

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**  
**FOURTH 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 13, 2008

The Senate was called to order at 1:30 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	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
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 Pastor Brad McKenzie, 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 B. Gautreaux, the reading of the Journal was dispensed with and the Journal of February 12, 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 12, 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. 6—**  
BY SENATOR SCALISE AND REPRESENTATIVE HENRY  
A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Revenue to take every possible action within the boundaries of the law to ensure that no additional individual income tax burden is placed on the Louisiana taxpayers as a result of the enactment of the 2008 federal economic stimulus income tax relief legislation and to urge and request the governor to include in any proclamation for a Second Extraordinary Session this year the power to enact legislation to accomplish such purpose, if necessary.

Reported without amendments.

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

**Introduction of Senate Bills  
and Joint Resolutions**

The following Senate Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**SENATE BILL NO. 67—**  
BY SENATOR SHEPHERD  
AN ACT

To amend and reenact R.S. 44:4.1(B)(18) and to enact Chapter 44 of Title 33 of the Louisiana Revised Statutes of 1950, consisting of R.S. 33:9611 through 9616, relative to the ethics administration by municipalities; to authorize and provide for local ethics entities, ethics review boards, and offices of inspector general in certain municipalities; and to provide for related matters.

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

**SENATE BILL NO. 68—**  
BY SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 24:51(2), (3), (4), and (5), and the introductory paragraph of R.S. 24:51(6) and to enact R.S. 24:51(7) and 55.1, relative to expenditure reports, to provide for expenditure reports by executive branch officials; and to provide for related matters.

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

**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. 7—**  
BY SENATOR MARIONNEAUX  
A RESOLUTION

To commend Judge Eldon E. Fallon upon receiving the Thomas Jefferson Justice By The People Award.

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

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

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

February 13, 2008

**SENATE BILL NO. 65—**  
BY SENATOR SCALISE

AN ACT

To amend and reenact R.S. 18:1505.2(C), relative to campaign finance; to provide for the receipt of campaign contributions; 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.

**SENATE BILL NO. 66—**  
BY SENATOR ADLEY

AN ACT

To enact R.S. 42:1123.1, relative to the Code of Governmental Ethics; to provide relative to exceptions to such code; to require a favorable vote of two-thirds of the elected members of each house of the legislature to enact any such exception; 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 Senate and Governmental Affairs.

**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 13, 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 BILL NO. 10—**

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

AN ACT

To enact R.S. 24:56(H), (I), and (J), and R.S. 49:78.1(E), (F), and (G), relative to lobbyists; to prohibit contingency contracts; to prohibit false or misleading statements; to prohibit the instigation of legislation so as to lobby such legislation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 35—**

BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, JACKSON, KOSTELKA, JOHN SMITH AND WALSWORTH

AN ACT

To enact R.S. 42:1117.1, relative to the Code of Governmental Ethics; to prohibit the use of certain actions or methods to circumvent the provisions of the Code of Governmental Ethics; to provide for penalties; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 37—**

BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, JACKSON, KOSTELKA, JOHN SMITH AND WALSWORTH

AN ACT

To enact R.S. 39:87.7, relative to the commissioner of administration; to require the commissioner of administration to

establish and maintain a website to post reports of state spending; to provide for the contents of the website; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 39—**

BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, JACKSON, KOSTELKA, JOHN SMITH AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:13 and R.S. 44:37, relative to penalties for violations of laws relative to access to the business of public bodies; to provide relative to civil and criminal penalties for violations of laws relative to meetings of public bodies and public records; to provide for discipline and termination or removal of public employees and certain public officials for certain violations of such laws; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT W. KOSTELKA  
Chairman

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

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

**SENATE BILL NO. 8—**

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

AN ACT

To enact R.S. 42:1115.1, relative to the acceptance of food, drink or refreshments by public servants; to limit the value of food, drink or refreshments acceptable by public servants per occasion from certain sources; to provide for annual increases in the food, drink or refreshment limit based on increases in the consumer price index; to provide for the duties of the Board of Ethics; 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 Original Senate Bill No. 8 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 42:1151.1," delete the remainder of the line, and delete lines 3 through 5 and insert the following: "relative to the Code of Governmental Ethics; to restrict the provision of food, drink, or refreshment to a public servant by certain prohibited sources; to provide for the adjustment of the restricted limit; to"

AMENDMENT NO. 2

On page 1, delete lines 9 through 14, and insert the following:

**"§1115.1. Limitation on food, drink, and refreshment**

**A. No person from whom a public servant is prohibited by R.S. 42: 1111 or 1115(A) from receiving a thing of economic value shall give or offer, either directly or indirectly, to such a public servant any food, drink, or refreshment the total value of which exceeds fifty dollars per occasion.**

**B. No person from whom a public employee is prohibited by R.S. 42:1111 or 1115(B) from receiving a thing of economic value shall give or offer, either directly or indirectly, to such a public employee any food, drink, or refreshment the total value of which exceeds fifty dollars per occasion.**

AMENDMENT NO. 3

On page 1, line 15, change "**B.**" to "**C.**"

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

SENATE BILL NO. 9—

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

## AN ACT

To amend and reenact R.S. 24:55(B) and (E), and R.S. 49:76(B) and (E), all relative to expenditures on public servants and the reporting of such expenditures by lobbyists; to provide for monthly reporting of expenditures by lobbyists; to provide for the reporting of monthly aggregate expenditures by lobbyists; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 11—

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

## AN ACT

To amend and reenact R.S. 24:51(2), 53(A), (G) and (H), 54(A)(2), 55(B), (C) and (D), and R.S. 49:72(5), 74(A), (E) and (F), 75(A)(2), 76(B), (C) and (D) and to enact R.S. 24:57(3) and (4), and 58(D)(3), (4) and (5), and R.S. 49:77(4) and (5), and 78(D)(3),(4) and (5), relative to lobbying; to provide relative to legislative lobbying; to provide relative to executive branch lobbying; to provide relative to regulations affecting lobbyist; to provide relative to restrictions affecting lobbyists; to provide relative to the electronic filing of registrations and expenditure reports; to require certain information relative to lobbyist registrations; to provide relative to the content of expenditure reports; to provide for monthly filing of expenditure reports; to provide for the electronic storage and access of filings; to provide for the definition of a statewide elected official; to provide for the definition of a executive branch department head; to provide inaccurate or incomplete filings; to provide for failure to amend a registration or expenditure report; to provide for the filing of a false statement or false representation of a material fact; to provide for fines; to provide for penalties; 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 Original Senate Bill No. 11 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 7, change "affecting lobbyist" to "affecting lobbyists"

AMENDMENT NO. 2

On page 1, line 13, before "inaccurate" insert "for the consequences of"

AMENDMENT NO. 3

On page 3, at the end of line 1, after "paid" and before "**the**" insert "**for the purpose of lobbying**"

AMENDMENT NO. 4

On page 3, line 5, change "**five thousand dollars**" to "**\$24,999**"

AMENDMENT NO. 5

On page 3, delete lines 6 through 10 and insert in lieu thereof the following:

- "(ii) **Category II, \$25,000-\$49,999.**
- "(iii) **Category III, \$50,000-\$99,999.**
- "(iv) **Category IV, \$100,000-\$249,000.**
- "(v) **Category V, \$250,000 or more."**

AMENDMENT NO. 6

On page 5, line 24, change "lobbyist" to "lobbyists"

AMENDMENT NO. 7

On page 6, delete lines 15 through 17

AMENDMENT NO. 8

On page 6, line 18, change "(c)" to "(b)"

AMENDMENT NO. 9

On page 7, at the end of line 24, after "paid" and before "**the**" insert "**for the purpose of lobbying**"

AMENDMENT NO. 10

On page 7, line 28, change "**five thousand dollars**" to "**\$24,999**"

AMENDMENT NO. 11

On page 7, delete line 29 and on page 8, delete lines 1 through 4 and insert in lieu thereof the following:

