

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

NINTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, February 20, 2008

The Senate was called to order at 3:00 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

ABSENT

Smith
Total - 1

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

Prayer

The prayer was offered by Pastor Raymond Watson, 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 Broome, the reading of the Journal was dispensed with and the Journal of February 19, 2008, was adopted.

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**

February 19, 2008

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR DUPRE AND REPRESENTATIVES DOVE AND BALDONE
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend the expiration deadline of the Gulf Opportunity Zone Act of 2005.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR DUPRE
A CONCURRENT RESOLUTION

To express support for the Coastal Restoration and Enhancement Through Science and Technology program for its important work in ensuring sustainable and productive coastal habitats and communities.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATORS THOMPSON AND LONG AND REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Claude Hamilton "Grits" Gresham, Jr., and to recognize his distinguished career as a noted Louisiana outdoor legend, author, and TV personality.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR JACKSON
A CONCURRENT RESOLUTION

To urge and request the secretary of state to disseminate the contents of legislation enacted at the 2008 First Extraordinary Session to all elected officials, state board and commission members, and state agency heads in the most efficient and effective ways possible and to encourage such public servants to further disseminate such information to all other affected public servants.

Reported without amendments.

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

**Introduction of
Senate Concurrent Resolutions**

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

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

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highway 182 and Darby Lane and at the intersection of Louisiana Highway 31 and Darby Lane in New Iberia, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrish
Alario	Gautreaux B	Mount
Amedee	Hebert	Murray

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Broome	Heitmeier	Nevers
Cassidy	Jackson	Riser
Cheek	Kostelka	Scalise
Cravins	Long	Shaw
Donahue	Marionneau	Thompson
Duplessis	Martiny	Walsworth
Total - 30		

NAYS

Total - 0

ABSENT

Crowe	Gray	Quinn
Dorsey	LaFleur	Shepherd
Gautreaux N	McPherson	Smith
Total - 9		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

February 20, 2008

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 5—

BY SENATOR CHAISSON

A RESOLUTION

To adopt Senate Rule 8.4 of the Rules of Order of the Senate, relative to amendments to any appropriations bill; to require supplemental information forms with amendments proposing appropriations to certain non-government entities.

Reported by substitute.

HOUSE BILL NO. 22—

BY REPRESENTATIVE CHAMPAGNE

AN ACT

To amend and reenact R.S. 42:1119(D), relative to nepotism; to provide relative to the persons who are subject to penalties in the enforcement of violations of the nepotism prohibitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 23—

BY REPRESENTATIVES LEGER AND BALDONE

AN ACT

To enact R.S. 42:1123(38), relative to governmental ethics; to allow certain public servants to accept certain free legal services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 33—

BY REPRESENTATIVE PETERSON

AN ACT

To amend and reenact R.S. 42:1170(C), relative to ethics education; to provide for certain qualifications and requirements for ethics designees in certain agencies; to require certain training for such

persons; to provide for the manner and procedure for designating such persons; to require certain notifications; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 65—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 18:463(A)(2) and 491(C) and to enact R.S. 18:492(A)(6), relative to qualifying for primary elections; to require a candidate to certify that he does not owe any ethics fines as a condition of qualification; to provide relative to objections to candidacy based on false certification regarding ethics fines; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 73—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 18:1485(E), relative to certain campaign reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 74—

BY REPRESENTATIVES CONNICK AND BALDONE

AN ACT

To amend and reenact R.S. 42:1142(A) and to enact R.S. 42:1141.1, relative to the Board of Ethics; to provide for a process of declaratory opinions of the board; to provide procedures for obtaining such opinions; to provide for matters on which the board may render declaratory opinions; to provide for circumstances in which the board may refuse to issue such decisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 78—

BY REPRESENTATIVES LEGER AND BALDONE

AN ACT

To amend and reenact R.S. 18:1485(C), relative to certain campaign finance reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 90—

BY REPRESENTATIVES DIXON AND TUCKER

AN ACT

To amend and reenact R.S. 42:1141(B)(1)(a) and (C), relative to the enforcement procedures of the Board of Ethics; to require the board to provide certain information to the accused and the complainant; to provide relative to deadlines for the provision of such information; to provide relative to the issuance of charges by the board; to provide relative to the content of such charges; to provide relative to hearings on such charges; to require the board to consider offering consent opinions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

February 20, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARRAS, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DANAHAY, DOERGE, DOVE, GISCLAIR, HENRY, HILL, HINES, LABRUZZO, LIGI, PEARSON, PONTI, PUGH, RICHARD, ROY, SCHRODER, SMILEY, JANE SMITH, WILLIAMS, ABRAMSON, ANDERS, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMANN, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PERRY, POPE, RICHARDSON, RICHMOND, RITCHE, ROBIDEAUX, SIMON, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, 1157(A)(4)(a), and 1167, to enact R.S. 18:1495.7 and R.S. 42:1124.2 and 1124.3, and to repeal R.S. 18:463(B) and R.S. 42:1114.1, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by candidates for certain offices; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to remove certain specific financial disclosure provisions applicable to members of the legislature; to provide for penalties; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 41—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GISCLAIR, GUINN, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, KATZ, LABRUZZO, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MORRELL, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WHITE, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 42:1141(C), (D), (E), and (F) and to enact R.S. 49:992.1 and 994(E), relative to enforcement of laws within the jurisdiction of the Board of Ethics; to provide for proceedings related to such enforcement; to provide for the powers, functions, and duties of the board relative to such enforcement; to provide for the Ethics Adjudicatory Board; to provide for the powers, functions, and duties of the Ethics Adjudicatory Board and the division of administrative law relative to such enforcement; to provide for the conduct of hearings and procedures related thereto; to provide relative to appeals; to provide relative to effectiveness; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

