." and delete lines 27 through 29 in their entirety

AMENDMENT NO. 97

On page 16, delete line 1 in its entirety and on line 2, change "works" to "The" and delete "approve or disapprove of the" and insert "take action on the annual"

AMENDMENT NO. 98

On page 16, line 4, change "(b)" to "(2)" and after "disapproves" change "the" to "a"

AMENDMENT NO. 99

On page 16, after "the plan." delete the remainder of the line and delete lines 8 through 17 in their entirety

AMENDMENT NO. 100

On page 16, line 18, after "(3)" delete "(a)" and after "disapprove" delete "of"

AMENDMENT NO. 101

On page 16, at the end of line 19 delete "provided" and delete lines 20 through 24 in their entirety and insert a period "."

AMENDMENT NO. 102

On page 16, line 25, delete "(c)" and after "disapproves" delete "of"

AMENDMENT NO. 103

On page 16, line 29, after "(4)" insert "If the legislature approves the comprehensive master plan, or if the legislature fails to approve the comprehensive master plan within sixty days after the plan is submitted, the authority shall implement the plan as submitted."

AMENDMENT NO. 104

On page 17, line 1, after "disapprove the" insert "annual" and change "June" to "July" and at the end of the line after "plan" and before the period "." insert "as submitted"

AMENDMENT NO. 105

On page 17, line 4, change "and/or" to "or" and at the end of the line delete "the" and insert "a"

AMENDMENT NO. 106

On page 17, line 8, after "Any" insert "such"

AMENDMENT NO. 107

On page 17, line 9, after "specified in" delete the remainder of the line and insert "Subsections B and C of this Section."

AMENDMENT NO. 108

On page 17, delete line 13 in its entirety and insert "protect and restore Louisiana's coastal area, there shall be is hereby established in"

AMENDMENT NO. 109

On page 17, line 14, delete "on the effective date of this Subpart"

AMENDMENT NO. 110

On page 17, line 19, after "excluding" insert "federal revenues received as provided in Subsection C of this Section and"

AMENDMENT NO. 111

On page 18, at the end of line 7, change "Subsections" to "Subsection" and on line 8, delete "B(1)" and insert "Paragraph (B)(1)"

AMENDMENT NO. 112

On page 18, line 9, change "Fund" to "fund"

AMENDMENT NO. 113

On page 18, line 11, delete "Subsections A and B(1)" and insert "Subsection A and Paragraph (B)(1)"

AMENDMENT NO. 114

On page 18, line 20, after "C." delete the remainder of the line and delete line 21 in its entirety and insert the following:

"(1) Subject to Article VII, Sections 9(B) and 10.1 of the state constitution, in each fiscal year, the federal revenues that are received by the state generated from Outer Continental Shelf oil and gas activity and eligible, as provided by federal law, to be used for the purposes provided in this Subsection shall be deposited and credited by the treasurer to the Coastal Protection and Restoration Fund.

(2) Such federal revenues shall be used only for the purposes of coastal wetlands conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetlands losses."

AMENDMENT NO. 115

On page 18, line 26, after "which" insert a comma "," and "exclusive of federal revenues received as provided for in Subsection C of this Section."

AMENDMENT NO. 116

On page 19, line 10, delete "vegetated"

AMENDMENT NO. 117

On page 19, between lines 19 and 20, insert the following:

"(7) For coastal wetlands conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetlands losses."

