OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
FIFTH 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

Thursday, February 14, 2008

The Senate was called to order at 2:00 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 Marlineaux 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 Fernando Gutierrez, 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 13, 2008, was
adopted.

Morning Hour

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. 8—
BY SENATOR BROOME
A RESOLUTION
To commend and recognize Fernand and Emily Cavalier for seventy-
seven years of marriage and for being recognized as Louisiana’s
longest married couple.

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

SENATE RESOLUTION NO. 9—
BY SENATOR JACKSON
A RESOLUTION
To commend Faye Foppé Fisher for her many years of dedicated,
unselfish and loyal service to the community in broadcasting
and volunteerism.

On motion of Senator Jackson, 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:

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.

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

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.

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

Messages from the House

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

Message from the House
ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

February 14, 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. 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.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives
House Bills and Joint Resolutions on First Reading

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

**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.

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

House Concurrent Resolutions on First Reading

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

**HOUSE CONCURRENT RESOLUTION NO. 11—**
**BY REPRESENTATIVE HENRY AND SENATOR SCALISE**
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.

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

House 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. 10—**
**BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHEW, SHEPHERD, 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; to prohibit certain persons from lobbying; to prohibit contingency contracts; to provide for related matters.

Reported with amendments.
Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

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 14, 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. 34—**
**BY SENATORS KOSTELKA, AMEDEE, BROOME, CHAISSON, DONAHUE, JACKSON, JOHN SMITH AND WALSWORTH**
An ACT
To enact R.S. 18:1505.2(I)(4), relative to election campaign finance; to provide relative to permitted use of contributions to election campaigns; to prohibit use of election campaign contributions to pay family members; to provide for an effective date; and to provide for related matters.

Reported with amendments.
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. 10—**
**BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHEW, SHEPHERD, 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 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. 10 by Senator Chaissen

**AMENDMENT NO. 1**
On page 1, line 2, change "(H), (I), and (J)" to "(H), (I), (J), and (K)" and change "and (G)" to "(G), (H), and (I)"

**AMENDMENT NO. 2**
On page 1, line 4, after "instigation of legislation" insert "or executive action" and change "such legislation:" to "such legislation or executive action; to prohibit certain persons from lobbying;"

**AMENDMENT NO. 3**
On page 1, line 7, change "(H), (I), and (J)" to "(H), (I), (J), and (K)"
(d) The secretary of the Department of Environmental Quality.
(e) The secretary of the Department of Health and Hospitals.
(f) The secretary of the Department of Labor.
(g) The secretary of the Department of Natural Resources.
(h) The secretary of the Department of Public Safety and Corrections.
(i) The secretary of the Department of Revenue.
(j) The secretary of the Department of Social Services.
(k) The secretary of the Department of Transportation and Development.
(l) The secretary of the Department of Wildlife and Fisheries.
(m) The secretary of the Department of Veterans Affairs.
(n) The superintendent of education.
(o) The executive secretary of the Public Service Commission.

(1) Nothing in this Section shall apply to persons interacting the State Bond Commission and interacting regarding Executive Budget requests.
(2) Nothing in this Section shall apply to persons solely involved in making vendor sales:

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. 35—
BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, DUPLESSIS, JACKSON, KOSTELKA, JOHN SMITH AND WALSWORTH
AN ACT
To enact R.S. 42:1117.1, relative to the Code of Governmental Affairs. On motion of Senator Kostelka, the bill was read by title, ordered engrossed, and passed to a third reading.

