

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

Friday, February 15, 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	Morrish
Adley	Gautreaux B	Mount
Alario	Gautreaux N	Murray
Amedee	Gray	Nevers
Broome	Hebert	Quinn
Cassidy	Heitmeier	Riser
Cheek	Jackson	Scalise
Cravins	Kostelka	Shaw
Crowe	LaFleur	Shepherd
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Dupre	Michot	
Total - 38		

**ABSENT**

Marionneaux  
Total - 1

**Prayer**

The prayer was offered by Pastor Albert White, 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 14, 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 15, 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. 7—**

BY SENATORS BROOME, CASSIDY AND DORSEY AND REPRESENTATIVES BARROW AND HONEY  
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.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 8—**

BY SENATOR BROOME AND REPRESENTATIVES BARROW, HONEY, MCVEA AND WHITE

A CONCURRENT RESOLUTION

To commend United States Army Sergeant First Class Benjamin David Ratcliff IV for his brave and outstanding service to his country.

Reported without amendments.

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

**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. 72—**

BY SENATOR MURRAY

AN ACT

To amend and reenact the introductory paragraph of R.S. 24:53(A) and R.S. 24:53(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 lobbyists; to provide 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 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. 71—**

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.

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

**Messages from the House**

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

February 15, 2008

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

February 15, 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. 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.

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.

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.

HOUSE BILL NO. 52—

BY REPRESENTATIVE PETERSON

AN ACT

To amend and reenact R.S. 42:1124.1(A)(2)(b) and 1157(A)(4)(a) and to enact R.S. 42:1124.2, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by members of the Board of Ethics and the ethics administrator; to provide for the content of such disclosures; to provide for procedures by the Board of Ethics relative to such disclosures; to provide for penalties; and to provide for related matters.

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, MONToucET, 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.

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.

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.

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

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.

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.

HOUSE BILL NO. 64—

BY REPRESENTATIVES ABRAMSON, BILLIOT, CROMER, HARDY, HAZEL, HENDERSON, HINES, LEGER, LORUSSO, MORRELL, PETERSON, AND ST. GERMAIN

AN ACT

To enact R.S. 42:1114.4, relative to financial disclosure; to require certain disclosures by certain elected officials; to provide for the content of such disclosures; to provide for penalties; and to provide for related matters.

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.

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. 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, MONTUCET, 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.

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

#### 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.

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

#### 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.

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

#### 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.

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

#### 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

#### 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.

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

#### HOUSE BILL NO. 52—

BY REPRESENTATIVE PETERSON

#### AN ACT

To amend and reenact R.S. 42:1124.1(A)(2)(b) and 1157(A)(4)(a) and to enact R.S. 42:1124.2, relative to financial disclosure; to require certain disclosures by certain public servants; to require certain disclosures by members of the Board of Ethics and the ethics administrator; to provide for the content of such disclosures; to provide for procedures by the Board of Ethics relative to such disclosures; 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 Senate and Governmental Affairs.

#### 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.

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

#### HOUSE BILL NO. 64—

BY REPRESENTATIVES ABRAMSON, BILLIOT, CROMER, HARDY, HAZEL, HENDERSON, HINES, LEGER, LORUSSO, MORRELL, PETERSON, AND ST. GERMAIN

#### AN ACT

To enact R.S. 42:1114.4, relative to financial disclosure; to require certain disclosures by certain elected officials; to provide for the content of such disclosures; 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 Senate and Governmental Affairs.

#### 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.

February 15, 2008

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

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.

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

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.

On motion of Senator Broome, the bill was read by title and referred to the Committee on Senate and 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 CONCURRENT RESOLUTIONS

February 15, 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 Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVES GREENE, ABRAMSON, ANDERS, ARMES,
ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS,
BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL,
CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK,
CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS,
EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMAN,
GISCLAIR, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY,
HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN,
HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON,
JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO,
LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO,
MARCHAND, MCVEA, MILLS, MONICA, MONTUCET, MORRELL, MORRIS,
NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH,
RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY,
SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH,
ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE,
WILLIAMS, WILLMOTT, AND WOOTON

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Staff Sergeant Michael John Gabel, United States Army, who was killed in action in Afghanistan.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 12—

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

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Staff Sergeant Michael John Gabel, United States Army, who was killed in action in Afghanistan.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names like Mr. President, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Total - 36.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT. Lists names like Gautreaux N, Marionneaux, Shepherd, Total - 3.

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

House Bills and Joint Resolutions
on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

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.