AMENDMENT NO. 118

On page 19, between lines 23 and 24, insert the following: "§213.8. Private property and public rights

Recognizing that a substantial majority of the coastal wetlands in Louisiana are privately owned, it is anticipated that a significant portion of the projects funded through the Wetlands Conservation Coastal Protection and Restoration Fund either will occur on or in some manner affect private property. No rights whatsoever shall be created in the public, whether such rights be in the nature of ownership, servitude, or use, with respect to any private lands or waters utilized, enhanced, created, or otherwise affected by activities of any governmental agency, local, state, or federal, or any person contracting with same for the performance of any activities, funded in whole or in part, by expenditures from the Wetlands Conservation Coastal Protection and Restoration Fund or expenditures of federal funds. In the event legal proceedings are instituted by any person

seeking recognition of a right of ownership, servitude, or use in or over private property solely on the basis of the expenditure of funds from the ~~Wetlands Conservation~~ Coastal Protection and Restoration Fund, the state shall indemnify and hold harmless the owner of such property for any cost, expense, or loss related to such proceeding, including court costs and attorney fees."

AMENDMENT NO. 119

On page 19, after line 29, insert the following: "§214.3. Definitions

As used in this Subpart, the following terms shall have the meaning ascribed to them below:

(1) "Plan" means the ~~coastal vegetated wetlands conservation and restoration~~ annual coastal protection plan provided for in R.S. 49:213.6.

\* \* \*

AMENDMENT NO. 120

On page 20, line 7, after "restoration" insert "efforts"

AMENDMENT NO. 121

On page 22, line 18, after "by the" delete the remainder of the line and on line 19, after "Louisiana" insert "Levee Board Association"

AMENDMENT NO. 122

On page 22, line 20, change "Coastal Zone." to "coastal zone." and delete the remainder of the line and delete lines 21 through 24 in their entirety

AMENDMENT NO. 123

On page 22, delete lines 27 through 29 in their entirety and on page 23, delete line 1 in its entirety

AMENDMENT NO. 124

On page 23, between lines 28 and 29, insert the following: "Section 2. Act No. 300 of the 2005 Regular Session of the Louisiana Legislature is hereby repealed in its entirety."

AMENDMENT NO. 125

On page 23, at the beginning of line 29, change "Section 2." to "Section 3."

AMENDMENT NO. 126

On page 24, at the end of line 1, insert the following: "However, in the event that neither Senate Bill No. 27 nor House Bill No. 139 of the 2005 First Extraordinary Session passes the legislature or the proposed amendment to the Louisiana Constitution contained in the provisions of said Senate Bill No. 27 or House Bill No. 139 fails to receive the favorable vote of the electors, the name of the Coastal Protection and Restoration Authority provided for in this Act shall revert to the Wetlands Conservation and Restoration Authority; and the name of the Governor's Advisory Commission on Coastal Protection, Restoration, and Conservation provided for in this Act shall revert to the Governor's Advisory Commission on Coastal Restoration and Conservation; and the Coastal Protection and Restoration Fund provided for in this Act shall revert to the Wetlands Conservation and Restoration Fund; and the annual coastal protection plan provided for in this Act shall revert to the Wetlands Conservation and Restoration Plan, and the Law Institute is hereby directed to make the necessary technical changes to statutory law to reflect the appropriate names as provided herein."

AMENDMENT NO. 127

On page 24, at the beginning of line 2, change "Section 3." to "Section 4."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

In House Floor Conforming Amendment No. 8, on page 1, line 21, following "line" and before the "," change "11" to "22"

AMENDMENT NO. 2

In House Floor Conforming Amendment No. 13, on page 2, line 7, change "including levee districts" to ", including levee districts,"

AMENDMENT NO. 3

In House Floor Conforming Amendment No. 24, on page 3, line 3, at the end of the line, insert " " and on line 23 change "and" to "or""

AMENDMENT NO. 4

In House Floor Conforming Amendment No. 99, on page 8, line 31, following "16," and before "after" insert "line 7"

AMENDMENT NO. 5

In House Floor Conforming Amendment No.100, on page 9, line 2, at the end of the line, change "delete "of" " to "change of the" to "a"

AMENDMENT NO. 6

In House Floor Conforming Amendment No.103, on page 9, line 9, change "afte" to "after"

AMENDMENT NO. 7

In House Floor Conforming Amendment No.117, on page 10, line 26, at the end of the line, insert "and on line 21, change "Fund" to "fund"

AMENDMENT NO. 8

In House Floor Conforming Amendment No.122, on page 11, line 21, at the end of the line, change "through 24 in their entirety" to "and 22 in their entirety and on line 23, delete "Lafourche Parish"

AMENDMENT NO. 9

On page 8, line 25, following "Restoration" and before "Fund" delete "Trust"

AMENDMENT NO. 10

On page 10, line 1, following "the" delete the remainder of the line and on line 2 change "transportation, highways, and public works" to "legislature"

AMENDMENT NO. 11

On page 11, line 18, before "The" insert "A."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

In Conforming Amendment No. 103 proposed by Representative Alario and adopted by the House on November 16, 2005, on the second line of the amendment, change "approve" to "take action on"

AMENDMENT NO. 2

Delete Amendment No. 121 of the Conforming Amendments proposed by Representative Alario and adopted by the House on November 16, 2005

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "213.11" insert "and "213.12"

AMENDMENT NO. 2

On page 1, line 17, after "213.11" delete "is" and insert "and 213.12 are"

AMENDMENT NO. 3

On page 19, after line 28, insert the following:

"§213.12. Inspection Program

A. The authority shall establish and implement a comprehensive hurricane protection inspection program. Such program shall include the following:

(1) Reviewing of hurricane protection diagrams, designs and plans.

(2) Monitoring of defects and problems.

(3) Conducting of an inspection of every hurricane protection barrier and associated elements at least every five years, or after a hurricane impacts a hurricane protection barrier and associated elements. If a defect or problem is identified, then the authority shall measure and test elevations, soil conditions, and structural integrity of the hurricane protection barrier and associated elements.

B. The authority shall report a notice of defect in the hurricane protection within thirty days of the inspection results to the appropriate entity, or political subdivision. The notice shall contain a description of the defect. The notice of defect shall be mailed by certified mail, or return receipt requested. The appropriate entity, or political subdivision, shall have forty-five days from receipt of the notice of defect to provide the authority with a plan and timeline to remedy the defect."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Baldone to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

On page 12, at the end of line 17 add the following:

"The members serving under the provisions of this Paragraph may designate a person to serve as a proxy."

AMENDMENT NO. 2

On page 12, at the end of line 21, add the following:

"The members serving under the provisions of this Paragraph may designate a person to serve as a proxy."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 71 by Senator Dupre

AMENDMENT NO. 1

On page 12 delete lines 26 through 29 in their entirety

AMENDMENT NO. 2

On page 13, delete lines 1 through 8 in their entirety

**Motion**

Senator Dupre moved that the Senate concur in the amendments proposed by the House.

Senator Malone moved as a substitute motion that the Senate reject the amendments proposed by the House.

Senator Dupre objected.

**ROLL CALL**

The roll was called on the substitute motion with the following result:

YEAS

Barham	Fontenot	Michot
Boasso	Hollis	Romero
Cain	Jackson	Schedler
Cravins	Kostelka	Smith
Dardenne	Malone	Theunissen
Total - 15		

NAYS

Mr. President	Ellington	McPherson
Adley	Fields	Mount
Amedee	Gautreaux N	Murray
Bajoie	Heitmeier	Nevers
Broome	Jones	Ullo
Chaisson	Lentini	
Dupre	Marionneaux	
Total - 19		

ABSENT

Cheek	Gautreaux B	Shepherd
Duplessis	Quinn	
Total - 5		

The Chair declared the Senate refused to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called on the original motion to concur in the amendments proposed by the House with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Mount
Amedee	Fontenot	Murray
Bajoie	Gautreaux B	Nevers
Broome	Gautreaux N	Quinn
Chaisson	Heitmeier	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Dardenne	Kostelka	Ullo
Duplessis	Lentini	
Dupre	Marionneaux	
Total - 31		

NAYS

Barham	Hollis	Michot
Boasso	Malone	Romero
Total - 6		

ABSENT

Cain	Shepherd
Total - 2	

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

**Messages from the House**

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

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

November 21, 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. 3—

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

AN ACT

To amend and reenact R.S. 24:513(A)(5)(a) and 514(E) and (F), all relative to audit reports and financial statements of certain governmental entities; to provide for an extension of time relative to the completion of audit reports and financial statements in the event of certain disasters or emergencies; to provide for effectiveness provisions; and to provide for related matters.

Reported with amendments.

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

Rules Suspended

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

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

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

SENATE BILL NO. 3—

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

AN ACT

To amend and reenact R.S. 24:513(A)(5)(a) and 514(E) and (F), all relative to audit reports and financial statements of certain governmental entities; to provide for an extension of time relative to the completion of audit reports and financial statements in the event of certain disasters or emergencies; to provide for effectiveness provisions; 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

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 3 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "(F)" delete the comma "," and insert "and to enact R.S. 24:513.4,"

AMENDMENT NO. 2

On page 1, line 3, after "certain" and before "entities" delete "governmental"

AMENDMENT NO. 3

On page 1, line 5, after "emergencies;" and before "to provide" insert "to authorize the legislative auditor to audit certain organizations; to provide for the frequency of such audits;"

AMENDMENT NO. 4

On page 1, line 9, after "reenacted" and before "to read" insert "and R.S. 24:513.4 is hereby enacted"

AMENDMENT NO. 5

On page 2, between lines 26 and 27, insert the following: "§513.4 Not for profit disaster relief or recovery organizations; audit authority

A. The legislative auditor shall have authority to compile financial statements and to examine, audit, or review the books and accounts of any not for profit organization which is created by a public official in the state of Louisiana, any political subdivision or agency thereof, any special district or authority, or unit of local government or by any other person for the purpose of accepting donations, charitable contributions, or other funds for disaster relief or recovery and which existence is promoted in any manner by one or more public officials or public entities in the state of Louisiana. The scope of the examinations may include financial accountability, legal compliance and evaluations of the economy, efficiency, and effectiveness of the auditee's programs or any combination of the foregoing. In addition to the authority granted above, the legislative auditor shall have access to and be permitted to examine all papers, books, accounts, records, files, instruments, documents, films, tapes, and any other forms of recordation of such an organization, including but not limited to computers and recording devices, and all software and hardware which hold data, are part of the technical processes leading up to the retention of data, or are part of the security system. For the purposes of this Chapter, any not for profit organization which is created by an public official of the state of Louisiana or any political subdivision or agency thereof, any special district or authority, or unit of local government or by any other person for the purpose of accepting donations, charitable contributions, or other funds for disaster relief or recovery and which existence is promoted in any manner by one or more public officials or public entities in the state of Louisiana shall be considered to be a "local auditee."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEA, NAY. Lists names like Mr. President, Dupre, McPherson, etc.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, ABSENT. Lists names like Gautreaux B, Shepherd.

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

**Rules Suspended**

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

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

The following House 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 Schedler asked that House Bill No. 63 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 63—**

BY REPRESENTATIVES SCHNEIDER, ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMAN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, M. POWELL, T. POWELL, SCALISE, SMILEY, JANE SMITH, STRAIN, 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 enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total - 38

**NAYS**

Total - 0

**ABSENT**

Shepherd  
Total - 1

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

**Called from the Calendar**

Senator Schedler asked that House Bill No. 120 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 120—**

BY REPRESENTATIVE SCHNEIDER  
**AN ACT**

To enact Subpart O of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:321, relative to Deferred Retirement Option Plans of public retirement systems in the state; to allow certain plan participants who have not separated from service to withdraw the monies in their plan accounts; to provide relative to such monies for income tax purposes; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Schedler 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	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Duplessis	Malone	

Total - 38

**NAYS**

Total - 0

**ABSENT**

Shepherd  
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler 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**

**CONCURRING IN SENATE CONCURRENT RESOLUTIONS**

November 21, 2005

To the Honorable President and Members of the Senate:

November 21, 2005

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. 30— BY SENATOR SMITH AND REPRESENTATIVES BEARD AND SCALISE 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.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 39— BY SENATORS MICHOT, BROOME AND CAIN AND REPRESENTATIVE SCALISE A CONCURRENT RESOLUTION

To honor and commend the pastors with PRC Compassion who mobilized their churches to rescue and assist Louisiana citizens displaced by hurricanes Katrina and Rita.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 41— BY SENATORS CAIN, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO A CONCURRENT RESOLUTION

To urge and request the Congress of the United States to change the coastal line by which the state receives tax and mineral revenue from three miles to twelve miles to be consistent with the states of Texas and Mississippi as it relates to the receipt of federal tax and mineral revenue.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 42— BY SENATOR MARIONNEAUX AND REPRESENTATIVE CAZAYOUX A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education (BESE) to make adjustments in the Minimum Foundation Program formula (MFP) for the 2006-2007 school year and thereafter as necessary to correct an error in allocation which was created by a tax assessment which was overturned by the Louisiana Supreme Court which consequently resulted in an erroneous calculation of certain salary adjustments to be paid by the Pointe Coupee Parish School Board.

Reported without amendments.

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

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. 16— BY SENATOR ADLEY A RESOLUTION

To urge and request the Senate Committee on Revenue and Fiscal Affairs to conduct an in-depth study of, and to develop recommendations to revise, the capital outlay budget process.

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

SENATE RESOLUTION NO. 17— BY SENATOR FIELDS A RESOLUTION

To commend and congratulate the Louisiana Leadership Institute marching band upon winning first place in the Home Depot/VH1 Battle of the High School Marching Bands competition.

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

SENATE CONCURRENT RESOLUTION NO. 43— BY SENATOR HEITMEIER A CONCURRENT RESOLUTION

To urge and request state agencies to cooperate to develop an easily accessible web site on which to post information about disaster related contracts.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Yeas and Nays.

NAYS

Total - 0

ABSENT

Shepherd Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 44— BY SENATORS BAJOIE, JONES, CRAVINS, MURRAY, FIELDS, DUPLESSIS, SHEPHERD AND QUINN A CONCURRENT RESOLUTION

To commend Lieutenant General Russel Honore for his outstanding leadership and incredible efforts in response to hurricanes Katrina and Rita.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Yeas and Nays.

Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
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 - 38

NAYS

Total - 0

ABSENT

Shepherd  
Total - 1

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 21, 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. 65—**  
BY REPRESENTATIVE RICHMOND  
A CONCURRENT RESOLUTION

To direct the Louisiana Housing Finance Agency to establish a low or no interest loan program for homeowners affected by Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 67—**  
BY REPRESENTATIVE GEYMAN  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources, in cooperation with the Department of Environmental Quality, to assemble federal, state, parish, and municipal officials to conduct a forum and demonstration on the safe and efficient use of wood waste debris created by Hurricanes Katrina and Rita in wetland restoration.

**HOUSE CONCURRENT RESOLUTION NO. 68—**  
BY REPRESENTATIVE HEBERT  
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to develop a system by which parish residents are given priority for housing in FEMA trailers located within their parish.

**HOUSE CONCURRENT RESOLUTION NO. 69—**  
BY REPRESENTATIVE JEFFERSON  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans, including but not limited to providing funding through the United States Department of Housing and Urban Development in the form of Community

Development Block Grants to investor-owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita.

**HOUSE CONCURRENT RESOLUTION NO. 70—**  
BY REPRESENTATIVE DORSEY  
A CONCURRENT RESOLUTION

To commend Ms. Diane Alexander for her bravery, courage, and determination and her role in the arrest and conviction of Derrick Todd Lee.