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. 37—
BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, DUPLESSIS, JACKSON, KOSTELKA, JOHN SMITH AND WALSWORTH
AN ACT
To enact R.S. 39:87.7, relative to the commissioner of administration; 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. 37 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 11, after “appropriations” and before “contained” insert “for the executive branch of state government”

AMENDMENT NO. 2
On page 1, line 14, after “each” and before “budget” insert “such”

AMENDMENT NO. 3
On page 1, delete line 15 and insert the following:

“Section 2. The secretary or executive head of each state office, department, board, commission, or institution shall fully cooperate with the commissioner of administration in executing the purposes and provisions of this Act. The commissioner shall proceed with establishing the website and reports of state spending in the most...
expeditious manner possible. The reports posted on the website shall be complete and inclusive of all budget units no later than January 1, 2009.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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. 39—
BY SENATORS CHAISSON, AMEDEE, BROOME, CHEEK, CRAWINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHEW, SHEPHERD, JOHN SMITH AND WALSWORTH
AN ACT
To amend and reenact R.S. 42:1113(D)(2)(g) and (h), (3), and (4), 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.

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.

Special Order of the Day
The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 1—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAWINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHEW, 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.

On motion of Senator Chaisson, Senate Bill No. 1 was made Special Order of the Day No. 1 on Friday, February 15, 2008, immediately following the Morning Hour.

Special Order of the Day
The following Senate Bill on Third Reading and Final Passage, subject to call, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 44—
BY SENATORS CHAISSON, AMEDEE, BROOME, CHEEK, CRAWINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHEW, 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.

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

Senator Broome in the Chair
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. 8—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAWINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHEW, SHEPHERD, JOHN SMITH, THOMPSON AND WALSWORTH
AN ACT
To enact R.S. 42:1115.1, 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 provide for the duties of the Board of Ethics; 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 Morrisey
Alario Gautreaux N Mount
Amedee Gray Murray
Broome Hebert Nevers
Cassidy Heitmeier Quinn
Cheek Jackson Riser
Cravins Kostelka Scalice
Crowe LaFleur Shep
Donahue Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walthour
Dupre McPherson
Total - 38

NAYS

Total - 0

ABSENT

Shepherd 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.
SENATE BILL NO. 9—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, R. GAUTREAUX, N. GAUTREAUX, HEBERT, HEIMBECKER, KOSTELKA, LONG, MARIONNEAUX, MARTINE, MICHT, 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), 78(D)(3),(4) and (5), relative to lobbying; to provide relative to executive branch legislative lobbying; to provide relative to regulations affecting lobbyists; to provide relative to 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 consequences of 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.

Floor Amendments Sent Up
Senator Chaisson 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. 9 by Senator Chaisson

AMENDMENT NO. 1
On page 3, between lines 1 and 2, insert " *   *   * 

SENATE BILL NO. 11—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, R. GAUTREAUX, N. GAUTREAUX, HEBERT, HEIMBECKER, KOSTELKA, LONG, MARIONNEAUX, MARTINE, MICHT, 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.

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. 11 by Senator Chaisson

AMENDMENT NO. 1
On page 3, line 13, delete " *   *   * 

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

SENATE BILL NO. 11—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, R. GAUTREAUX, N. GAUTREAUX, HEBERT, HEIMBECKER, KOSTELKA, LONG, MARIONNEAUX, MARTINE, MICHT, 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), 78(D)(3),(4) and (5), relative to lobbying; to provide relative to executive branch legislative lobbying; to provide relative to regulations affecting lobbyists; 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 consequences of 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.

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. 11 by Senator Chaisson

AMENDMENT NO. 1
On page 3, delete lines 11 and 12 and insert the following:

"(4)(a) An indication of potential subject matter about which he anticipates lobbying.
(b) Such indication shall be made by choosing from one or more of the following potential subject matter(s) categories from those listed on a form to be prepared by the Board of Ethics:
(i) Aerospace and space technology.
(ii) Agriculture; horticulture; livestock; poultry.
(iii) Agriculture; forestry; timber.
(iv) Alcohol and other beverages.
(v) Arts and entertainment.
(vi) Aquaculture and fisheries.
(vii) Business and private and commercial enterprises.
(viii) Banking, financial, and accounting.
(ix) Charities and social services, faith-based organizations, and community outreach.
(x) Computers, hardware, software, and intellectual property.
(xi) Construction, contracting, and real estate.
(xii) Educational services: colleges; technical schools; trade schools.
(xiii) Environmental quality, conservation, and wildlife preservation.
(xiv) Gaming.
(xv) Government; local; municipal; parish; state; federal.
(xvi) Health care; hospitals; nursing homes; elderly care; hospice.
(xvii) Health care; physicians; nurse practitioners; nurses.
(xviii) Health care; pharmaceutical and medical devices.
(xix) Homeland security.
(xx) Hotels, restaurants, and tourism.
(xxi) Insurance.
(xxii) International trade.
(xxiii) Law and lawyers.
(xxiv) Manufacturing: oil and gas; mining; refining; production; chemical industry.
(xxv) Manufacturing: wholesale.
(xxvi) Military and veterans affairs.
(xxvii) Public safety, police, and fire.
(xxviii) Telecommunications.
(xxix) Tobacco industry.
(xxx) Transportation.
(xxxi) Unions, labor issues, and special advocacy groups.
(xxxx) Utilities: electric; gas; water; nuclear.
(c) The unintentional omission of a potential subject matter(s) as provided in Paragraph (4) of this Subsection shall not be a violation of this Part.

AMENDMENT NO. 2
On page 3, line 13, delete “or his employer or principal”

AMENDMENT NO. 3
On page 3, line 18, after "lobbyist" delete " , his employer or principal"

AMENDMENT NO. 4
On page 6, line 2, change “is” to "the Board of Ethics determines to be”

AMENDMENT NO. 5
On page 8, delete lines 2 and 3, and insert the following:

"(4)(a) An indication of potential subject matter about which he anticipates lobbying.
(b) Such indication shall be made by choosing from one or more of the following potential subject matter(s) categories from those listed on a form to be prepared by the Board of Ethics:
(i) Aerospace and space technology.
(ii) Agriculture; horticulture; livestock; poultry.
(iii) Agriculture; forestry; timber.
(iv) Alcohol and other beverages.
(v) Arts and entertainment.
(vi) Aquaculture and fisheries.
(vii) Business and private and commercial enterprises.
(viii) Banking, financial, and accounting.

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(ix) Charities and social services, faith-based organizations, and community outreach.
(x) Computers, hardware, software, and intellectual property.
(xi) Construction, contracting, and real estate.
(xii) Educational services; colleges; technical schools; trade schools.
(xiii) Environmental quality, conservation, and wildlife preservation.
(xiv) Gaming.
(xv) Government: local; municipal; parish; state; federal.
(xvi) Health care; hospitals; nursing homes; elderly care; hospice.
(xvii) Health care: physicians; nurse practitioners; nurses.
(xviii) Health care: pharmaceutical and medical devices; research; development; sales.
(xix) Homeland security.
(xx) Hotels, restaurants, and tourism.
(xxi) Insurance.
(xxii) International trade.
(xxiii) Law and lawyers.
(xxiv) Manufacturing: oil and gas; mining; refining; production; chemical industry.
(xxv) Manufacturing: wholesale.
(xxvi) Military and veterans affairs.
(xxvii) Public safety, police, and fire.
(xxviii) Telecommunications.
(xxix) Tobacco industry.
(xxx) Transportation.
(xxxi) Unions, labor issues, and special advocacy groups.
(xxxii) Utilities: electric; gas; water; nuclear.
(c) The unintentional omission of a potential subject matter(s) as provided in Paragraph (4) of this Subsection shall not be a violation of this Part.

AMENDMENT NO. 6
On page 8, line 4 and 5, delete "or his employer or principal"

AMENDMENT NO. 7
On page 11, line 13, change "is" to "the Board of Ethics determines to be"

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. 11 by Senator Chaisson

AMENDMENT NO. 1
On page 3, between lines 23 and 24 insert the following:
(7) If you are compensated for both lobbying and non-lobbying services, you shall make a reasonable allocation of your compensation and report only the amount received for lobbying as defined in R.S. 24:51(4) by the categories listed in this Part.

On motion of Senator Chaisson, the amendments were adopted.

Floor Amendments Sent Up
Senator Crowe sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Crowe to Engrossed Senate Bill No. 11 by Senator Crowe

AMENDMENT NO. 1
On page 1, line 2 after "R.S. 24:51(2)" insert "and (5)(a)"

AMENDMENT NO. 2
On page 2, line 13 after "head;" insert the following: "to clarify the definition of lobbyist;"

AMENDMENT NO. 3
On page 2, line 1 after "R.S. 24:51(2)" insert "and (5)(a)"

AMENDMENT NO. 4
On page 2, between lines 20 and 21 insert the following: "(5) Lobbyist" means:
(a) Any person who is employed or engaged for compensation to act in a representative capacity for the purpose of lobbying if lobbying constitutes one of the duties of such employment or engagement. For purposes of this Paragraph, "lobbyist" shall not include the following:

(ii) A citizen activist. For purposes of this Paragraph, "citizen activist" shall mean an individual representing an organization or principal for which the individual is not compensated except for the reimbursement of travel expenses associated with testimony before a legislative committee or associated with travel to speak with a legislator or for reimbursement for phone calls and postage associated with communicating with a legislator in furtherance of the passage or defeat of legislation.

AMENDMENTS

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Broome
Cheek
Cravins
Crowe
Donahue
Dupre

Erdey
Gautreaux N
Hebert
Kostelka
Long
McPherson
Michot
Morrish
Mount

Nevers
Quinn
Riser
Scalise
Shaw
Shepherd
Smith
Thompson
Walsworth
SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Adley and Murray to Engrossed Senate Bill No. 11 by Senator Chaissen

AMENDMENT NO. 1
On page 8, delete lines 11 through 20, and insert:

"(aa) The members of the State Civil Service Commission and the executive 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.

(jj) 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.

(jj) Members of the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.

(kk) Members of the Board of Supervisors of Southern University and Agricultural and Mechanical College.

(iii) Members of the Board of Supervisors of Community and Technical College.

(zz) Members of the Wildlife and Fisheries Commission.

(EEE) Members of the State Police Commission.

(bbb) Members of the Board of Ethics.

(c) The deputy chief of staff to the governor.

(dd) Members of the Gaming Control Board.

(ee) The members of the Louisiana Board of Parole.

(ff) The members of the Louisiana Board of Pardons.

(gg) The members of the Mineral Board.

(hh) The members of the Louisiana Lottery Commission.

(ii) The governor's legislative director.

(jj) The members of the Board of Commerce and Industry.

(kk) The members of the Louisiana Recovery Authority.

On motion of Senator Adley, the amendments were adopted.

Floor Amendments Sent Up

Senator Chaissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaissen to Engrossed Senate Bill No. 11 by Senator Chaissen

Floor Amendments Sent Up

Senator Adley sent up floor amendments which were read.
AMENDMENT NO. 1
Delete Senate Floor Amendment Nos. 1 through 3 proposed by Senator Hebert and adopted by the Senate on February 14, 2008.

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
Mr. President Erdey Michot
Adley Gautreaux B Morrish
Alario Gautreaux N Mount
Amedee Gray Murray
Broume 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

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

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

Called from the Calendar
Senator Chaisson asked that Senate Bill No. 9 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 9—
BY SENATORS CHAISSON, ALARIO, AMEDEEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, R. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON, WALSWORTH, DONAHUE AND MORRISH
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.

Floor Amendments Sent Up
Senator McPherson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator McPherson to Engrossed Senate Bill No. 9 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 2, after "To amend and reenact" change "R.S. 24:55(B) and (E)," to "R.S. 24:51(2), 55(B) and (E),"

AMENDMENT NO. 2
On page 1, line 5, between "lobbyist" and "and to provide," insert "to provide for reporting of certain things of economic value expended on behalf of certain public officials;"

AMENDMENT NO. 3
On page 1, line 8, after "Section 1." change "R.S. 24:55(B) is" to "R.S. 24:51(2) 55(B) and (E) are"

AMENDMENT NO. 4
On page 1, between lines 8 and 9, insert "§51. Definitions
When used in this Part:

(2) "Expenditure" means the gift or payment of money or anything of value when the amount of value exceeds ten dollars for the purchase of food, drink, or refreshment for a legislator, or public servant as defined in R.S. 42:1102, and any gift or payment as permitted by R.S. 42:1123(13) and (16) when the value exceeds ten dollars for the purpose of lobbying when the lobbyist or principal accounts or would be expected to account for the expenditure as an ordinary and necessary expense directly related to the active conduct of the lobbyist's, his employer's, or the principal's trade or business."

AMENDMENT NO. 5
On page 2, delete lines 5 through 9 in their entirety and insert in lieu thereof the following:

E. When the aggregate expenditure for any one legislator exceeds the sum of fifty dollars on any one occasion, or when the aggregate expenditure for any one legislator exceeds the sum of two hundred fifty dollars in a reporting period, then the total amount of expenditures for the legislator during the reporting period shall be attributable to an individual legislator.

The total amount of every expenditure attributable for any one legislator or public servant during a reporting period shall be attributable to the individual legislator and public servant and reported as provided in this Section and shall be reported to the individual legislator or public servant.

AMENDMENT NO. 6
On page 3, line 1, after "official." add the following:

"The total amount of every expenditure attributable for any one executive branch official during a reporting period shall be attributable to the individual executive branch official and reported as provided in this Section and shall be reported to the individual executive branch official."

On motion of Senator McPherson, 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 Erdey Michot
Adley Gautreaux B Morrish
Alario Gautreaux N Mount
Amedee Gray Murray
Broume 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  

NAYS  
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.

Called from the Calendar

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

SENATE BILL NO. 44—

BY SENATORS CHAISSON, AL ARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, R. GAUTREAUX, N. GAUTREAUX, HEBERT, HITMEIER, 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 2, line 8, between "for" and "assisting" insert "representing a person before a judicial officer governed by the Louisiana Code of Judicial Conduct, a court of record established in or authorized by Article V of the Constitution of Louisiana, an administrative law judge, or a worker’s compensation judge or"

On motion of Senator Chaisson, the amendments were adopted.

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. 44 by Senator Chaisson

AMENDMENT NO. 1

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

"(bbb) The Louisiana Gaming Control Board.
(ddd) The Louisiana Board of Pardons.
(fff) The Louisiana Lottery Commission.
(hhh) The Board of Commerce and Industry."

On motion of Senator Murray, the amendments were adopted.

Floor Amendments Sent Up

Senator Jackson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 4, line 22, after "renewed" insert "and its existence shall be disclosed pursuant to this Act within sixty days from the effective date of this Act"

On motion of Senator Jackson, the amendments were adopted.

Floor Amendments Sent Up

Senator LaFleur sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

In Senate Floor Amendment No. 1 proposed by Senator Chaisson and adopted by the Senate on February 13, 2008, designate as SFASB44 HATCHERH276, on page 1, line 3, after "legislator" insert "who is a member of the State Bond Commission"

On motion of Senator LaFleur, the amendments were adopted.

Floor Amendments Sent Up

Senator Shepherd sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 15, after "communications" and before the period insert "including but not limited to notarial functions"

On motion of Senator Shepherd, 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  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

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.

Mr. President in the Chair

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 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. 69—

BY SENATOR MURRAY

AN ACT

To amend and reenact the introductory paragraph of R.S. 24:53(A), 53(A)(3) and (4), (G), (H) and (I), 55(B), (D), (E), (F) and (G), to enact R.S. 24:53(A)(5), (6) and (7), (J) and (K) and 56(H), relative to lobbying; to provide for the registration of lobbyist; to provide for duties of the Board of Ethics; to provide for activity reports; to provide for prohibited conduct; to provide for an effective date; to provide for an application 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.

SENATE BILL NO. 70—

BY SENATOR SHEPHERD

AN ACT

To amend and reenact R.S.17:3396.4(A)(9) and (11), R.S. 23:2049(D), R.S. 33:4720.105(G)(4), R.S. 37:572(E), R.S. 39:1233.1, R.S. 40:1299.88(F), and R.S. 42:1112(D), 1120.1, 1120.2, 1120.3, and 1133(B) and to enact R.S. 42:1120(D), relative to the prevention of fraud and abuse by certain public servants; to provide for recusal in certain instances; to require public disclosure regarding such recusal; and to provide for related matters.

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

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. 7—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Janet S. Rami, dean of Southern University's School of Nursing, upon being recognized by Nurseweek as one of the 10 Nurse Heros of 2007.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Total - 2

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.
SENATE CONCURRENT RESOLUTION NO. 8—
  BY SENATOR BROOME
A CONCURRENT RESOLUTION
To commend United States Army Sergeant First Class Benjamin
  David Ratcliff IV for his brave and outstanding service to his
country.

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

ROLL CALL

The roll was called with the following result:

YEAS
Mr. President  Dupre  Mount
Adley  Erdey  Murray
Alario  Gautreaux B  Nevers
Amedee  Gautreaux N  Quinn
Broome  Gray  Riser
Cassidy  Heitmeier  Scalise
Cheek  Jackson  Shaw
Cravins  Kostelka  Shepherd
Crowe  Marionneaux  Smith
Donahue  Martyne  Thompson
Dorsey  McPherson  Walsworth
Duplessis  Morrish
Total - 35

NAYS
Total - 0

ABSENT
Hebert  Long
LaFleur  Michot
Total - 4

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS
February 14, 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. 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.

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

Senate Resolutions
  on Second Reading
Reported by Committees, Subject to Call

Called from the Calendar

Senator Dupre asked that Senate Resolution No. 3 be called
  from the Calendar at this time.

SENATE RESOLUTION NO. 3—
  BY SENATORS CHAISSON, DUPRE AND MICHOT
A RESOLUTION
To amend and readopt Senate Rule 13.4(13), relative to 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.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators McPherson and Dupre to Original Senate Resolution No. 3 by Senator Chaisson

AMENDMENT NO. 1
On page 1, delete lines 2 through 5 and insert
“To amend and readopt Senate Rule 13.4(13), and to adopt Senate Rule 13.1(H), relative to standing committees; to provide for jurisdiction of the Natural Resources Committee, and to provide for certain ex officio membership of the Natural Resources Committee and Transportation Highways and Public Works Committee.”

AMENDMENT NO. 2
On page 1, delete line 7 and insert “13.4(13) of the Rules of Order of the Senate is hereby amended and readopted and Senate Rule 13.1(H) is hereby adopted to

AMENDMENT NO. 3
On page 1, between lines 8 and 9 insert “Rule 13.1. Standing committees

H. The chairman of the Natural Resources Committee shall be an ex officio member of the Transportation, Highways and Public Works Committee. The chairman of the Transportation, Highways and Public Works Committee shall be an ex officio member of the Natural Resources Committee. Except as
otherwise provided in these rules, such an ex officio member shall have all authority and duties of other members of the committee, except such member shall have no authority to vote.

AMENDMENT NO. 4
On page 1, line 17, after "restoration" insert "including matters relating to the Coastal Protection and Restoration Authority"

AMENDMENT NO. 5
Delete page 2 in its entirety and insert

"(c) Conservation
  (d) Military parks and battlefields
  (e) Mineral lands and matters relating thereto
  (f) Mineral resources of public lands
  (g) Mines and minerals and mineral code
  (h) Natural resources generally
  (i) Ownership of minerals and mineral lands
  (j) Parks and recreation
  (k) Pipelines
  (l) Public and geological surveys
  (m) Public lands
  (n) State boundary lines
  (o) Tidelands
  (p) Wildlife and fisheries"

AMENDMENT NO. 6
On page 3, delete lines 1 through 4 in their entirety

On motion of Senator Dupre, the amendments were adopted.

The resolution was read by title. On motion of Senator Dupre, the amended resolution was adopted.

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 14, 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 Resolution has been properly enrolled:

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.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.