- "(ii) **Category II, \$25,000-\$49,999.**
- "(iii) **Category III, \$50,000-\$99,999.**
- "(iv) **Category IV, \$100,000-\$249,000.**
- "(v) **Category V, \$250,000 or more."**

AMENDMENT NO. 12

On page 11, line 10, change "lobbyist" to "lobbyists"

AMENDMENT NO. 13

On page 12, delete lines 2 through 5

AMENDMENT NO. 14

On page 12, line 6, change "(c)" to "(b)"

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

**Senator Broome in the Chair**

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

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

SENATE RESOLUTION NO. 3—

BY SENATORS CHAISSON, DUPRE AND MICHOT  
A RESOLUTION

To amend and readopt Senate Rule 13.4(13) and (17), relative to jurisdiction of standing committees; to provide for jurisdiction of the Natural Resources Committee, and to transfer standing committee jurisdiction of certain matters from the Transportation, Highways and Public Works Committee to the Natural Resources Committee.

Reported favorably by the Committee on Senate and Governmental Affairs.

February 13, 2008

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

SENATE RESOLUTION NO. 6— BY SENATOR CHAISSON

A RESOLUTION

To urge and request the Louisiana Supreme Court to adopt the same financial disclosure standards for judges that are applicable to other elected officials in the Code of Governmental Ethics.

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 Original Senate Resolution No. 6 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 16, change "Canons" to "canons"

AMENDMENT NO. 2

On page 2, line 7, change "code of governmental ethics" to "Code of Governmental Ethics"

On motion of Senator Kostelka, the committee amendment was adopted.

On motion of Senator Chaisson the amended Senate Resolution was read by title and adopted.

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 5— BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court to adopt the same financial disclosure standards for judges that are applicable to other elected officials in the Code of Governmental Ethics.

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 Original Senate Concurrent Resolution No. 5 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 16, change "Canons" to "canons"

On motion of Senator Kostelka, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrish
Adley Gautreaux B Mount
Amedee Hebert Murray
Broome Jackson Nevers

Cassidy Kostelka Riser
Cheek LaFleur Scalise
Cravins Long Shaw
Donahue Marionneaux Shepherd
Dorsey Martiny Smith
Duplessis McPherson Thompson
Dupre Michot Walsworth

Total - 33

NAYS

Total - 0

ABSENT

Alario Gautreaux N Heitmeier
Crowe Gray Quinn
Total - 6

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 2—

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, 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. 42:1111(E)(1) and (2)(a), relative to conflicts of interest; to prohibit certain public servants from receiving or agreeing to receive any thing of economic value for assistance to persons in certain transactions related to lobbying; to prohibit certain former public servants from receiving compensation for assistance to persons in certain transactions related to lobbying; 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 Engrossed Senate Bill No. 2 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 14, change "or" to a comma "," and on line 15, between "department" and "shall" insert ", or person holding an office or position included in Item (iv) of this Subparagraph"

AMENDMENT NO. 2

On page 2, line 18, change "or" to "," and on line 19, between "department" and "shall" insert ", or person holding an office or position included in Item (iv) of this Subparagraph"

AMENDMENT NO. 3

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

(iv) This Subparagraph shall apply to persons holding the following offices or positions:

(aa) The members of the State Civil Service Commission and the director of state civil service.

(bb) The secretary of the Department of Economic Development.

(cc) The secretary of the Department of Culture, Recreation and Tourism.

(dd) The secretary of the Department of Environmental Quality.

(ee) The secretary of the Department of Health and Hospitals.  
(ff) The secretary of the Department of Labor.  
(gg) The secretary of the Department of Natural Resources.  
(hh) The secretary of the Department of Public Safety and Corrections.  
(ii) The secretary of the Department of Revenue.  
(ij) The secretary of the Department of Social Services.  
(kk) The secretary of the Department of Transportation and Development.  
(ll) The secretary of the Department of Wildlife and Fisheries.  
(mm) The secretary of the Department of Veterans Affairs.  
(nn) The state superintendent of education.  
(oo) The executive secretary of the Public Service Commission.  
(pp) The commissioner of the division of administration.  
(qq) The executive counsel to the governor.  
(rr) The chief of staff of the office of the governor.  
(ss) Members of the Public Service Commission.  
(tt) Members of the State Board of Elementary and Secondary Education.  
(uu) Members of the Board of Regents.  
(vv) Members of the Board of Supervisors of the University of Louisiana System.  
(ww) Members of the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.  
(xx) Members of the Board of Supervisors of Southern University and Agricultural and Mechanical College.  
(yy) Members of the Board of Supervisors of Community and Technical College.  
(zz) Members of the Wildlife and Fisheries Commission.  
(aaa) Members of the State Police Commission.  
(bbb) Members of the Board of Ethics."

AMENDMENT NO. 4  
 On page 2, line 27, change "or" to ";" and on line 28, between "department" and "shall" insert "; or person holding an office or position included in Item (iv) of this Subparagraph"

AMENDMENT NO. 5  
 On page 3, line 3, change "or" to ";" and on line 4, between "department" and "shall" insert "; or person holding an office or position included in Item (iv) of this Subparagraph"

AMENDMENT NO. 6  
 On page 3, between lines 11 and 12, insert the following:  
"(iv) This Subparagraph shall apply to persons holding the following offices or positions:  
(aa) The members of the State Civil Service Commission and the director of state civil service.  
(bb) The secretary of the Department of Economic Development.  
(cc) The secretary of the Department of Culture, Recreation and Tourism.  
(dd) The secretary of the Department of Environmental Quality.  
(ee) The secretary of the Department of Health and Hospitals.  
(ff) The secretary of the Department of Labor.  
(gg) The secretary of the Department of Natural Resources.  
(hh) The secretary of the Department of Public Safety and Corrections.  
(ii) The secretary of the Department of Revenue.  
(ij) The secretary of the Department of Social Services.  
(kk) The secretary of the Department of Transportation and Development.  
(ll) The secretary of the Department of Wildlife and Fisheries.  
(mm) The secretary of the Department of Veterans Affairs.  
(nn) The state superintendent of education.  
(oo) The executive secretary of the Public Service Commission.  
(pp) The commissioner of the division of administration.

(qq) The executive counsel to the governor.  
(rr) The chief of staff of the office of the governor.  
(ss) Members of the Public Service Commission.  
(tt) Members of the State Board of Elementary and Secondary Education.  
(uu) Members of the Board of Regents.  
(vv) Members of the Board of Supervisors of the University of Louisiana System.  
(ww) Members of the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.  
(xx) Members of the Board of Supervisors of Southern University and Agricultural and Mechanical College.  
(yy) Members of the Board of Supervisors of Community and Technical College.  
(zz) Members of the Wildlife and Fisheries Commission.  
(aaa) Members of the State Police Commission.  
(bbb) Members of the Board of Ethics."

On motion of Senator Chaisson, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Adley sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed Senate Bill No. 2 by Senator Chaisson

AMENDMENT NO. 1  
 On page 3, between lines 11 and 12, insert the following:  
"(e) For the purpose of this Paragraph, the term "thing of economic value" shall have the same meaning as provided by R.S. 42:1102."

Senator Adley moved adoption of the amendments.

Senator Chaisson objected.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Adley	Long	McPherson
Total - 3		
	NAYS	
Mr. President	Erdey	Michot
Alario	Gautreaux B	Morrish
Amedee	Gautreaux N	Mount
Broome	Gray	Murray
Cassidy	Hebert	Nevers
Cheek	Heitmeier	Quinn
Crowe	Jackson	Riser
Donahue	Kostelka	Scalise
Dorsey	LaFleur	Shaw
Duplessis	Marionneaux	Smith
Dupre	Martiny	Walsworth
Total - 33		
	ABSENT	
Cravins	Shepherd	Thompson
Total - 3		

The Chair declared the amendments were rejected.

**Notice Regarding Vote**

Senator Cravins stated he appeared as absent on the vote on the amendment by Senator Adley to Senate Bill No. 2. He had intended to vote nay on the amendment. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Murray sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 2 by Senator Chaisson

AMENDMENT NO. 1

On page 2, between lines 25 and 26 and on page 3, between lines 11 and 12, insert the following:

(iv) This Subparagraph shall apply to persons holding the following offices or positions:

- (ccc) The Louisiana Gaming Control Board.
(ddd) The Louisiana Board of Parole.
(eee) The Louisiana Board of Pardons.
(fff) The Mineral Board.
(ggg) The Louisiana Lottery Commission.
(hhh) The Governor's Legislative Director.
(iii) The Board of Commerce and Industry.

On motion of Senator Murray, 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: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Morrish, etc.

NAYS

Total - 0

ABSENT

Martiny
Total - 1

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.

Notice Regarding Vote

Senator Martiny stated he appeared as absent on the vote on Senate Bill No. 2. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 3—

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

AN ACT

To amend and reenact R.S. 24:51(2) and R.S. 49:72(5) and to repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal certain exceptions relative to the acceptance by an elected official of certain things of economic value for certain cultural or sporting events; and to provide for related matters.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux on behalf of the Legislative Bureau to Engrossed Senate Bill No. 3 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 15, following "accounts" insert "," and after "account" insert ","

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 3 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 9, delete "when the value exceeds ten dollars"

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: Name, Yeas, Nays. Lists names like Mr. President, Erdey, Morrish, etc.

NAYS

Total - 0

ABSENT

Total - 0

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.

**SENATE BILL NO. 4—**

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

**A JOINT RESOLUTION**

Proposing to amend Article X, Section 21 of the Constitution of Louisiana, to provide relative to exceptions to the code of ethics; to require the approval of two-thirds of the elected members of each house of the legislature to enact an exception to any provision of the code of ethics; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

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

**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.

**Floor Amendments Sent Up**

Senator Quinn sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Quinn to Engrossed Senate Bill No. 5 by Senator Chaisson

**AMENDMENT NO. 1**

On page 1, line 2, after "42:" insert "1102(13),"

**AMENDMENT NO. 2**

On page 1, line 5, after "recusal;" insert " to provide for the definition of an immediate family member;"

**AMENDMENT NO. 3**

On page 1, line 8, after "42:" insert "1102(13),"

**AMENDMENT NO. 4**

On page 1, between lines 9 and 10 insert the following: "§1102. Definitions

Unless the context clearly indicates otherwise, the following words and terms, when used in this Chapter, shall have the following meanings:

\* \* \*

(13) "Immediate family" as the term relates to a public servant means his children, **the children of his spouse**, 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.

\* \* \*

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

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

The amendment was withdrawn.

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	Marionneau	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth

Total - 39

**NAYS**

Total - 0

**ABSENT**

Total - 0

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.

**SENATE BILL NO. 44—**

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. 42:1111(E), relative to conflicts of interest; to prohibit certain public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to prohibit certain former public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to provide for exceptions; to provide for definitions; to provide for penalties; 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 Engrossed Senate Bill No. 44 by Senator Chaisson

**AMENDMENT NO. 1**

On page 3, between lines 25 and 26, insert the following:

- "(rr) **Members of the Public Service Commission.**
- (ss) Members of the State Board of Elementary and Secondary Education.**
- (tt) Members of the Board of Regents.**
- (uu) Members of the Board of Supervisors of the University of Louisiana System.**
- (vv) Members of the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.**
- (ww) Members of the Board of Supervisors of Southern University and Agricultural and Mechanical College.**
- (xx) Members of the Board of Supervisors of Community and Technical College.**
- (yy) Members of the Wildlife and Fisheries Commission.**
- (zz) Members of the State Police Commission.**
- (aaa) Members of the Board of Ethics."**

AMENDMENT NO. 2

On page 4, between lines 19 and 20 insert the following:

"(4) Nothing in this Subsection shall prohibit a legislator from an appearance in connection with a transaction relating to review and approval of an item before the State Bond Commission not otherwise secured or guaranteed by state revenue."

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaisson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 29, after "with the" insert "ministerial"

AMENDMENT NO. 2

On page 3, line 1, after "agencies" insert "and receive or agree to receive anything of economic value for doing so"

On motion of Senator Chaisson, the amendments were adopted.

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

Motion to Make Special Order

Senator Chaisson asked for a suspension of the rules for the purpose of making Senate Bill No. 44, which is on Third Reading and Final Passage, Subject to Call, Special Order of the Day No. 2 on Thursday, February 14, 2008, immediately following the Morning Hour.

Mr. President in the Chair

Rules Suspended

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

Senate Bills and Joint Resolutions on Second Reading to be Referred, Subject to Call

The following Senate Bills and Joint Resolutions on second reading, subject to call, were read and referred to committee as follows:

Called from the Calendar

Senator Broome asked that Senate Bill No. 53 be called from the Calendar at this time.

SENATE BILL NO. 53— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 14:120, relative to offenses affecting organized government; to provide relative to the crime of corrupt influencing; to provide for the increase of penalties for such crime; and to provide for related matters.

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

Called from the Calendar

Senator Broome asked that Senate Bill No. 58 be called from the Calendar at this time.

SENATE BILL NO. 58— BY SENATOR MARTINY

AN ACT

To enact R.S. 14:134.3, relative to official misconduct and corrupt practices; to provide for the crime of abuse of office; to provide for the prosecution of such crime; to provide penalties; and to provide for related matters.

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

Called from the Calendar

Senator Broome asked that Senate Bill No. 59 be called from the Calendar at this time.

SENATE BILL NO. 59— BY SENATOR MARTINY

AN ACT

To enact R.S. 14:139.3, relative to official misconduct and corrupt practices; to create the crime of concealment of a financial conflict of interest by a legislator; to provide for definitions; to provide for the prosecution of such crime; to provide for penalties; and to provide for related matters.

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

Called from the Calendar

Senator Broome asked that Senate Bill No. 60 be called from the Calendar at this time.

SENATE BILL NO. 60— BY SENATOR MARTINY

AN ACT

To enact R.S. 14:139.3, relative to official misconduct and corrupt practices; to create the crime of concealment of a financial conflict of interest by an elected official; to provide for definitions; to provide for the prosecution of such crime; to provide for penalties; and to provide for related matters.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

February 11, 2008

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. 1—

BY REPRESENTATIVES TUCKER, PETERSON, CARTER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN, BADON, BOBBY, BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY, BURNS, TIM BURNS, BURRELL, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT, GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, SAM JONES, ROSALIND JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONToucET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY,



SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To commend and congratulate the LSU Tigers football team and Coach Les Miles upon winning the 2007 Bowl Championship Series national championship.

**HOUSE CONCURRENT RESOLUTION NO. 2—**

BY REPRESENTATIVE BURRELL

A CONCURRENT RESOLUTION

To commend Centenary College of Louisiana upon the occasion of Founders' Day and the celebration of its first one hundred years of excellence in the Shreveport-Bossier community.

**HOUSE CONCURRENT RESOLUTION NO. 3—**

BY REPRESENTATIVE MILLS AND SENATOR HEBERT

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Jefferson J. DeBlanc, Medal of Honor recipient, of St. Martinville.

**HOUSE CONCURRENT RESOLUTION NO. 4—**

BY REPRESENTATIVE CARTER AND SENATORS ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, JOHN SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Gustave Anthony "Gus" Piazza, Sr., of Baton Rouge.

**HOUSE CONCURRENT RESOLUTION NO. 8—**

BY REPRESENTATIVE WOOTON AND SENATOR CROWE

A CONCURRENT RESOLUTION

To commend and congratulate the South Plaquemines High School Hurricanes football team for winning the Class 1A state football championship.

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

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

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

**Adjournment**

Senator Broome moved that the Senate adjourn until Thursday, February 14, 2008, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 2:00 o'clock P.M. on Thursday, February 14, 2008.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk