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

HOUSE BILL NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARRAS, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DANAHAY, DOERGE, DOVE, GISCLAIR, HENRY, HILL, HINES, LABRUZZO, LIGI, PEARSON, PONTI, PUGH, RICHARD, ROY, SCHRODER, SMILEY, JANE SMITH, WILLIAMS, ABRAMSON, ANDERS, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMANN, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PERRY, POPE, RICHARDSON, RICHMOND, RITCHE, ROBIDEAUX, SIMON, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, 1157(A)(4)(a), and 1167, to enact R.S. 18:1495.7 and R.S. 42:1124.2 and 1124.3, and to repeal R.S. 18:463(B) and R.S. 42:1114.1, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by candidates for certain offices; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to remove certain specific financial disclosure provisions applicable to members of the legislature; to provide for penalties; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Re-Reengrossed House Bill No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, change "1157(A)(4)(a), and 1167" to "and 1157(A)(4)(a),"

AMENDMENT NO. 2

On page 3, delete lines 4 through 9, and insert the following:
"(2)(a) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon first conviction thereof shall be fined not less than one thousand dollars nor more than five thousand dollars.

(b)Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon second or subsequent convictions thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both.

(c) Any person prosecuted under this Section shall have a right to be tried before a jury of six persons, all of whom shall concur to render a verdict."

AMENDMENT NO. 3

On page 3, line 10, change "1157(A)(4)(a), and 1167" to "and 1157(A)(4)(a)"

AMENDMENT NO. 4

On page 4, line 28, after "(4)" insert "(a)" and on page 5, between lines 3 and 4, insert the following:

"(b) The name, address, brief description of, and nature of association with a nonprofit organization in which the individual or spouse is a director or officer."

AMENDMENT NO. 5

On page 5, line 7, at the end of the line, insert "any of the following:" and on line 8 delete "the" and insert "(i) The"

AMENDMENT NO. 6

On page 5, between lines 9 and 10 insert the following:

"(ii) Services performed for or in connection with a gaming interest as defined in R.S. 18:1505.2(L)(3)(a)."

AMENDMENT NO. 7

On page 6, between lines 21 and 22, insert the following:

"(g) Nothing in this Section shall require the disclosure or reporting of income derived from child support and alimony payments contained in a court order or from disability payments from any source."

AMENDMENT NO. 8

On page 7, delete lines 1 through 7 and insert the following:

"(8) A brief description, amount, and date of any purchase or sale, in excess of one thousand dollars, of any immovable property and of any personally owned tax credit certificates, stocks, bonds, or commodities futures, including any option to acquire or dispose of any immovable property or of any personally owned tax credit certificates, stocks, bonds, or commodities futures. Nothing in this Paragraph shall require the reporting of information concerning variable annuities, variable life insurance, and variable universal life insurance."

"(9) The name, brief description, and amount of each investment security having a value exceeding one thousand dollars held by the individual or spouse, excluding variable annuities, variable life insurance, variable universal life insurance, mutual funds, education investment accounts, retirement investment accounts, government bonds, and cash or cash equivalent investments. This Paragraph shall not be deemed to require disclosure of information concerning any property held and administered for any person other than the individual or spouse under a trust, tutorship, curatorship, or other custodial instrument."

AMENDMENT NO. 9

On page 7, line 8, change "(9)" to "(10)"

AMENDMENT NO. 10

On page 7, delete lines 14 through 18 and insert the following:

"(b) Any liability, secured or unsecured, which is guaranteed by the individual or spouse for a business in which the individual or spouse owns any interest, provided that the liability is in the name of the business and, if the liability is a loan, that the individual or spouse does not use proceeds from the loan for personal use unrelated to the business."

"(c) Any loan from an immediate family member, unless such family member is a registered lobbyist, or his principal or employer is a registered lobbyist, or he employs or is a principal of a registered lobbyist, or unless such family member has a contract with the state."

"(11) A certification that such individual has filed his federal and state income tax returns, or has filed for an extension of time for filing such tax returns."

AMENDMENT NO. 11

On page 8, delete lines 20 through 22

AMENDMENT NO. 12

On page 8, between lines 22 and 23, insert the following:

"G. Except as required by Paragraph (4) for income derived from professional or consulting services rendered, including mental health, medical health, or legal services, nothing in this Section shall be construed to require the disclosure of the name or address of any person when such disclosure would be prohibited by law or by a professional code."

AMENDMENT NO. 13

On page 8, line 23, change "F. G." to "F. H."

AMENDMENT NO. 14

On page 8, delete lines 28 and 29 and on page 9, delete lines 1 through 6 and insert the following:

"(2)(a) "Income" for a business shall mean gross income less both of the following:

(i) Costs of goods sold.

(ii) Operating expenses.

(b) "Income" for an individual shall mean taxable income and shall not include any income received pursuant to a life insurance policy."

AMENDMENT NO. 15

On page 9, line 7, change "H." to "I."

AMENDMENT NO. 16

On page 10, delete lines 8 through 13 and insert the following:

"(2)(a) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon first conviction thereof shall be fined not less than one thousand dollars nor more than five thousand dollars."

(b) Whoever fails to disclose or accurately disclose the information by the deadline included in the notice of delinquency shall be subject to prosecution for a misdemeanor and upon second or subsequent convictions thereof shall be fined not less than one thousand dollars nor more than ten thousand dollars or imprisoned in parish prison for not more than six months, or both."

(c) Any person prosecuted under this Section shall have a right to be tried before a jury of six persons, all of whom shall concur to render a verdict."

AMENDMENT NO. 17

On page 10, delete line 18 and insert the following: "six months, or both. Any prosecution person prosecuted under this Subsection shall have a right to be tried before a"

AMENDMENT NO. 18

On page 10, line 24, delete "each judge."

AMENDMENT NO. 19

On page 10, line 27, change "ten" to "one hundred"

AMENDMENT NO. 20

On page 12, line 27, delete "judge or"

AMENDMENT NO. 21

On page 13, line 27, after "business" delete the remainder of the line and delete line 28 and insert a period

AMENDMENT NO. 22

On page 15, delete lines 9 through 11

AMENDMENT NO. 23

On page 15, line 15, after "less" insert "both of the following"

AMENDMENT NO. 24

On page 15, delete lines 20 and 21

AMENDMENT NO. 25

On page 15, line 22, change "(4)" to "(3)"

AMENDMENT NO. 26

On page 15, line 23, change "(5)" to "(4)"

AMENDMENT NO. 27

On page 16, line 14, change "(5)(a)" to "(C)(5)(a)"

AMENDMENT NO. 28

On page 16, between lines 18 and 19 insert the following:

"K. Nothing in this Section shall require the disclosure or reporting of income derived from child support and alimony"

payments contained in a court order or from the reporting or disclosure of income derived from disability payments from any source."

AMENDMENT NO. 29

On page 16, line 22, after "thousand" insert "and each member of a state board or commission which has the authority to expend, disburse, or invest more than ten thousand dollars of funds but less than one hundred thousand dollars of funds in a fiscal year"

AMENDMENT NO. 30

On page 18, delete lines 1 through 7

On motion of Senator Kostelka the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 22—

BY REPRESENTATIVE CHAMPAGNE
AN ACT

To amend and reenact R.S. 42:1119(D), relative to nepotism; to provide relative to the persons who are subject to penalties in the enforcement of violations of the nepotism prohibitions; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 23—

BY REPRESENTATIVES LEGER AND BALDONE
AN ACT

To enact R.S. 42:1123(38), relative to governmental ethics; to allow certain public servants to accept certain free legal services; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 33—

BY REPRESENTATIVE PETERSON
AN ACT

To amend and reenact R.S. 42:1170(C), relative to ethics education; to provide for certain qualifications and requirements for ethics designees in certain agencies; to require certain training for such persons; to provide for the manner and procedure for designating such persons; to require certain notifications; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 41—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GISCLAIR, GUINN, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, KATZ, LABRUZZO, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MORRELL, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WHITE, WILLIAMS, AND WILLMOTT
AN ACT

To amend and reenact R.S. 42:1141(C), (D), (E), and (F) and to enact R.S. 49:992.1 and 994(E), relative to enforcement of laws within the jurisdiction of the Board of Ethics; to provide for proceedings related to such enforcement; to provide for the powers, functions, and duties of the board relative to such enforcement; to provide for the Ethics Adjudicatory Board; to provide for the powers, functions, and duties of the Ethics

Adjudicatory Board and the division of administrative law relative to such enforcement; to provide for the conduct of hearings and procedures related thereto; to provide relative to appeals; to provide relative to effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1

On page 2, line 16, after "received or," delete the remainder of the line and insert "if no sworn complaint was received, within one"

AMENDMENT NO. 2

On page 2, line 22, change "division of administrative law" to "Ethics Adjudicatory Board"

AMENDMENT NO. 3

On page 2, at the end of line 23, change "Subpart" to "Part"

AMENDMENT NO. 4

On page 2, delete lines 24 through 29 and on page 3, delete lines 1 through 3 and insert the following:

"(b)(i) The director of the division of administrative law shall randomly select seven administrative law judges from among those who meet the qualifications to comprise the Ethics Adjudicatory Board. Members of the board shall have not less than two years of experience as an administrative law judge or not less than ten years experience in the practice of law.

(ii) Members of the Ethics Adjudicatory Board shall be subject to the same financial disclosure requirements as are provided by law for members of the Board of Ethics. Such members shall also be subject to the same limitations regarding contracting as are applicable to the members of the Board of Ethics as provided by law.

(c)(i) The Ethics Adjudicatory Board shall sit in rotating panels composed of three administrative law judges randomly selected from among the members of the board. The administrative law judge most senior in service who is present shall preside. The determination of the majority of the panel in a particular case shall be the determination of the Ethics Adjudicatory Board. After the hearing, the presiding administrative law judge shall assign authorship responsibility for the determination."

AMENDMENT NO. 5

On page 3, delete line 4 and insert "(ii) At the hearing, an ethics adjudicatory panel shall determine whether"

AMENDMENT NO. 6

On page 3, line 6, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 7

On page 3, line 6, change "he" to "it"

AMENDMENT NO. 8

On page 3, line 8, change "(ii)" to "(iii)"

AMENDMENT NO. 9

On page 3, line 8, change "division of administrative law" to "ethics adjudicatory panel"

AMENDMENT NO. 10

On page 3, line 11, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 11

On page 3, line 12, change "administrative law judge" to "ethics adjudicatory panel"

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AMENDMENT NO. 12

On page 3, line 13, change "his" to "its"

AMENDMENT NO. 13

On page 3, line 13, change "board" to "Board of Ethics"

AMENDMENT NO. 14

On page 3, line 15, change "administrative law judge's" to "ethics adjudicatory panel's"

AMENDMENT NO. 15

On page 3, line 16, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 16

On page 3, line 18, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 17

On page 3, line 19, change "board" to "Board of Ethics"

AMENDMENT NO. 18

On page 3, line 20, change "administrative law judge." to "ethics adjudicatory panel."

AMENDMENT NO. 19

On page 3, line 21, change "administrative law judge." to "ethics adjudicatory panel."

AMENDMENT NO. 20

On page 3, delete line 22 and on line 23, delete "law" and insert "D. Location of hearings. The ~~board or panel~~ Board of Ethics, a panel thereof, or an ethics adjudicatory panel."

AMENDMENT NO. 21

On page 4, delete lines 4 and 5 and insert "(b) The board shall give public notice of each hearing to be conducted by the Ethics Adjudicatory Board pursuant to this Section."

AMENDMENT NO. 22

On page 4, delete line 25 and insert "the board or panel, the Ethics Adjudicatory Board, or any court authorized to conduct"

AMENDMENT NO. 23

On page 5, delete line 7 and insert "board or panel, the Ethics Adjudicatory Board, or any court authorized to conduct any"

AMENDMENT NO. 24

On page 6, line 10, change "administrative law judge" to "Ethics Adjudicatory Board"

AMENDMENT NO. 25

On page 7, line 26, delete "an"

AMENDMENT NO. 26

On page 7, delete line 27 and insert "judges who are licensed to practice law in Louisiana."

On motion of Senator Kostelka the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 65—

BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 18:463(A)(2) and 491(C) and to enact R.S. 18:492(A)(6), relative to qualifying for primary elections; to require a candidate to certify that he does not owe any ethics fines as a condition of qualification; to provide relative to objections to candidacy based on false certification regarding ethics fines; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 65 by Representative Greene

AMENDMENT NO. 1

On page 3, line 9, change "may" to "may shall"

AMENDMENT NO. 2

On page 3, line 10, after "bring" insert "or join in"

AMENDMENT NO. 3

On page 3, line 13, change "may" to "shall"

AMENDMENT NO. 4

On page 3, line 13, after "bring" insert "or join in"

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

HOUSE BILL NO. 73—

BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 18:1485(E), relative to certain campaign reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 74—

BY REPRESENTATIVES CONNICK AND BALDONE
AN ACT

To amend and reenact R.S. 42:1142(A) and to enact R.S. 42:1141.1, relative to the Board of Ethics; to provide for a process of declaratory opinions of the board; to provide procedures for obtaining such opinions; to provide for matters on which the board may render declaratory opinions; to provide for circumstances in which the board may refuse to issue such decisions; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 78—

BY REPRESENTATIVES LEGER AND BALDONE
AN ACT

To amend and reenact R.S. 18:1485(C), relative to certain campaign finance reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 78 by Representative Leger

AMENDMENT NO. 1

On page 2, delete lines 8 and 9 and insert the following: "Section 3. The provisions of this Section shall be effective January 1, 2010. The provisions of Section 1 of this Act shall be

effective January 1, 2010, and shall remain effective through December 31, 2011. The provisions of Section 2 of this Act shall become effective January 1, 2012."

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

HOUSE BILL NO. 90—
BY REPRESENTATIVES DIXON AND TUCKER
AN ACT

To amend and reenact R.S. 42:1141(B)(1)(a) and (C), relative to the enforcement procedures of the Board of Ethics; to require the board to provide certain information to the accused and the complainant; to provide relative to deadlines for the provision of such information; to provide relative to the issuance of charges by the board; to provide relative to the content of such charges; to provide relative to hearings on such charges; to require the board to consider offering consent opinions; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Senate Resolutions
on Second Reading
Reported by Committees**

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

SENATE RESOLUTION NO. 5—
BY SENATOR CHAISSON

A RESOLUTION

To adopt Senate Rule 8.4 of the Rules of Order of the Senate, relative to amendments to any appropriations bill; to require supplemental information forms with amendments proposing appropriations to certain non-government entities.

Reported by substitute by the Committee on Senate and Governmental Affairs. The resolution was read by title; the committee substitute resolution was read.

SENATE RESOLUTION NO.— (Substitute of Senate
Resolution No. 5 by
Senator Chaisson)

BY SENATOR CHAISSON

A RESOLUTION

To adopt Senate Rule 8.4 of the Rules of Order of the Senate, relative to proposals for funding by certain non-governmental entities; to require the submission of certain information.

BE IT RESOLVED that the Senate of the Legislature of Louisiana adopts Senate Rule No. 8.4 of the Rules of Order of the Senate to read as follows:

Rule 8.4. Proposals for funding by certain non-governmental entities

A.(1) No later than the first day of November each year any non-governmental entity which is neither a budget unit nor a political subdivision of the state that is requesting funding from the state through the General Appropriation Bill, Capital Outlay Bill, or any supplemental appropriation bill shall transmit certain information relative to such proposed funding to the Senate Committee on Finance and the Senate Committee on Revenue and Fiscal Affairs in a form and manner as shall be prescribed jointly by the committees.

(2) The provisions of this Rule shall not apply to appropriations for the payment of money judgments against the state, including consent judgments, stipulated judgments,

judgments rendered by the Board of Tax Appeals, and other judgments against the state.

B. Such information shall, at a minimum, include the following:

(1) The recipient's full legal name, mailing address and physical address.

(2) The type of entity (for instance, a nonprofit corporation) and, if the entity is a corporation, the names of the incorporators of the recipient.

(3) The last four numbers of the taxpayer identification number of the recipient.

(4) The full names and addresses of the governing board and all officers of the recipient entity. Additionally, the entity shall provide the full names and addresses of its executive director, chief executive officer, or other person responsible for the operation of the entity, and the key personnel responsible for the program or functions to be funded through the proposed funding.

(5) A list of employees of the entity, if any.

(6) The dollar amount of the proposed funding.

(7)(a) The recipient's proposed comprehensive budget showing all anticipated uses of the proposed monies, including additional sources of revenue for the program or project proposed, and amounts budgeted by categories of expenditures, including but not limited to salaries, operating services, professional services, contracts, acquisitions, major repairs, and other charges.

(b) A certification that the entity has no outstanding audit issues or findings or that the entity is working with appropriate governmental agencies to resolve those issues or findings.

(8) The recipient's public purpose sought to be achieved through the use of state monies and the goals and objectives to achieve such purpose.

(9) The proposed length of time the recipient estimates is needed to accomplish the purpose.

(10) If any elected or appointed state official or an immediate family member of such an official is an officer, director, trustee, or employee of the recipient who receives compensation or holds any ownership interest therein:

(a) If an elected or appointed state official, the name and address of the official and the office held by such person.

(b) If an immediate family member of an elected or appointed state official, the name and address of such person; the name, address, and office of the official to whom the person is related; and the nature of the relationship.

(c) The percentage of the official's or immediate family member's ownership interest in the recipient, if any.

(d) The position, if any, held by the official or immediate family member in the recipient.

(11) If the recipient has a contract with any elected or appointed state official or an immediate family member of such an official or with the state or any political subdivision of the state:

(a) If the contract is with an elected or appointed state official, the name and address of the official and the office held by such person.

(b) If the contract is with an immediate family member of an elected or appointed state official, the name and address of such person; the name, address, and office of the official to whom the person is related; and the nature of the relationship.

(c) If the contract is with the state or a political subdivision of the state, the name and address of the state entity or political subdivision.

(d) The nature of the contract, including a description of the goods or services provided or to be provided pursuant to the contract.

C. Requests submitted after November first may be included within the appropriation bills as specified in this Rule if the request meets all of the applicable requirements as provided in this Rule except for time of submission and if either of the following conditions have been met:

(1) If the late submission is approved at a joint meeting of the Senate Committee on Finance and the Senate Committee on Revenue and Fiscal Affairs prior to the last day for introduction

February 20, 2008

of a matter intended to have the effect of law by either house of the legislature.

(2) If the late submission is approved by the chairman of the Senate Committee on Finance for requests with respect to bills over which that committee has primary jurisdiction and by the chairman of the Senate Committee on Revenue and Fiscal Affairs for requests with respect to bills over which that committee has primary jurisdiction.

D. The information submitted pursuant to this Rule shall be published by the Secretary of the Senate and shall be made available to the public via the Internet. The Secretary of the Senate shall maintain the information required to be submitted by this Rule in an online, searchable database, available to the public via the Internet.

E. A motion to adopt any such amendment by any committee or by the Senate shall not be in order unless the requesting non-governmental entity has filed the required forms in accordance with the provisions of this Rule.

F. As used in this Section, the following terms shall have the meaning provided below, unless the context requires otherwise:

(1) "Appointed state official" means a person holding an office in any branch of state government or other position on a state agency, board, or commission or any executive office of any state agency, board, commission, or department which is specifically established or specifically authorized by the constitution or laws of this state or by executive order of the governor and which is filled by appointment or election by an elected or appointed public official or by a governmental body composed of such officials of this state.

(2) "Budget unit" means any spending agency of the state which is declared to be a budget unit by the division of administration and which is identified for accounting purposes by a five-digit number code.

(3) "Elected state official" means any person holding an office in either the executive, judicial, or legislative branch of state government which is filled by the vote of the appropriate electorate. It shall also include any person appointed to fill a vacancy in such office.

(4) "Immediate family," as the term relates to the elected or appointed official, means his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

(5) "Political subdivision" means a parish, municipality, and any other unit of local government, including a school board and a special district, authorized by law to perform governmental functions.

G. A motion to suspend this Rule shall be a debatable motion.

On motion of Senator Kostelka, the committee substitute resolution was adopted and becomes Senate Resolution No. 12 by Senator Chaisson, substitute for Senate Resolution No. 5 by Senator Chaisson.

SENATE RESOLUTION NO. 12— (Substitute of Senate Resolution No. 5 by Senator Chaisson)

BY SENATOR CHAISSON

A RESOLUTION

To adopt Senate Rule 8.4 of the Rules of Order of the Senate, relative to proposals for funding by certain non-governmental entities; to require the submission of certain information.

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

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 1 and House Bill No.41 in the Committee on Finance without the required 24 hour notice.

Recess

On motion of Senator Walsworth, the Senate took a recess until 4:00 o'clock P.M.

After Recess

The Senate was called to order at 4:00 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	

Total - 38

ABSENT

Smith
Total - 1

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

Senate Business Resumed

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

February 20, 2008

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 24— BY SENATOR HEBERT AND REPRESENTATIVE BARRAS A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a traffic signal at the intersection of Louisiana Highway 182 and Darby Lane and at the intersection of Louisiana Highway 31 and Darby Lane in New Iberia, Louisiana.

Reported without amendments.

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

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

February 20, 2008

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. 5—

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, JOHN SMITH, THOMPSON AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:1112(A), the introductory paragraph of R.S. 42:1112(B), and 1120, relative to recusal from voting for certain elected officials; to eliminate authorization for certain elected officials to vote upon certain matters which would otherwise present a conflict of interest; to require filing of a statement of recusal; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Rules Suspended

Senator Broome asked for and obtained a suspension of the rules for the purpose of reverting to the order of

**Introduction of Senate Bills
and Joint Resolutions**

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

SENATE BILL NO. 74—

BY SENATOR RISER

AN ACT

To amend and reenact the title of Subpart L of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, and to enact R.S. 11:293, relative to public retirement or pension benefits; to provide relative to the loss of the right to receive payment of retirement or pension benefits; to provide circumstances under which certain retirement or pension benefits shall be forfeited; to provide for determination of forfeiture amount; to specify felonies to which such forfeiture shall apply; to provide for notice of conviction and calculation of benefits; to provide relative to the effect of pardons on such forfeiture; to provide for application; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 13—

BY SENATORS MICHOT, DONAHUE AND MOUNT
A RESOLUTION

To urge and request the Department of Health and Hospitals to collect patient specific data from public and private hospitals and other health care facilities on the amount and type of uncompensated care provided.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

February 20, 2008

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 89—

BY REPRESENTATIVES RICHARD, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CARTER, CAZAYOUX, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOERGE, DOVE, EDWARDS, FOIL, FRANKLIN, GALLOT, GISCLAIR, ELBERT, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, LABRUZZO, LAMBERT, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTUCET, MORRELL, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, PUGH, RICHARDSON, RICHMOND, ROBIDEAUX, ROY, SCHRÖDER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

AN ACT

To enact R.S. 18:1505.2(I)(4) and to repeal R.S. 18:1505.2(O), relative to the use of campaign funds to pay certain fines, fees, and penalties; to prohibit the use of such funds to pay fines, fees, and penalties assessed pursuant to the Campaign Finance Disclosure Act; to provide for penalties; to repeal provisions that authorize the supervisory committee to prohibit the use of campaign funds to pay fines, fees, or penalties assessed for violations of the Campaign Finance Disclosure Act; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

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

HOUSE BILL NO. 89—

BY REPRESENTATIVES RICHARD, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, BURRELL, CARTER, CAZAYOUX, CHAMPAGNE, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOERGE, DOVE, EDWARDS, FOIL, FRANKLIN, GALLOT, GISCLAIR, ELBERT, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, ROSALIND JONES, LABRUZZO, LAMBERT, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MONTUCET, MORRELL, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, PUGH, RICHARDSON, RICHMOND, ROBIDEAUX, ROY, SCHRÖDER, SIMON, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

AN ACT

To enact R.S. 18:1505.2(I)(4) and to repeal R.S. 18:1505.2(O), relative to the use of campaign funds to pay certain fines, fees, and penalties; to prohibit the use of such funds to pay fines, fees, and penalties assessed pursuant to the Campaign Finance Disclosure Act; to provide for penalties; to repeal provisions that authorize the supervisory committee to prohibit the use of campaign funds to pay fines, fees, or penalties assessed for violations of the Campaign Finance Disclosure Act; and to provide for related matters.

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON RETIREMENT

Senator D.A. "Butch" Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

February 20, 2008

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 3— BY SENATOR ALARIO A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

Reported favorably.

SENATE BILL NO. 17— BY SENATOR SCALISE AND REPRESENTATIVE HENRY A JOINT RESOLUTION

Proposing to amend Article I, Section 4(D) and Article X, Section 29(A), (B), and (E)(5), relative to public retirement or pension benefits; to provide relative to the right to receive such benefits; to allow forfeiture of certain accrued benefits of an elected or appointed official or public employee who is a member of a Louisiana public retirement or pension system, plan, or fund who is convicted of a felony associated with the public service for which benefits in such system, plan, or fund accrued; and to specify an election for submission of the proposition to electors and to provide a ballot proposition.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 7— BY REPRESENTATIVE HOFFMANN A CONCURRENT RESOLUTION

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

Reported favorably.

Respectfully submitted, D.A. "BUTCH" GAUTREAUX Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

SENATE BILL NO. 17— BY SENATOR SCALISE AND REPRESENTATIVE HENRY A JOINT RESOLUTION

Proposing to amend Article I, Section 4(D) and Article X, Section 29(A), (B), and (E)(5), relative to public retirement or pension benefits; to provide relative to the right to receive such benefits; to allow forfeiture of certain accrued benefits of an elected or appointed official or public employee who is a member of a Louisiana public retirement or pension system, plan, or fund who is convicted of a felony associated with the public service for which benefits in such system, plan, or fund accrued; and to specify an election for submission of the proposition to electors and to provide a ballot proposition.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

Senator Broome in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 6— BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LORUSSO, MILLS, MONICA, MONTTOUCET, MORRELL, MORRIS, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 42:1170(A) and (E), relative to ethics education and training; to provide for the duties of the Board of Ethics relative to such education and training; to provide for the education and training required of public servants; to provide for the education and training required of registered lobbyists; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Reengrossed House Bill No. 6 by Representative Tucker

AMENDMENT NO. 1 On page 3, line 11 after "E." insert "(1)"

AMENDMENT NO. 2

On page 3, after line 13 insert

"(3) The Board of Ethics shall submit the required education and training on the Code of Governmental Ethics for approval by the Louisiana Supreme Court, Mandatory Continuing Legal Education Committee as an approved continuing legal education activity."

On motion of Senator Dupre, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Amedee	Hebert	Nevers
Broome	Heitmeier	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins	Smith
Total - 2	

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

HOUSE BILL NO. 7—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BILLIOT, TIM BURNS, CARTER, CHAMPAGNE, DOERGE, DOVE, HENRY, HINES, LABRUZZO, LIGI, NOWLIN, PEARSON, RICHARD, SMILEY, JANE SMITH, TALBOT, AND WILLIAMS

AN ACT

To amend and reenact R.S. 42:1125(A), relative to gubernatorial transition and inauguration; to provide contribution limits; to provide relative to contribution reports; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson

Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Smith
Total - 1

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

HOUSE BILL NO. 8—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CHAMPAGNE, CHANDLER, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, DOWNS, FANNIN, FRANKLIN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, HUTTER, JOHNSON, ROSALIND JONES, KATZ, LABRUZZO, LAMBERT, LEGER, LIGI, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MORRELL, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1169, relative to public employees who report acts of impropriety within governmental entities; to prohibit threats of reprisal against employees for disclosing such information; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrish
Adley	Gautreaux N	Mount
Alario	Gray	Murray
Amedee	Hebert	Nevers
Broome	Heitmeier	Quinn
Cassidy	Jackson	Riser
Cheek	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Erdey	Michot	
Total - 37		

NAYS

Total - 0

ABSENT

Cravins	Smith
Total - 2	

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

HOUSE BILL NO. 29—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BALDONE, BILLIOT, TIM BURNS, DOERGE, DOVE, HENRY, HINES, LABRUZZO, LIGI, NOWLIN, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

February 20, 2008

AN ACT

To amend and reenact R.S. 42:1132(B)(1)(a) and (4) and to enact R.S. 42:1132(B)(5), relative to the Board of Ethics; to provide for qualifications for selection and service on the Board of Ethics; and to provide for related matters.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 29 by Representative Tucker

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 18, 2008

AMENDMENT NO. 2

On page 1, line 16, change "five" to "eight"

On motion of Senator Chaisson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Erdey, Gautreaux B, Gray, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrish, Mount, Murray, Nevers, Quinn, Riser, Scalise, Shaw, Shepherd, Thompson, Walsworth

NAYS

Adley Total - 1

ABSENT

Gautreaux N Smith Total - 2

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

Mr. President in the Chair

HOUSE BILL NO. 56—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BALDONE, BILLIOT, TIM BURNS, DOERGE, DOVE, HENRY, HINES, LABRUZZO, LIGI, NOWLIN, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

AN ACT

To amend and reenact R.S. 44:4.1(B)(31) and to enact R.S. 36:4(I) and Part VI of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:220.21 through 220.25, relative to the creation of the office of the state inspector general; to provide for the appointment, term of office, removal, powers, duties, and functions of the inspector general; to provide for the procedure for the appointment of the inspector general;

to provide for staffing and funding of the office; to provide for the assistance and cooperation of entities in the executive branch of state government and other covered entities; to provide for the confidentiality of certain records; to provide for referral of the results of investigations of criminal matters to the appropriate authorities for prosecution; to provide for reports by the inspector general; and to provide for related matters.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 56 by Representative Tucker

AMENDMENT NO. 1

On page 3, line 10, after "Senate," insert "Such appointee may be removed by the governor during his term only for cause."

AMENDMENT NO. 2

On page 3, line 26, after "general" delete the remainder of the line and insert "may be removed for any reason upon"

AMENDMENT NO. 3

On page 5, line 16, change "When appropriate, the" to "The"

AMENDMENT NO. 4

On page 5, line 17, change "agency. This shall" to "unless

AMENDMENT NO. 5

On page 5, line 18, delete "not apply when"

AMENDMENT NO. 6

On page 5, delete line 25 and 26, and insert "of his staff designated by him may seek and obtain sworn testimony from any person using the same procedure as is provided for taking depositions provided for in Article 1443 in the Code of Civil Procedure."

AMENDMENT NO. 7

On page 7, delete lines 13 and 14

AMENDMENT NO. 8

On page 7, line 15, change "L." to "K."

AMENDMENT NO. 9

On page 7, line 17, change "M." to "L."

On motion of Senator Kostelka, the amendments were adopted.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 56 by Representative Tucker

AMENDMENT NO. 1

On page 3, delete lines 2 and 3 in their entirety

On motion of Senator Kostelka, the amendments were adopted.

Floor Amendments Sent Up

Senator Scalise sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Scalise to Reengrossed House Bill No. 56 by Representative Tucker

AMENDMENT NO. 1

On page 3, between lines 20 and 21, insert the following:
"(3) Not later than one year from the date of appointment, if not already certified, the inspector general shall obtain certification as a Certified Inspector General from the Association of Inspectors General."

On motion of Senator Scalise, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Dupre	McPherson	
Total - 38		

NAYS

Total - 0

ABSENT

Smith
 Total - 1

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 25—
 BY SENATOR CROWE

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to permit the United States Small Business Administration to convert Economic Injury Disaster Loans and Physical Disaster Loans to grants in order to provide an additional economic stimulus to small businesses in the Gulf Coast region.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Erdey	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Thompson
Duplessis	Martiny	Walsworth
Total - 36		

NAYS

Total - 0

ABSENT

Gautreaux B	McPherson	Smith
Total - 3		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON FINANCE

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

February 20, 2008

To the President and Members of the Senate:

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

SENATE BILL NO. 46—
 BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 18:1505.2(J)(1) and to enact R.S. 18:1505.2(I)(4), 1511.3(F) and R.S. 44:4.1(B)(37), relative to election campaign finance; to provide relative to certain election campaign finance expenditures; to require any legislator who receives compensation for services related to another candidate's campaign to report such receipt and the amount thereof on an annual basis; to provide penalties for failure to submit such report; to require the audit of certain campaign reports; to provide for office holder, candidate, and committee reporting; to provide for confidentiality of information with respect to such audits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
 MICHAEL J. "MIKÉ" MICHOT
 Chairman

February 20, 2008

REPORT OF COMMITTEE ON

FINANCE

Senator Michael J. "Mike" Michot, Chairman on behalf of the Committee on Finance, submitted the following report:

February 20, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARRAS, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DANAHAY, DOERGE, DOVE, GISCLAIR, HENRY, HILL, HINES, LABRUZZO, LIGI, PEARSON, PONTI, PUGH, RICHARD, ROY, SCHRODER, SMILEY, JANE SMITH, WILLIAMS, ABRAMSON, ANDERS, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMANN, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PERRY, POPE, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, SIMON, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, 1157(A)(4)(a), and 1167, to enact R.S. 18:1495.7 and R.S. 42:1124.2 and 1124.3, and to repeal R.S. 18:463(B) and R.S. 42:1114.1, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by candidates for certain offices; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to remove certain specific financial disclosure provisions applicable to members of the legislature; to provide for penalties; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for effectiveness; and to provide for related matters.

Reported favorably.

Respectfully submitted, MICHAEL J. "MIKE" MICHOT Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

SENATE BILL NO. 46— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 18:1505.2(J)(1) and to enact R.S. 18:1505.2(I)(4), 1511.3(F) and R.S. 44:4.1(B)(37), relative to election campaign finance; to provide relative to certain election campaign finance expenditures; to require any legislator who receives compensation for services related to another candidate's campaign to report such receipt and the amount thereof on an annual basis; to provide penalties for failure to submit such report; to require the audit of certain campaign reports; to provide for office holder, candidate, and committee reporting; to provide for confidentiality of information with respect to such audits; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 46 by Senator Adley

AMENDMENT NO. 1

On page 2, line 27, change "all" to "a statistically representative sample of the filers"

AMENDMENT NO. 2

On page 3, delete lines 4 and 5 and insert the following: "(2)(a) The supervisory board shall annually audit a statistically representative sample of the filers required to be maintained or filed in accordance with the"

AMENDMENT NO. 3

On page 3, at the end of line 7, insert the following: "However, during the initial twelve-month period that audits are conducted pursuant to this Subsection, only the reports of statewide elected officials shall be audited."

AMENDMENT NO. 4

On page 3, line 9, change "twelve-month" to "forty-eight month" and on line 15, between "to" and "violation" insert "a"

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARRAS, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DANAHAY, DOERGE, DOVE, GISCLAIR, HENRY, HILL, HINES, LABRUZZO, LIGI, PEARSON, PONTI, PUGH, RICHARD, ROY, SCHRODER, SMILEY, JANE SMITH, WILLIAMS, ABRAMSON, ANDERS, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMANN, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOU CET, MORRELL, MORRIS, NORTON, NOWLIN, PERRY, POPE, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, SIMON, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, 1157(A)(4)(a), and 1167, to enact R.S. 18:1495.7 and R.S. 42:1124.2 and 1124.3, and to repeal R.S. 18:463(B) and R.S. 42:1114.1, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by candidates for certain offices; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to remove certain specific financial disclosure provisions applicable to members of the legislature; to provide for penalties; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Privilege Report of the Legislative Bureau

February 20, 2008

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 1—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARRAS, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DANAHAY, DOERGE, DOVE, GISCLAIR, HENRY, HILL, HINES, LABRUZZO, LIGI, PEARSON, PONTI, PUGH, RICHARD, ROY, SCHRODER, SMILEY, JANE SMITH, WILLIAMS, ABRAMSON, ANDERS, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BURFORD, HENRY BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DIXON, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GEYMANN, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HAZEL, HENDERSON, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LAMBERT, LEBAS, LEGER, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOUCE, MORRELL, MORRIS, NORTON, NOWLIN, PERRY, POPE, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, SIMON, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLMOTT, AND WOOTON

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, 1157(A)(4)(a), and 1167, to enact R.S. 18:1495.7 and R.S. 42:1124.2 and 1124.3, and to repeal R.S. 18:463(B) and R.S. 42:1114.1, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by candidates for certain offices; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to remove certain specific financial disclosure provisions applicable to members of the legislature; to provide for penalties; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 22—

BY REPRESENTATIVE CHAMPAGNE AN ACT

To amend and reenact R.S. 42:1119(D), relative to nepotism; to provide relative to the persons who are subject to penalties in the enforcement of violations of the nepotism prohibitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 23—

BY REPRESENTATIVES LEGER AND BALDONE AN ACT

To enact R.S. 42:1123(38), relative to governmental ethics; to allow certain public servants to accept certain free legal services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 33—

BY REPRESENTATIVE PETERSON AN ACT

To amend and reenact R.S. 42:1170(C), relative to ethics education; to provide for certain qualifications and requirements for ethics designees in certain agencies; to require certain training for such persons; to provide for the manner and procedure for designating such persons; to require certain notifications; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 65—

BY REPRESENTATIVE GREENE AN ACT

To amend and reenact R.S. 18:463(A)(2) and 491(C) and to enact R.S. 18:492(A)(6), relative to qualifying for primary elections; to require a candidate to certify that he does not owe any ethics fines as a condition of qualification; to provide relative to objections to candidacy based on false certification regarding ethics fines; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 73—

BY REPRESENTATIVE WHITE AN ACT

To enact R.S. 18:1485(E), relative to certain campaign reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 74—

BY REPRESENTATIVES CONNICK AND BALDONE AN ACT

To amend and reenact R.S. 42:1142(A) and to enact R.S. 42:1141.1, relative to the Board of Ethics; to provide for a process of declaratory opinions of the board; to provide procedures for obtaining such opinions; to provide for matters on which the board may render declaratory opinions; to provide for circumstances in which the board may refuse to issue such decisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 78—

BY REPRESENTATIVES LEGER AND BALDONE AN ACT

To amend and reenact R.S. 18:1485(C), relative to certain campaign finance reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 90—

BY REPRESENTATIVES DIXON AND TUCKER AN ACT

To amend and reenact R.S. 42:1141(B)(1)(a) and (C), relative to the enforcement procedures of the Board of Ethics; to require the board to provide certain information to the accused and the complainant; to provide relative to deadlines for the provision of such information; to provide relative to the issuance of charges by the board; to provide relative to the content of such charges; to provide relative to hearings on such charges; to require the board to consider offering consent opinions; and to provide for related matters.

Reported without amendments.

Respectfully submitted, ROB MARIONNEAUX Chairman

Adoption of Legislative Bureau Report

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

Motion to Make Special Order

Senator Chaisson asked for a suspension of the rules for the purpose of making House Bill No. 1, which was just advanced to a

February 20, 2008

Third Reading and Final Passage, Special Order of the Day No. 1 on Thursday, February 21, 2008, immediately following the Morning Hour.

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 41 from the Committee on Finance.

HOUSE BILL NO. 41—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, GISCLAIR, GUINN, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, KATZ, LABRUZZO, LEBAS, LEGER, LIGI, LOPINTO, LORUSSO, MILLS, MONICA, MORRELL, NOWLIN, PEARSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WHITE, WILLIAMS, AND WILLMOTT

AN ACT

To amend and reenact R.S. 42:1141(C), (D), (E), and (F) and to enact R.S. 49:992.1 and 994(E), relative to enforcement of laws within the jurisdiction of the Board of Ethics; to provide for proceedings related to such enforcement; to provide for the powers, functions, and duties of the board relative to such enforcement; to provide for the Ethics Adjudicatory Board; to provide for the powers, functions, and duties of the Ethics Adjudicatory Board and the division of administrative law relative to such enforcement; to provide for the conduct of hearings and procedures related thereto; to provide relative to appeals; to provide relative to effectiveness; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

February 20, 2008

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. 9— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Justin P. Lowery upon his success as a secondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 10— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Erica Barmes upon her success as a secondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 11— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Brandy Beaubouef upon her success as a postsecondary silver medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 12— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Michelle Dopp-Porter upon her success as a postsecondary silver medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 13— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Ronnie Young upon his success as a postsecondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 14— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Kim Troutman upon her success as a postsecondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 15— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Deanne Passman upon her success as a postsecondary gold medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 16— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Michael Marcel upon his success as a postsecondary silver medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 17— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Parker Stough upon his success as a secondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

SENATE CONCURRENT RESOLUTION NO. 18— BY SENATOR NEVERS AND REPRESENTATIVE HONEY A CONCURRENT RESOLUTION

To commend and to congratulate Jeff Morris upon his success as a postsecondary gold medalist while competing in the 2007 National SkillsUSA Championship.

Respectfully submitted, ROBERT W. "BOB" KOSTELKA Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Smith 1 Day

Adjournment

Senator Broome moved that the Senate adjourn until Thursday, February 21, 2008, at 2:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:30 o'clock P.M. on Thursday, February 21, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk