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

**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.

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

**House Concurrent Resolutions  
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

**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.

The resolution was read by title. Senator Scalise moved to concur in the House 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	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth

Total - 36

NAYS

Total - 0

ABSENT

Gautreaux N	Marionneaux	Shepherd
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Total - 3

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

**Reports of Committees**

The following reports of committees were received and read:

**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 15, 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 CONCURRENT RESOLUTION NO. 2—**  
BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To create a special committee to study heirship property and to develop recommendations for facilitating the ability of co-owners of heirship property to make their titles merchantable; to review the rights and obligations of co-owners of heirship property in order to prevent undue hardship resulting from partition sales; and to review the costs of probate and of intrafamily transfers of real estate to determine whether such costs might be reduced for co-owners and heirs of property with a small value.

Reported favorably.

**SENATE BILL NO. 14—**  
BY SENATOR MARIONNEAUX  
AN ACT

To amend and reenact R.S. 18:1463(C)(2) and (3) and (E) and 1505.3(D)(3) and to enact R.S. 18:1463(F), relative to political advertisements; to require certain statements involving authorized and unauthorized communications paid by certain persons; to provide for certain requirements with respect to oral, visual, and written material constituting a paid political advertisement distributed on behalf of a candidate for political office; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 19—**  
BY SENATOR NEVERS  
AN ACT

To amend and reenact R.S. 24:50, 51(2), 53(B), and 54(A)(1), and R.S. 49:71, 72(5), 74(B), and 75(A)(1) and to enact R.S. 24:56(H) and R.S. 49:78.1(E), and to repeal R.S. 24:55, R.S. 42:1123(13) and (16), and R.S. 49:76, relative to expenditures by a lobbyist, to provide for definitions, to provide for expenditures by legislative or executive lobbyist; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 23—**  
BY SENATOR NEVERS  
AN ACT

To enact R.S. 18:1505.2(U), relative to the Campaign Finance Disclosure Act; to provide for prohibited practices; to prohibit appointment or nomination of campaign contributors; to provide penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 25—**  
BY SENATOR NEVERS  
AN ACT

To enact R.S. 42:1119.1, relative to ethical standards for public servants; to provide for conflicts of interest by elected officials; to prohibit appointment or nomination of campaign contributors; to provide penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 29—**

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1483(14)(c) and 1501.2, relative to campaign finance; to define certain political organizations to be included as political committees for purposes of filing campaign finance reports; to provide for reporting by such political organizations of campaign contributions and expenditures; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 31—**

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

AN ACT

To amend and reenact R.S. 18:1491.7(B)(4)(a), 1495.5(B)(4)(a), and 1501.1(C)(1), relative to campaign finance; to require that the name of the employer of certain contributors be included on campaign finance reports when reporting such contributions; and to provide for related matters.

Reported with amendments.

**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), 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 provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 47—**

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 18:1501.1(A) and 1511.6(A) and to enact R.S. 18:1483(9.1), 1505.2(U), and 1505.6(D), relative to election campaign finance; to provide relative to reports by persons not candidates or committees; to provide relative to prohibited practices and limitations; to prohibit legislators from receiving certain compensation from candidates or committees; to provide relative to criminal penalties for violations of election campaign finance law; to provide penalties for engaging in prohibited practices or for failure to submit certain information to candidates or committees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 57—**

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1121(A)(1), relative to conflicts of interest; to prohibit assistance to certain persons by certain public servants within two years after termination of public service; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

Respectfully submitted,  
ROBERT W. KOSTELKA  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY C**

Senator Lee "Jody" Amedee, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

February 14, 2008

To the President and Members of the Senate:

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

**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.

Reported favorably.

**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.

Reported favorably.

**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.

Reported with amendments.

**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.

Reported with amendments.

Respectfully submitted,  
LEE "JODY" AMEDEE  
Chairman

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

Senator Amedee 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. 14—**

BY SENATOR MARIONNEAUX

## AN ACT

To amend and reenact R.S. 18:1463(C)(2) and (3) and (E) and 1505.3(D)(3) and to enact R.S. 18:1463(F), relative to political advertisements; to require certain statements involving authorized and unauthorized communications paid by certain persons; to provide for certain requirements with respect to oral, visual, and written material constituting a paid political advertisement distributed on behalf of a candidate for political office; 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. 19—**

BY SENATOR NEVERS

## AN ACT

To amend and reenact R.S. 24:50, 51(2), 53(B), and 54(A)(1), and R.S. 49:71, 72(5), 74(B), and 75(A)(1) and to enact R.S. 24:56(H) and R.S. 49:78.1(E), and to repeal R.S. 24:55, R.S. 42:1123(13) and (16), and R.S. 49:76, relative to expenditures by a lobbyist, to provide for definitions, to provide for expenditures by legislative or executive lobbyist; 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. 23—**

BY SENATOR NEVERS

## AN ACT

To enact R.S. 18:1505.2(U), relative to the Campaign Finance Disclosure Act; to provide for prohibited practices; to prohibit appointment or nomination of campaign contributors; to provide 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. 23 by Senator Nevers

**AMENDMENT NO. 1**

On page 1, line 3, after "nomination of" insert "certain"

**AMENDMENT NO. 2**

On page 1, line 10, after "**candidate**" insert "**or his principal or any subsidiary campaign committee for one election period which in the aggregate for such election is two thousand five hundred dollars or more nor the spouse or immediate family member, as defined in R.S. 42:1102(13), of the contributor nor any officer of any business or corporation in which the contributor owns any interest, except publically traded corporations**"

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. 25—**

BY SENATOR NEVERS

## AN ACT

To enact R.S. 42:1119.1, relative to ethical standards for public servants; to provide for conflicts of interest by elected officials; to prohibit appointment or nomination of campaign contributors; to provide 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. 25 by Senator Nevers

**AMENDMENT NO. 1**

On page 1, line 3, after "nomination of" insert "certain"

**AMENDMENT NO. 2**

On page 1, line 8, change "**agency**" to "**state board or commission**"

**AMENDMENT NO. 3**

On page 1, line 9, change "**campaign**" to "**principal or any subsidiary campaign committee for one election period which in the aggregate for such election is two thousand five hundred dollars or more nor the spouse or immediate family member, as defined in R.S. 42:1102(13), of the contributor nor any officer of any business or corporation in which the contributor owns any interest, except publically traded corporations.**"

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. 29—**

BY SENATOR MARIONNEAUX

## AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1483(14)(c) and 1501.2, relative to campaign finance; to define certain political organizations to be included as political committees for purposes of filing campaign finance reports; to provide for reporting by such political organizations of campaign contributions and expenditures; 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. 31—**

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

## AN ACT

To amend and reenact R.S. 18:1491.7(B)(4)(a), 1495.5(B)(4)(a), and 1501.1(C)(1), relative to campaign finance; to require that the name of the employer of certain contributors be included on campaign finance reports when reporting such contributions; 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. 31 by Senator Kostelka

**AMENDMENT NO. 1**

On page 1, delete line 2, and insert "To enact R.S. 18:1491.7(B)(4)(d), 1495.5(B)(4)(d) and 1501.1(C)(1)(d), relative"

**AMENDMENT NO. 2**

On page 1, line 4, change "contributions;" to "contributions if obtained; to provide the standard for good faith compliance;"

**AMENDMENT NO. 3**

On page 1, delete lines 7 and 8, and insert the following: "Section 1, R.S. 18:1491.7(B)(4)(d), 1495.5(B)(4)(d) and 1501.1(C)(1)(d) are hereby enacted to read as follows:"

**AMENDMENT NO. 4**

On page 1, delete line 17 and one page 2, delete lines 1 through 18, and insert the following:

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\* \* \*

(d) For individual and aggregate contributions from a single person in excess of two-hundred and fifty dollars, the political committee shall request from the contributor the identity of his or her employer and shall include the contributor's response, if any, on the report. The certification of the report shall establish a presumption of the committee's good faith compliance with this obligation.

AMENDMENT NO. 5

On page 2, delete lines 28 and 29 and on page 3, delete lines 1 through 8 and insert the following:

\* \* \*

(d) For individual and aggregate contributions from a single person in excess of two-hundred and fifty dollars, the candidate shall request from the contributor the identity of his or her employer and shall include the contributor's response, if any, on the report. The certification of the report shall establish a presumption of the committee's good faith compliance with this obligation.

AMENDMENT NO. 6

On page 3, delete lines 20 through 29 and on page 4, delete lines 1 through 3 and insert the following:

(1) The full name and address of each person from whom such person has received and accepted a contribution or to whom such person has made an expenditure during such period in excess of the following amounts:

\* \* \*

(d) For individual and aggregate contributions from a single person in excess of two-hundred and fifty dollars, the person shall request from the contributor the identity of his or her employer and shall include the contributor's response, if any, on the report. The certification of the report shall establish a presumption of the committee's good faith compliance with this obligation.

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. 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), 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 provide for an effective date; 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. 46 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 18:1505.2(I)(4)" and the comma, " insert ", 1511.3(F) and R.S. 44:4.1(B)(37)"

AMENDMENT NO. 2

On page 1, line 6, between "report;" and "to" insert "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;"

AMENDMENT NO. 3

On page 1, line 10, change "is" to "and 1511.3(F) are"

AMENDMENT NO. 4

On page 2, between lines 20 and 21, insert the following: "§1511.3. Filing of reports; forms; notice; audit

\* \* \*

F.(1) The supervisory board shall conduct audits as provided in this Subsection of all reports which are required to be maintained or filed in compliance with the provisions of this Chapter by any office holder, candidate, or any principal or subsidiary committee of such office holder or candidate. Each audit shall be confidential and the board shall have the authority to obtain the information necessary to conduct the audit. The audit required under this Subsection shall be conducted by the staff of the Board of Ethics.

(2)(a) The supervisory board shall annually audit at least twenty-five percent of the reports required to be maintained or filed in accordance with the provisions of this Chapter and the reports to be audited pursuant to this Subsection shall be selected at random by the supervisory board.

(b) Notwithstanding any other provision of law to the contrary, during the initial twelve-month period that audits are conducted pursuant to this Subsection, no fine or penalty shall be imposed as a result of such initial audit. The offending individual or entity shall be notified of the audit results and given the opportunity to remedy the violation. However, for a second violation of any reporting violation of this Chapter, the offending individual or entity shall be subject to double the amount of the civil penalty or criminal penalty otherwise applicable to violation as set forth in this Chapter.

Section 2. R.S. 44:4.1(B)(37) is hereby enacted to read as follows:

§4.1. Exceptions

\* \* \*

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

\* \* \*

(37) R.S. 18:1511.3(F)"

AMENDMENT NO. 5

On page 2, line 21, change "Section 2." to "Section 3."

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. 47— BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 18:1501.1(A) and 1511.6(A) and to enact R.S. 18:1483(9.1), 1505.2(U), and 1505.6(D), relative to election campaign finance; to provide relative to reports by persons not candidates or committees; to provide relative to prohibited practices and limitations; to prohibit legislators from receiving certain compensation from candidates or committees; to provide relative to criminal penalties for violations of election campaign finance law; to provide penalties for engaging in prohibited practices or for failure to submit certain information to candidates or committees; to provide for an effective date; 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. 47 by Senator Adley

AMENDMENT NO. 1

On page 1, lines 3 and 12, delete "1505.2(U)," and on lines 6 and 7, delete "to prohibit legislators from receiving certain compensation from candidates or committees;"



AMENDMENT NO. 2

On page 2, delete lines 17 through 24 in their entirety

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. 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.

Reported favorably by the Committee on Judiciary C. On motion of Senator Amedee, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 57—**

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1121(A)(1), relative to conflicts of interest; to prohibit assistance to certain persons by certain public servants within two years after termination of public service; 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. 58—**

BY SENATORS MARTINY AND MURRAY

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.

Reported favorably by the Committee on Judiciary C. On motion of Senator Amedee, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 59—**

BY SENATORS MARTINY AND MURRAY

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.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 59 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 9 after "**financial**" and before "**interest**" insert "**conflict of**"

AMENDMENT NO. 2

On page 2, at the beginning of line 11 insert "**business or**" and after "**legislator**" and before "**is**" insert "**or his immediate family**"

AMENDMENT NO. 3

On page 3, at the beginning of line 4 delete "**concealment**" and insert "**benefit**"

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

**SENATE BILL NO. 60—**

BY SENATORS MARTINY AND MURRAY

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.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 60 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 9 after "**financial**" and before "**interest**" insert "**conflict of**"

AMENDMENT NO. 2

On page 2, line 10 after "**disclose the**" and before "**businesses**" insert "**business or**" and after "**he**" and before "**is**" insert "**or his immediate family**"

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

**SENATE BILL NO. 65—**

BY SENATORS SCALISE AND WALSWORTH

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.

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 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. 34—**

BY SENATORS KOSTELKA, AMEDEE, BROOME, CHAISSON,  
DONAHUE, DUPLESSIS, JACKSON, 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 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. 34 by Senator Kostelka

AMENDMENT NO. 1

On page 1, line 4, after "members;" insert " to provide for allowable reimbursements;"

AMENDMENT NO. 2

On page 1, line 13, delete "**used**,"

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AMENDMENT NO. 3

On page 1, at the end of line 14, insert "provided that nothing in this Paragraph shall prevent the reimbursement by the candidate or the candidate's principal or subsidiary committee of payments for expenses incurred on behalf of his political campaign by a family member of the candidate."

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.

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of advancing to the order of

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. 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 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.

On motion of Senator Chaisson, the bill was read by title and recommitted to the Committee on Finance.

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, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAU, N. GAUTREAU, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, JOHN SMITH, THOMPSON AND WALSWORTH AN ACT

To amend and reenact R.S. 42:1113(D)(1) and 1114.3 and to enact R.S. 42:1113(D)(2)(g) and (h), (3), and (4), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide restrictions on certain contracts; to provide for disclosure relative to certain contracts; to provide exceptions and waivers; to provide for effectiveness; 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. 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, SMITH, THOMPSON AND WALSWORTH AN ACT

To enact R.S. 24:56(H), (I), (J), and (K), and R.S. 49:78.1(E), (F), (G), (H), and (I), relative to lobbyists; to prohibit contingency contracts; to prohibit false or misleading statements; to prohibit the instigation of legislation or executive action so as to lobby such legislation or executive action; to prohibit certain persons from 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. 10 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 11, delete "for"

AMENDMENT NO. 2

On page 1, line 12, change "to, lobby" to ", for lobbying"

AMENDMENT NO. 3

On page 2, line 11, delete "for"

AMENDMENT NO. 4

On page 2, line 12, change "to, lobby" to ", for lobbying"

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. 10 by Senator Chaisson

AMENDMENT NO. 1

On page 3, line 15, after "Commission" delete the remainder of the line and insert a period "."

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.

SENATE BILL NO. 35—

BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, DUPLESSIS, JACKSON, KOSTELKA, SMITH, WALSWORTH, N. GAUTREAU, SCALISE AND THOMPSON 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.

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. 35 by Senator Chaisson

AMENDMENT NO. 1

On page 1 line 15, after "or other person." insert "The prohibition contained in this Section shall not require disclosure of any terms contained in a confidentiality agreement entered into between parties which is not done for the purpose of circumventing the Code of Governmental Ethics."

On motion of Senator Adley, 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, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Total - 36; Dupre, Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Kostelka, LaFleur, Long, Martiny, McPherson; Michot, Morrish, Mount, Murray, Nevers, Quinn, Riser, Scalise, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

ABSENT

Table with 3 columns: Jackson, Total - 3; Marionneaux; Shepherd.

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. 39—

BY SENATORS CHAISSON, AMEDEE, BROOME, DUPLESSIS, JACKSON, KOSTELKA, 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.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 39 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 3, after "relative to" delete "civil and"

AMENDMENT NO. 2

On page 1, line 12, after "8," insert "upon conviction"

AMENDMENT NO. 3

On page 1, line 13, after "a" delete "civil penalty" and insert "fine for a first offense"

AMENDMENT NO. 4

On page 1, line 15, after "penalty." delete the remainder of the line

AMENDMENT NO. 5

On page 1, line 16, delete "sixty days of the violation."

On motion of Senator Martiny, 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. 39 by Senator Chaisson

AMENDMENT NO. 1

On page 3, delete lines 16 thru 20 in their entirety

On motion of Senator Jackson, the amendments were adopted.

Floor Amendments Sent Up

Senator Martiny sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 39 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 16, after "who" insert "has knowledge that a meeting will be conducted in violation of R.S. 42:4.1 through 8, and who"

AMENDMENT NO. 2

On page 1, line 17, after "participates in" delete the remainder of the line and insert "such a meeting"

AMENDMENT NO. 3

On page 2, line 1, delete "8,"

AMENDMENT NO. 4

On page 2, line 8, after "Section," insert "such"

On motion of Senator Martiny, 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, Adley, Alario, Amedee, Broome, Cassidy, Cheek, Cravins, Crowe, Donahue, Dorsey, Duplessis, Dupre, Total - 37; Erdey, Gautreaux B, Gautreaux N, Gray, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Martiny, McPherson, Michot; Morrish, Mount, Murray, Nevers, Quinn, Riser, Scalise, Shaw, Smith, Thompson, Walsworth.

NAYS

Total - 0

February 15, 2008

ABSENT

Marionneaux Shepherd
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.

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. 10 be called from the Calendar at this time for its final passage.

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, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

AN ACT

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

Floor Amendments Sent Up

Senator Cassidy sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cassidy to Engrossed Senate Bill No. 10 by Senator Chaisson

AMENDMENT NO. 1

On page 2, between lines 5 and 6, insert the following:

"L. Nothing in this Section shall apply to persons solely involved in making vendor sales."

On motion of Senator Cassidy, 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. 10 by Senator Chaisson

AMENDMENT NO. 1

On page 3, between lines 13 and 14, insert the following:

- (g) The executive counsel to the governor.
(r) The chief of staff of the office of the governor.
(s) Members of the Public Service Commission.
(t) Members of the State Board of Elementary and Secondary Education.
(u) Members of the Board of Regents.
(v) Members of the Board of Supervisors of the University of Louisiana System.
(w) Members of the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.
(x) Members of the Board of Supervisors of Southern

University and Agricultural and Mechanical College.

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

(z) Members of the Wildlife and Fisheries Commission.

(aa) Members of the State Police Commission.

(bb) Members of the Board of Ethics.

(cc) 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 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

Marionneaux
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 Jackson stated she was voted in error on Senate Bill No. 10. She was not in the Chamber when her machine was voted and she should be shown as absent on the vote. She asked that the Official Journal so state.

Rules Suspended

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

Messages from the House

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

**Message from the House**

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

February 15, 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. 43—**  
BY REPRESENTATIVE PETERSON  
AN ACT

To amend and reenact R.S. 18:1505.2(O) and to enact R.S. 18:1505.2(I)(4), relative to campaign finance; to provide relative to the use of campaign funds; to provide for the payment of campaign finance fines, fees, and penalties; and to provide for related matters.

**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.

**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.

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. 43—**  
BY REPRESENTATIVE PETERSON  
AN ACT

To amend and reenact R.S. 18:1505.2(O) and to enact R.S. 18:1505.2(I)(4), relative to campaign finance; to provide relative to the use of campaign funds; to provide for the payment of campaign finance fines, fees, and penalties; 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.

**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.

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

**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.

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

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

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. 1 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1—**  
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, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, JOHN SMITH, THOMPSON AND WALSWORTH  
AN ACT

To amend and reenact R.S. 42:1113(D)(1) and 1114.3 and to enact R.S. 42:1113(D)(2)(g) and (h), (3), and (4), relative to conflicts of interest; to provide relative to certain contracts involving certain public servants and certain affiliated persons and entities; to provide restrictions on certain contracts; to provide for disclosure relative to certain contracts; to provide exceptions and waivers; to provide for effectiveness; 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. 1 by Senator Chaisson

AMENDMENT NO. 1  
On page 8, line 6, between "legislator," and "appointed" insert "each"

AMENDMENT NO. 2  
On page 9, line 9, after "in" insert "Paragraph (2) of this Subsection"

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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 3, line 29, after "shall be" insert "continued past January 8, 2012 or"

AMENDMENT NO. 2

On page 4, line 18, after "shall be" insert "continued past January 8, 2012 or"

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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 19, after "member" delete "owns any" and insert "has more than a five percent"

AMENDMENT NO. 2

On page 4, line 6, after "member" delete "owns any" and insert "has more than a five percent"

AMENDMENT NO. 3

On page 5, line 27, after "member" delete "owns any" and insert "has more than a five percent"

AMENDMENT NO. 4

On page 6, line 25, after "member" delete "owns any" and insert "has more than a five percent"

AMENDMENT NO. 5

On page 7, line 19, after "(4)" insert "(a)" and at the end of the line, delete "immediate family"

AMENDMENT NO. 6

On page 7, line 20, change "member" to "spouse"

AMENDMENT NO. 7

On page 7, line 21, delete "immediate family member" and insert "spouse"

AMENDMENT NO. 8

On page 7, line 29, delete "immediate family" and insert "spouse"

AMENDMENT NO. 9

On page 8, line 1, delete "member"

AMENDMENT NO. 10

On page 8, between lines 3 and 4, insert the following: "(b) Each immediate family member of a statewide elected official or legislator who derives, either directly or through a legal entity in which such immediate family member has more than a five percent interest, except publicly traded companies or a portion of non publicly traded company stock that does not result in an ownership interest of greater than five percent of all such stock or a passive ownership interest that is the result of participation in a federally approved program of employee ownership participation such as the Employee Stock Ownership Program known as ESOP, any thing of economic value through any contract or subcontract which is directed to addressing needs directly emanating from a gubernatorially declared disaster or

emergency and which the immediate family member knows or reasonably should know is or may be funded or reimbursed in whole or in part with federal funds shall disclose the information required by Subsection C of this Section as provided in that Subsection."

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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 3, line 1, after "1950" insert ", or the subcontract is from a publicly bid primary or general contract"

AMENDMENT NO. 2

On page 3, line 25, after "1950" insert ", or the subcontract is from a publicly bid primary or general contract"

AMENDMENT NO. 3

On page 3, line 27, after "1950" insert ", or the subcontract is from a publicly bid primary or general contract"

AMENDMENT NO. 4

On page 4, line 16, after "1950" insert ", or the subcontract is from a publicly bid primary or general contract"

AMENDMENT NO. 5

On page 7, line 5, after "1950" insert ", or the subcontract is from a publicly bid primary or general contract"

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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 6, delete lines 23 through 29 and on page 7, delete lines 1 through 11 and insert the following:

"(2) The provisions of Paragraph (1) of this Subsection shall not apply to construction-related contracts entered into with entities more than two years following the initial declaration of disaster or emergency; provided that the entity is not the governmental entity of the statewide elected official or legislator."

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. 1 by Senator Chaisson

AMENDMENT NO. 1

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

"(i) An agreement with a state entity or state quasi public entity providing for retirement and insurance benefits, provided that those benefits are available to similarly situated persons."

(i) An agreement providing for public assistance benefits, including but not limited to, subsidies for agriculture, aquaculture, forestry, soil and water conservation, educational scholarships, grants, subsidies or guaranteed student loans, provided that such benefit are available to similarly situated persons."

AMENDMENT NO. 2

On page 7, line 12, after "(3)(a)" insert "(i)"

AMENDMENT NO. 3

On page 7, line 17, change "(b)" to "(ii)"

AMENDMENT NO. 4

On page 7, between lines 18 and 19, insert the following:

"(b) For the purposes of this Subsection, the following shall not constitute a contract or subcontract:

(i) A provider agreement entered into with the Department of Health and Hospitals under the state medical assistance program.

(ii) A foster parent provider agreement or a child care provider agreement entered into with the Department of Social Services.

(iii) An agreement with a state entity or state quasi public entity providing for retirement and insurance benefits, provided that those benefits are available to similarly situated persons.

(iv) An agreement providing for public assistance benefits, including but not limited to, subsidies for agriculture, aquaculture, forestry, soil and water conservation, educational scholarships, grants, subsidies or guaranteed student loans, provided that such benefit are available to similarly situated persons.

(c) The provisions of this Subsection shall not prohibit the following:

(i) Contracts for employment in a professional educational capacity in an elementary or secondary school or other educational institution.

(ii) Contracts of sale pursuant to the expropriation of immovable property by any branch, agency, department, or institution of state government.

(iii) Contracts of employment of a physician with the state or the charity hospitals of the state.

(iv) Donation of professional veterinary services or the donation of any goods and services related to the provision of such veterinary services."

On motion of Senator Chaisson, 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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 1, lines 2 and 9, after "42:1113" and before "(D)" insert "(A) and"

AMENDMENT NO. 2

On page 1, between lines 11 and 12, insert the following:

"A. (1) No public servant, excluding any legislator and any appointed member of any board or commission and any member of a governing authority of a parish with a population of ten thousand or less, or member of such a public servant's immediate family, or legal entity in which he has a controlling interest shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant.

(2) No head of a department listed in R.S. 36:4(A) who is appointed by the governor or lieutenant governor shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of any agency to which

funds have been transferred from the agency of such department head, but such prohibition shall apply only to any contract, subcontract, or transaction related to such funds."

AMENDMENT NO. 3

On page 1, line 13, after "No" and before "legislator" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 4

On page 1, line 16, after "the" and before "legislator" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 5

On page 3, line 10, after "between" and before "a legislator" insert "the commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 6

On page 4, line 3, after "of" and before "a legislator" insert "the commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 7

On page 4, line 26, after "former" and before "legislator" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 8

On page 5, line 5, after "former" and before "legislator's" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor, or"

AMENDMENT NO. 9

On page 5, line 7, after "former" and before "legislator's" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor, or"

AMENDMENT NO. 10

On page 5, line 9, after "Each" and before "member" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor, or"

AMENDMENT NO. 11

On page 5, line 11, after "between" and "the" insert "the commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 12

On page 5, line 22, after "member of" and before "a legislator" insert "the commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 13

On page 6, line 8, after "official," and before "legislator" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 14

On page 6, line 19, after "official," and before "legislator" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 15

On page 6, line 24, after "official" and before "or" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 16

On page 7, line 19, after "official," and before "legislator" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

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AMENDMENT NO. 17

On page 8, line 15, after "official" and before "or" insert "commissioner of administration, executive counsel to the governor, chief of staff to the governor,"

AMENDMENT NO. 18

On page 9, line 17, after "official" and before "and" insert "commissioner of administration, executive counsel to the governor, or chief of staff to the governor,"

On motion of Senator Jackson, 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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 10, after "created in law" insert the following: "Notwithstanding any provision of law to the contrary, the persons affected by the requirements and prohibitions of this act shall include all parish and municipal elected public officials in communities that exceed 5,000 persons in population."

Senator Shepherd moved adoption of the amendments.

Senator Chaisson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cravins Hebert Shaw
Gautreaux B McPherson Shepherd
Gray Murray
Total - 8

NAYS

Mr. President Duplessis Michot
Adley Dupre Morrish
Alario Erdey Mount
Amedee Gautreaux N Nevers
Broome Heitmeier Quinn
Cassidy Jackson Riser
Cheek Kostelka Scalise
Crowe LaFleur Smith
Donahue Long Thompson
Dorsey Martiny Walsworth
Total - 30

ABSENT

Marionneaux
Total - 1

The Chair declared the amendments were rejected.

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. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 16, after "(b)" insert "(i)"

AMENDMENT NO. 2

On page 2, line 18, after "legislature," insert "and no person provided for in R.S. 42:1113(D)(b)(ii)," and at the end of the line, insert "persons provided for in R.S. 42:1113(D)(b)(ii) or"

AMENDMENT NO. 3

On page 3, between lines 1 and 2, insert:
"(ii) The provisions of this Subparagraph and other provisions to which reference to this Item is made shall apply to the following persons, their spouses, and their immediate family members:
(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.
(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.
(yv) 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.
(ccc) The deputy chief of staff to the governor.
(ddd) Members of the Gaming Control Board.
(eee) The members of the Louisiana Board of Parole.
(fff) The members of the Louisiana Board of Pardons.
(ggg) The members of the Mineral Board.
(hhh) The members of the Louisiana Lottery Commission.
(iii) The governor's legislative director.
(iji) The members of the Board of Commerce and Industry.
(kkk) The members of the Louisiana Recovery Authority.
(lli) The Louisiana Racing Commission."

AMENDMENT NO. 4

On page 4, line 4, after "legislature," insert "and completion of any contract or subcontract between a person provided for in R.S. 42:1113(D)(b)(ii),"

AMENDMENT NO. 5

On page 4, line 6, after "member" insert "or person provided for in R.S. 42:1113(D)(b)(ii),"



AMENDMENT NO. 6

On page 5, line 23, after "spouse," insert "and each person provided for in R.S. 42:1113(D)(b)(ii),"

AMENDMENT NO. 7

On page 5, line 24, after "legislator's" insert "or person provided for in R.S. 42:1113(D)(b)(ii),"

AMENDMENT NO. 8

On page 5, lines 26 and 27, after "member" insert ",or person provided for in R.S. 42:1113(D)(b)(ii),"

Senator Murray moved adoption of the amendments.

Senator Chaisson objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Cassidy	Gray	Murray
Cheek	Hebert	Quinn
Cravins	Jackson	Scalise
Dorsey	LaFleur	Shepherd
Duplessis	McPherson	Smith
Total - 21		

NAYS

Mr. President	Heitmeier	Riser
Broome	Kostelka	Shaw
Crowe	Long	Thompson
Donahue	Martiny	Walsworth
Dupre	Michot	
Erdey	Nevers	
Total - 16		

ABSENT

Amedee	Marionneaux
Total - 2	

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Gray sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Gray to Engrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 13, after "No" and before "legislator" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

AMENDMENT NO. 2

On page 1, line 16, after "the" and before "legislator" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

AMENDMENT NO. 3

On page 2, line 16, after "a" and before "legislator" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

AMENDMENT NO. 4

On page 3, line 10, after "between" and before "a legislator" insert "a public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

AMENDMENT NO. 5

On page 4, line 3, after "of" and before "a legislator" insert "a public employee as defined in R.S. 42:1102 other than clerical employees employed by the office of the governor,"

AMENDMENT NO. 6

On page 4, line 26, after "former" and before "legislator" insert "public employee or,"

AMENDMENT NO. 7

On page 5, line 5, after "former" and before "legislator's" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 8

On page 5, line 8, after "legislator" add the following: "or service as a public employee other than clerical employees employed in the office of the governor"

AMENDMENT NO. 9

On page 5, line 9, after "Each" and before "member" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 10

On page 5, line 11, after "between" and before "the" insert "a public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 11

On page 5, line 22, after "member of" and before "a legislator" insert "a public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 12

On page 5, line 23, change "legislator's" to "legislator's or employee's"

AMENDMENT NO. 13

On page 6, line 8, after "official;" and before "legislator" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

AMENDMENT NO. 14

On page 6, line 19, after "official," and before "legislator" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

AMENDMENT NO. 15

On page 6, line 24, after "official" and before "or" insert "or public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 16

On page 7, line 19, after "official," and before "legislator" insert "public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 17

On page 8, line 15, after "official" and before "or" insert ", public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor, or"

AMENDMENT NO. 18

On page 9, line 17, after "official" and before "and" insert ", public employee as defined in R.S. 42:1102 other than clerical employees employed in the office of the governor,"

On motion of Senator Gray, the amendments were adopted.

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

February 15, 2008

**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	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 36		

**NAYS**

Shepherd  
Total - 1

**ABSENT**

Dorsey  
Total - 2

Marionneaux

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 Dorsey stated she appeared as absent on the vote on Senate Bill No. 1. She had intended to vote yea on the bill. She asked that the Official Journal so state.

**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 15, 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. 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, MONTUCET, 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.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, 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. 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 powers, functions, and duties of 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.

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. 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, MONTUCET, 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.

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

**Mr. President in the Chair**

**HOUSE BILL NO. 41—**

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, 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. 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 powers, functions, and duties of 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.

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

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Marionneaux 1 Day

**Adjournment**

Senator Broome moved that the Senate adjourn until Monday, February 18, 2008, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Monday, February 18, 2008.

GLENN A. KOEPP  
Secretary of the Senate

LYNDA E. WHEELER  
Journal Clerk