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

**Senator Marionneaux in the Chair**

**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. 65—**  
BY REPRESENTATIVE RICHMOND  
A CONCURRENT RESOLUTION

To direct the Louisiana Housing Finance Agency to establish a low or no interest loan program for homeowners affected by Hurricanes Katrina and Rita.

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

Total - 35

NAYS

Total - 0

ABSENT

Cravins	Heitmeier
Gautreaux B	Shepherd

Total - 4

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

**HOUSE CONCURRENT RESOLUTION NO. 67—**  
BY REPRESENTATIVE GEYMAN  
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources, in cooperation with the Department of Environmental Quality, to assemble federal, state, parish, and municipal officials to conduct a forum and demonstration on the safe and efficient use of wood waste debris created by Hurricanes Katrina and Rita in wetland restoration.

November 21, 2005

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux N, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo. Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, Name. Includes Gautreaux B, Heitmeier, Shepherd. Total - 3

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

HOUSE CONCURRENT RESOLUTION NO. 68— BY REPRESENTATIVE HEBERT A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to develop a system by which parish residents are given priority for housing in FEMA trailers located within their parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo. Total - 37

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, Name. Includes Heitmeier, Shepherd. Total - 2

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

HOUSE CONCURRENT RESOLUTION NO. 69— BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans, including but not limited to providing funding through the United States Department of Housing and Urban Development in the form of Community Development Block Grants to investor-owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Dardenne, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo. Total - 38

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT, Name. Includes Shepherd. Total - 1

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

HOUSE CONCURRENT RESOLUTION NO. 70— BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To commend Ms. Diane Alexander for her bravery, courage, and determination and her role in the arrest and conviction of Derrick Todd Lee.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Hollis, Jackson, Jones, Malone, Marionneaux, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith. Total - 37



Cravins Dardenne Total - 36	Kostelka Lentini	Theunissen Ullo
	NAYS	
Total - 0	ABSENT	
Heitmeier Total - 3	McPherson	Shepherd

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:

**SENATE CONFERENCE COMMITTEE REPORT**  
Senate Bill No. 1 by Senator Amedee

November 21, 2005

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

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 1 by Senator Amedee recommend the following concerning the Reengrossed bill:

1. That all Conforming House Floor Amendments proposed by Representative Cravins and adopted by the House of Representatives on November 14, 2005 be rejected.
2. That House Floor Amendment Nos. 1, 2, 4, 5, 6, 9, and 12 proposed by Representative Cravins and adopted by the House of Representatives on November 16, 2005 be rejected.
3. That House Floor Amendment Nos. 7, 8, 10, 11, 13, and 14 proposed by Representative Cravins and adopted by the House of Representatives on November 16, 2005 be accepted.
4. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 6, after "circumstances;" delete the remainder of the line and delete line 7 in its entirety and insert in lieu thereof the following:

"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; and to provide for related matters."

Senators: Jody Amedee Joel T. Chaisson, II Heulette "Clo" Fontenot	Respectfully submitted, Representatives: Donald R. Cravins, Jr. Eddie J. Lambert Daniel R. "Danny" Martiny
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**Rules Suspended**

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 0

ABSENT

Jones Total - 2	Shepherd
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The Chair declared the Conference Committee Report was adopted. Senator Amedee moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Message from the House**

**SIGNED HOUSE BILLS AND JOINT RESOLUTIONS**

November 21, 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. 6— (Duplicate of Senate Bill No. 80)**  
BY REPRESENTATIVE PINAC AND 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.

**HOUSE BILL NO. 7—**  
BY REPRESENTATIVE SALTER AND SENATOR HINES  
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.

**HOUSE BILL NO. 27— (Duplicate of Senate Bill No. 64)**  
BY REPRESENTATIVE SALTER AND SENATOR HINES AND COAUTHORED BY REPRESENTATIVES ALARIO, DEWITT, DORSEY, AND HAMMETT AND SENATORS HEITMEIER 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.

**HOUSE BILL NO. 92—**  
BY REPRESENTATIVES GREENE AND THOMPSON AND SENATOR MURRAY  
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.

**HOUSE BILL NO. 104—**  
BY REPRESENTATIVES GREENE, ANSARDI, AND GALLOT AND  
SENATORS LENTINI AND MURRAY  
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.

**HOUSE BILL NO. 127—**  
BY REPRESENTATIVE MARTINY AND SENATOR MARIONNEAUX  
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.

**HOUSE BILL NO. 131— (Duplicate of Senate Bill No. 84)**  
BY REPRESENTATIVE SALTER AND SENATOR MCPHERSON AND  
COAUTHORED BY REPRESENTATIVES 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.

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

BY REPRESENTATIVES QUEZAIRE, 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.

**HOUSE BILL NO. 135— (Duplicate of Senate Bill No. 82)**  
BY REPRESENTATIVE PINAC AND 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 during certain emergencies relating to certain nondepository institutions regulated by the commissioner; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 142—**  
BY REPRESENTATIVES SALTER, SCALISE, SCHNEIDER, THOMPSON,  
AND WALSWORTH  
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.

**HOUSE BILL NO. 143—**  
BY REPRESENTATIVES SALTER, SCHNEIDER, AND WALSWORTH  
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.

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 21, 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. 2—**  
BY REPRESENTATIVES LANCASTER AND JEFFERSON AND SENATOR  
JONES

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.

**HOUSE CONCURRENT RESOLUTION NO. 41—**  
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to enjoin the Federal Emergency Management Agency from mandating that structures rebuilt in the New Orleans area after Hurricane Katrina be elevated.

**HOUSE CONCURRENT RESOLUTION NO. 42—**  
BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to develop and provide innovative solutions for financing housing in parishes in Louisiana devastated by Hurricanes Katrina and Rita.

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.

**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 21, 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 Bills has been properly enrolled:

**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. GAUTREAU, N. GAUTREAU, 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, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, HARRIS, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LAFLEUR, 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.

**SENATE BILL NO. 27— (Duplicate of House Bill No. 139)**

BY SENATOR DUPRE AND REPRESENTATIVE ALARIO AND COAUTHORED BY SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, ELLINGTON, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVES ARNOLD, BALDONE, BAUDOIN, BRUCE, BURRELL, K. CARTER, CAZAYOUX, CRANE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DORSEY, DOVE, FANNIN, FARRAR, FAUCHEUX, FRITH, GRAY, HAMMETT, HARRIS, HEBERT, HILL, HONEY, HUTTER, JACKSON, JEFFERSON, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MCDONALD, ODINET, PIERRE, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, TUCKER, WALKER, WHITE AND WOOTON

**A JOINT RESOLUTION**

Proposing to amend Article VII, Sections 10(D)(2)(e), 10.2, and 10.5(B) and (C) of the Constitution of Louisiana and to repeal Act No. 513 of the 2005 Regular Session, 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; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

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

November 21, 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. 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.

**SENATE CONCURRENT RESOLUTION NO. 25—**

BY SENATORS HOLLIS, ADLEY, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, B. GAUTREAU, N. GAUTREAU, 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.

**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."

**SENATE CONCURRENT RESOLUTION NO. 32—**

BY SENATORS MICHOT AND N. GAUTREAU 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.

**SENATE CONCURRENT RESOLUTION NO. 33—**

BY SENATORS MCPHERSON, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, CAIN, CHEEK, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, 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.

November 21, 2005

**SENATE CONCURRENT RESOLUTION NO. 34—**

BY SENATORS B. GAUTREAU, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, N. GAUTREAU, 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.

**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.

**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.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

**Adjournment**

Senator Bajoie moved that the Senate adjourn until Tuesday, November 22, 2005, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Tuesday, November 22, 2005.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk