Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

February 22, 2008

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 53—
BY SENATOR MURRAY AND REPRESENTATIVE BALDONE
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.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

February 22, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1 by Representative Tucker, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Tucker, Gallot and Peterson.

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

Rules Suspended

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

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

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

Senator Broome in the Chair

SENATE BILL NO. 3—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROW, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, R. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RIDER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH
AN ACT
To amend and reenact R.S. 24:51(2) and R.S. 49:72(5) and to repeal R.S. 42:1123(13), relative to the Code of Governmental Ethics; to repeal certain exceptions relative to the acceptance by an elected official of certain things of economic value for certain cultural or sporting events; and to provide for related matters.
The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Connick to Reengrossed Senate Bill No. 3 by Senator Chaisson

**AMENDMENT NO. 1**
On page 1, line 2, after "reenact" and before "R.S. 42:1123(13)," delete "R.S. 24:51(2) and R.S. 49:72(5) and to repeal".

**AMENDMENT NO. 2**
On page 1, line 3, after "Ethics: to" and before "relative" delete "repeal certain exceptions" and insert "provide".

**AMENDMENT NO. 3**
On page 1, delete lines 7 through 17 in their entirety and on page 2, delete lines 1 through 14 in their entirety.

**AMENDMENT NO. 4**
On page 2, line 15, change "Section 3." to "Section 1."

**AMENDMENT NO. 5**
On page 2, line 15, after "hereby" delete "repealed," and insert "amended and reenacted to read as follows:"

$1123. Exceptions
This Part shall not preclude:

(13) (a) The acceptance while in the performance of the duties and responsibilities of his office or position by an elected official of anything of economic value as a gift or gratuity from any person when the value of such gift does not exceed one hundred dollars per event, up to an aggregate amount of five hundred dollars in a calendar year from any person, and when the nature of the gift is limited to a cultural or sporting event within the boundaries of this state including the territorial waters thereof, including entertainment reasonably incidental thereto. The provisions of this Paragraph shall also be applicable to an elected official who is on official business of his governmental entity outside of the boundaries of this state as long as said elected official is entitled to compensation or reimbursement from his agency for such official business.

(b) The provisions of this Paragraph shall not apply to any ticket or pass which would allow an elected official or a member of his immediate family into any professional, semi-professional, or collegiate sporting event; a musical concert performance or organization's fundraising event open to the general public.

**AMENDMENT NO. 6**
On page 2, line 16, change "Section 4." to "Section 2."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hutter to Reengrossed Senate Bill No. 3 by Senator Chaisson

**AMENDMENT NO. 1**
On page 1, line 2, after "R.S. 49:72(5)" and before "and" insert a comma "," and "to enact R.S. 42:1111.1,"

**AMENDMENT NO. 2**
On page 1, line 5, after "events;" and before "and to" insert "to prohibit giving or making available to a public employee or the immediate family member of a public employee certain tickets or forms of admission, with exceptions;"

**AMENDMENT NO. 3**
On page 2, between lines 1 and 2, insert: "Section 2. R.S. 42:1111.1 is hereby enacted to read as follows: $1111.L. Public employee: tickets prohibited

**AMENDMENT NO. 4**
On page 2, at the beginning of line 2, change "Section 2." to "Section 5."

**AMENDMENT NO. 5**
On page 2, at the beginning of line 15, change "Section 3." to "Section 4."

**AMENDMENT NO. 6**
On page 2, at the beginning of line 16, change "Section 4." to "Section 5."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Smiley to Reengrossed Senate Bill No. 3 by Senator Chaisson

**AMENDMENT NO. 1**
On page 2, delete lines 16 through 20 in their entirety and insert the following:

"Section 4. The provisions of this Act shall become effective on December 31, 2008."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Ellington to Reengrossed Senate Bill No. 3 by Senator Chaisson

**AMENDMENT NO. 1**
In House Floor Amendment No. 5 proposed by Representative Connick and adopted by the House on February 21, 2008, on page 1, line 31, after "pass" and before "which" insert "purchased by a registered lobbyist or his principal"

Senator Chaisson moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tr>
<td>Mr. President</td>
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<tr>
<td>Adley</td>
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<td>Dorsey</td>
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or refreshment provided to a public servant shall be determined by dividing the total cost of the food, drink, and refreshment provided at the event by the total number of persons invited to the event.

Section 2. The provisions of this Act shall become effective on March 30, 2008."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed Senate Bill No. 8 by Senator Chaisson

AMENDMENT NO. 1
In House Committee Amendment No. 2 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on February 20, 2008, at the end of line 9, after "event," insert "However, the total value of the food, drink, or refreshment given shall not include any payment by the public servant for the food, drink, or refreshment,"

AMENDMENT NO. 2
In House Committee Amendment No. 4 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on February 20, 2008, at the end of line 32, after "event," insert "In determining the cost of the food, drink, or refreshment provided, any payment made by the public employee for the food, drink, or refreshment shall be subtracted,"

AMENDMENT NO. 3
In House Committee Amendment No. 7 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on February 20, 2008, at the end of line 9, after "event," insert: "E. The provisions of this Section shall not apply to a gathering held in conjunction with a meeting related to national or regional organizations.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ellington to Engrossed Senate Bill No. 8 by Senator Chaisson

AMENDMENT NO. 1
In House Committee Amendment No. 7, proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on February 20, 2008, on page 1, between lines 32 and 33, insert the following:

AMENDMENT NO. 2
In House Committee Amendment No. 2 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on February 20, 2008, on page 1, between lines 10 and 11, delete "give or offer, either directly or indirectly," and insert: "give,"

AMENDMENT NO. 3
In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on February 20, 2008, on page 1, between lines 10 and 11, delete "give or offer, either directly or indirectly," and insert: "give,"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Engrossed Senate Bill No. 8 by Senator Chaisson

AMENDMENT NO. 1
Delete House Committee Amendments no. 1 and no. 3, proposed by the Committee on House and Governmental Affairs and adopted by the House on February 20, 2008.

AMENDMENT NO. 2
On page 1, line 10, delete "give or offer, either directly or indirectly," and insert: "give,"

AMENDMENT NO. 3
On page 1, lines 14 and 15, delete "give or offer, either directly or indirectly," and insert: "give,"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Smiley to Engrossed Senate Bill No. 8 by Senator Chaisson
AMENDMENT NO. 1
On page 2 delete lines 11 through 15 and insert "Section 2. The provisions of this Act shall become effective on December 31, 2008."

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Danahay to Engrossed Senate Bill No. 8 by Senator Chaisson

AMENDMENT NO. 1
In House Floor Amendment No.1 proposed Representative Ellington and adopted by the House of Representatives on February 21, 2008, on page 1, line 4 delete "national or regional organizations," and insert "a national or regional organization or a meeting of a statewide organization of governmental officials or employees."

Senator Chaisson moved to reject the amendments proposed by the House.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. President         Duplessis         Morrish
Adley                Erdey            Mount
Alario              Gautreaux B       Murray
Amedee             Gautreaux N       Nevers
Broume              Heitmeier        Riser
Cassidy            Jackson          Scalise
Cheek                Kostelka       Shaw
Cravins              Long            Smith
Crowe               Marionneaux      Walsworth
Donahue             Martiny          
Dorsey              Michot          

Total - 31

NAYS

Total - 0

ABSENT

Dupre               LaFleur         Shepherd
Gray               McPherson        Thompson
Hebert              Quinn           

Total - 8

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

SENATE BILL NO. 35
BY SENATORS - CHAISSON, AMEDEE, BROOME, DONAHUE, DUPLESSIS, N. GAUTREAUX, JACKSON, KOSTELKA, SCALISE, SMITH AND WALSWORTH
AN ACT
To enact R.S. 42:1117.1, relative to the Code of Governmental Ethics; to prohibit the use of certain actions or methods to circumvent the provisions of the Code of Governmental Ethics; to provide for penalties; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 35 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 4, after "Ethics;" and before "to provide" insert "to provide exceptions;"
ROLL CALL
The roll was called with the following result:

YEAS

Mr. President Duplessis Morrish
Adley Erdey Mount
Alario Gautreaux B Murray
Amedee Gautreaux N Riser
Broomo Heitmeier Scalise
Cassidy Jackson Shaw
Cheek Kostelka Smith
Cravins Long Thompson
Crowe Manonaux Walsworth
Donahue Martiny
Dorsey Michot
Total - 31

NAYS

Total - 0

ABSENT

Dupre LaFleur Quinn
Gray McPherson Shepherd
Hebert Nevers
Total - 8

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

SENATE BILL NO. 1—

AN ACT

To amend and reenact R.S. 42:1113(A) and (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 disclosure relative to certain contracts; to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
On page 2, line 9, after “No” delete the remainder of the line and insert “commissioner of administration, chief of staff to the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person

or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees.

AMENDMENT NO. 2
On page 2, delete lines 15 through 17 and insert "commissioner of administration, chief of staff to the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person

AMENDMENT NO. 3
On page 3, delete line 10, delete "public" and delete line 6 and on line 7 delete "the office of the governor," and insert "commissioner of administration, of a chief of staff to the governor or any person employed in his office excluding clerical employees, of an executive counsel to the governor or any person employed in his office excluding clerical employees, of a legislative director for the governor or any person employed in his office excluding clerical employees, or of a

AMENDMENT NO. 4
On page 3, at the end of line 8, delete "R.S." and on line 9, change "42:1113(D)(1)(b)(ii)," to "Item (ii) of this Subparagraph.

AMENDMENT NO. 5
On page 4, line 10, delete "R.S. 42:1113(D)(1)(b)(ii) or immediate family," and on line 11, delete "member" and insert "Item (ii) of this Subparagraph"

AMENDMENT NO. 6
On page 4, delete lines 16 through 18

AMENDMENT NO. 7
On page 4, line 19, change "(ss)" to "(pp)"

AMENDMENT NO. 8
On page 4, line 20, change "(tt)" to "(qq)"

AMENDMENT NO. 9
On page 4, line 22, change "(uu)" to "(rr)"

AMENDMENT NO. 10
On page 4, line 23, change "(vv)" to "(ss)"

AMENDMENT NO. 11
On page 4, line 25, change "(ww)" to "(tt)"

AMENDMENT NO. 12
On page 4, line 27, change "(xx)" to "(uu)"

AMENDMENT NO. 13
On page 4, line 29, change "(yy)" to "(ww)"

AMENDMENT NO. 14
On page 5, line 2, change "(zz)" to "(ww)"

AMENDMENT NO. 15
On page 5, line 3, change "(aaa)" to "(xx)"

AMENDMENT NO. 16
On page 5, line 4, change "(bbb)" to "(yy)"

AMENDMENT NO. 17
On page 5, line 5

AMENDMENT NO. 18
On page 5, line 6, change "(ddd)" to "(zz)"

AMENDMENT NO. 19
On page 5, line 7, change "(eee)" to "(aaa)"
AMENDMENT NO. 20
On page 5, line 8, change "(fff)" to "(bbb)"

AMENDMENT NO. 21
On page 5, line 9, change "(ggg)" to "(eee)"

AMENDMENT NO. 22
On page 5, line 10, change "(hhh)" to "(ddd)"

AMENDMENT NO. 23
On page 5, delete line 11

AMENDMENT NO. 24
On page 5, line 12, change "(iii)" to "(eee)"

AMENDMENT NO. 25
On page 5, line 13, change "(kkk)" to "(fff)"

AMENDMENT NO. 26
On page 5, line 14, change "(iii)" to "(ggg)"

AMENDMENT NO. 27
On page 5, between lines 14 and 15, insert the following:
"(iii) The provisions of this Subparagraph shall not prohibit a contract for professional services entered into with the attorney general which is based on criteria set forth by the office of risk management."

AMENDMENT NO. 28
On page 5, at the end of line 23, delete "public" and delete lines 24 and 25 and on line 26, delete "the governor, chief of staff to the governor," and insert "a commissioner of administration, a chief of staff to the governor or any person employed in his office excluding clerical employees, an executive counsel to the governor or any person employed in his office excluding clerical employees, a legislative director for the governor or any person employed in his office excluding clerical employees, a member of the legislature, his spouse, or any employee, legislative director for the governor or anyone formerly employed in his office excluding clerical employees,"

AMENDMENT NO. 29
On page 5, line 20, after "of a" delete the remainder of the line and delete lines 21 and 22 and on line 23, delete "to the governor," and insert "commissioner of administration, a chief of staff to the governor or any person employed in his office excluding clerical employees, an executive counsel to the governor or any person employed in his office excluding clerical employees, a legislative director for the governor or any person employed in his office excluding clerical employees,"

AMENDMENT NO. 30
On page 6, line 25, change "R.S. 42:1113(D)(1)(b)(ii)" to "Item (1)(b)(ii) of this Subsection"

AMENDMENT NO. 31
On page 6, line 26, after "in which" delete the remainder of the line and delete line 27 and insert "a person provided for in Item (1)(b)(ii) of this Subsection, has more"

AMENDMENT NO. 32
On page 7, delete lines 27 through 29 and insert the following:
"(3) No former commissioner of administration, chief of staff to the governor or any person formerly employed in his office excluding clerical employees, executive counsel to the governor or any person formerly employed in his office excluding clerical employees, legislative director for the governor or any person formerly employed in his office excluding clerical employees,"

AMENDMENT NO. 33
On page 8, delete lines 9 through 11, and insert "the public service of such former commissioner of administration, chief of staff to the governor or any person formerly employed in his office excluding clerical employees, executive counsel to the governor or any person formerly employed in his office excluding clerical employees, legislative director for the governor or anyone formerly employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or anyone formerly employed in his office excluding clerical employees, or legislator’s public service as a legislator."

AMENDMENT NO. 34
On page 8, delete lines 14 through 17 and insert "the public service of such former commissioner of administration, chief of staff to the governor or any person formerly employed in his office excluding clerical employees, executive counsel to the governor or any person formerly employed in his office excluding clerical employees, legislative director for the governor or anyone formerly employed in his office excluding clerical employees,"

AMENDMENT NO. 35
On page 8, delete lines 18 through 20, and insert the following:
"(4) Each commissioner of administration, chief of staff to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or anyone employed in his office excluding clerical employees,"

AMENDMENT NO. 36
On page 8, line 22, delete "or her"

AMENDMENT NO. 37
On page 8, line 23, after "between a" delete "public employee as" and delete lines 24, 25, and 26 and insert "commissioner of administration, a chief of staff to the governor or any person employed in his office excluding clerical employees, an executive counsel to the governor or any person employed in his office excluding clerical employees, a legislative director for the governor or anyone employed in his office excluding clerical employees, a member of the legislature, his spouse, or any employee, legislative director for the governor or anyone employed in his office excluding clerical employees,"

AMENDMENT NO. 38
On page 9, line 8, after "of a" delete the remainder of the line and delete lines 9 and 10 and on line 11, delete "chief of staff to the governor," and insert "commissioner of administration, a chief of staff to the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or anyone employed in his office excluding clerical employees,"

AMENDMENT NO. 39
On page 9, line 12, change "R.S. 42:1113(D)(1)(b)(ii)" to "Item (1)(b)(ii) of this Subsection"

AMENDMENT NO. 40
On page 9, delete line 14, and insert "term of office of the legislator or person provided for in Item (1)(b)(ii) of this Subsection"

AMENDMENT NO. 41
On page 9, at the end of line 16, delete "R.S.,” and on line 17 change "42:1113(D)(1)(b)(ii)" to "Item (1)(b)(ii) of this Subsection."

AMENDMENT NO. 42
On page 9, delete lines 28 and 29 and on page 10, delete line 1 and on line 2, delete "to the governor;" and insert the following:
"A. (4) No statewide elected official, nor any commissioner of administration, chief of staff to the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or anyone in his office excluding clerical employees,"

AMENDMENT NO. 43
On page 10, delete lines 13 through 15, and on line 16, delete "to the governor" and insert the following:
"(b) The statewide elected official, commissioner of administration, chief of staff to the governor or any person employed in his office excluding clerical employees, executive
counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or anyone in his office excluding clerical employees;

AMENDMENT NO. 44
On page 11, line 17, after "for employment" insert "or for services"

AMENDMENT NO. 45
On page 11, between lines 18 and 19, insert the following:
"(ii) Contracts for employment or for services by any licensed health care professional providing services in the classroom or working with administration in an elementary or secondary school or other educational institution,

(iii) Contracts for services by health care professionals which are required by federal or state law to provide an educational program for students in an elementary or secondary school or other educational institution.

AMENDMENT NO. 46
On page 11, line 19, change "(ii)" to "(iv)"

AMENDMENT NO. 47
On page 11, line 21, change "(iii)" to "(v)"

AMENDMENT NO. 48
On page 11, line 23, change "(iv)" to "(vi)"

AMENDMENT NO. 49
On page 11, delete lines 25 through 27 and on line 28, delete "to the governor," and insert the following:
"(4)(a) Each statewide elected official, commissioner of administration, chief of staff to the governor or any person employed in his office excluding clerical employees, executive counsel to the governor or any person employed in his office excluding clerical employees, legislative director for the governor or anyone employed in his office excluding clerical employees;

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
In House Committee Amendment No. 28 proposed by the House Committee on House and Governmental Affairs, on page 3, line 13, change "a" to "an" before "executive"

AMENDMENT NO. 2
In House Committee Amendment No. 43 proposed by the House Committee on House and Governmental Affairs, on page 5, line 13, change "governor" to "governor."

AMENDMENT NO. 3
In House Committee Amendment No. 50 proposed by the House Committee on House and Governmental Affairs, on page 6, line 11, following "to the governor" insert ","

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
Delete the House Committee Amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House on February 20, 2008.

AMENDMENT NO. 2
On page 1, line 2, after "42:1113(A) and" delete the remainder of the line and on line 3, delete "42:1113(D)(2)(g) and (h), (3), and (4)," and insert "(D) and 1114.3,"

AMENDMENT NO. 3
On page 1, delete lines 9 and 10 and insert "Section 1. R.S. 42:1113(A) and (D) and 1114.3 are hereby amended and reenacted to read as"

AMENDMENT NO. 4
On page 1, delete lines 12 through 17 and delete pages 2 through 16 and insert the following:
"§1113. Prohibited contractual arrangements
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;

D. (1)(a)(i) No legislator or person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, person identified in Item (ii) of this Subparagraph or the spouse of such person nor any legal entity of a person corporation, partnership, or other legal entity, in which the legislator or person who has been certified by the secretary of state as elected to the legislature or the spouse of a legislator or spouse of a person who has been certified by the secretary of state as elected to the legislature owns any interest in, except publicly traded corporation, shall enter into any contract or subcontract with state government, any branch, agency, department, or institution of state government or with the Louisiana Insurance Guaranty Association, the Louisiana Health Insurance Guaranty Association, or any other quasi public entity created in law unless the contract or subcontract is awarded by competitive bidding after being advertised and awarded in accordance with Part H of Title 10 of Title 38 of the Louisiana Revised Statutes of 1950 or is competitively negotiated through a request for proposal process or any similar competitive selection process in accordance with Chapters 14 or 15 of Title 18 of the Louisiana Revised Statutes of 1950.

(ii) The provisions of this Subparagraph and other provisions which reference this Item shall apply to the following persons:

(aa) A legislator and any person who has been certified by the secretary of state as elected to the legislature;

(bb) The governor and each person holding statewide elected office.

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

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

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

(ff) The secretary of the Department of Health and Hospitals.

(gg) The secretary of the Department of Labor.

(hh) The secretary of the Department of Natural Resources.

(ii) The secretary of the Department of Public Safety and Corrections.

(jj) The secretary of the Department of Revenue.

(kk) The secretary of the Department of Social Services.

(ll) The secretary of the Department of Transportation and Development.
(aa) The secretary of the Department of Wildlife and Fisheries.

(bb) The director of state civil service.

(cc) Each member of the State Board of Elementary and Secondary Education.

(dd) The superintendent of education, the commissioner of higher education, and the president of each public postsecondary education system.

(ee) Each member of the Board of Ethics and the ethics administrator.

(ff) The chief of staff of the office of the governor.

(gg) The commissioner of the division of administration.

(hh) The executive counsel to the governor.

(ii) For purposes of this Subsection, "legal entity of a person" means any corporation, partnership, or other such entity, except a publicly traded corporation or a passive ownership interest that is the result of participation in a federally approved program of employee ownership, in which an immediate family member of a person identified in Item (ii) of this Subparagraph or the spouse of such person owns an interest of greater than five percent.

(jj) For purposes of this Subsection, "state government" means any branch, agency, department, or institution of state government or with the Louisiana Insurance Guaranty Association, the Louisiana Health Insurance Guaranty Association, or any other state quasi public entity created in law.

(kk) Construction of a legal entity of a person, except the spouse, of a person identified in Item (a)(ii) of this Paragraph, nor any legal entity of a family member shall enter into any contract with state government unless the contract is awarded by competitive bidding after being advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, or competitively negotiated through a request for proposal process or any similar competitive selection process in accordance with Chapters 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950, and which contract was entered into prior to the effective date of this Subparagraph; however, no such contract shall be renewed for a period extending beyond January 8, 2012.

(ll) Completion of any contract between the immediate family member, except for a spouse, of a person identified in Item (a)(ii) of this Paragraph or a legal entity of a family member and state government, which contract was not awarded by competitive bidding after being advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, and which contract was entered into prior to the effective date of this Subparagraph; however, no such contract shall be renewed for a period extending beyond January 8, 2012.

(mm) A sale by a retail establishment valued at two thousand five hundred dollars or less. However, no person shall enter into separate sales valued at two thousand five hundred dollars or less as a subterfuge to avoid the prohibition of this Subsection.

(nn) An agreement for a contract for professional services entered into with the attorney general which is based on criteria set forth by the office of risk management.

(oo) For the purposes of this Section, "state government" shall have the same meaning provided in R.S. 14:67.25.

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

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

(rr) The payment of admission fees for events open to the public.

(ss) No person formerly serving in a position identified in Item (1)(a)(ii) of this Subsection nor his spouse nor any legal entity of a person shall, for a period of one year following the termination of the public service of such person enter into a contract that would have been prohibited by this Subsection prior to the termination of the public service of such person.

(tt) Each person identified in Item (1)(a)(ii) of this Subsection shall file a report with the Board of Ethics, by July first of each year of his term of office or of his service in his position, identifying the parties to and the value and term of each contract between him or his spouse or legal entity of a person and state government.

(uu) Each immediate family member, except a spouse, of a person identified in Item (1)(a)(ii) of this Subsection shall file a report with the Board of Ethics by July first of each year of his term of office or of the person's service in his position identifying the parties to and the value and term of each contract between the immediate family member or any legal entity of a family member and state government.

(EE) Each member of the Board of Ethics and the ethics administrator.

(FF) The executive counsel to the governor.

(GG) Each member of the Board of Ethics and the ethics administrator.

(HH) The executive counsel to the governor.

(I) Completion of any contract with a person identified by Item (a)(ii) of this Paragraph or his spouse or a legal entity of a person and state government, which contract was awarded by competitive bidding after being advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, or competitively negotiated through a request for proposal process or any similar competitive selection process in accordance with Chapters 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950, and which contract was entered into prior to the effective date of this Subparagraph; however, no such contract shall be renewed for a period extending beyond January 8, 2012.

(J) Completion of any contract between the immediate family member, except for a spouse, of a person identified in Item (a)(ii) of this Paragraph or a legal entity of a family member and state government, which contract was not awarded by competitive bidding after being advertised and awarded in accordance with Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, and which contract was entered into prior to the effective date of this Subparagraph; however, no such contract shall be renewed for a period extending beyond January 8, 2012.

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

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

(M) The payment of admission fees for events open to the public.

(N) No person formerly serving in a position identified in Item (1)(a)(ii) of this Subsection nor his spouse nor any legal entity of a person shall, for a period of one year following the termination of the public service of such person enter into a contract that would have been prohibited by this Subsection prior to the termination of the public service of such person.

(O) Each person identified in Item (1)(a)(ii) of this Subsection shall file a report with the Board of Ethics, by July first of each year of his term of office or of his service in his position, identifying the parties to and the value and term of each contract between him or his spouse or legal entity of a person and state government.

(P) Each immediate family member, except a spouse, of a person identified in Item (1)(a)(ii) of this Subsection shall file a report with the Board of Ethics by July first of each year of his term of office or of the person's service in his position identifying the parties to and the value and term of each contract between the immediate family member or any legal entity of a family member and state government.

* * *
covered by this Subsection" shall mean a corporation, partnership, or
other legal entity, except a publicly traded corporation or a passive
ownership interest that is the result of participation in a federally
approved program of employee ownership, in which a person covered
by this Section owns an interest of greater than five percent.

(3) 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
a person covered by this Section.

(4)(a) The provisions of this Subsection shall not prohibit a
sale by a retail establishment which is valued at two thousand five
hundred dollars or less. However, no person shall enter into separate
sales valued at two thousand five hundred dollars or less as a
subterfuge to avoid the prohibition of this Subsection.

(b) For purposes of this Subsection, the following shall not
constitute a legal entity:

(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,
forest products, conservation, educational scholarships, grants
and subsidies or guaranteed student loans, provided that such benefits
are available to similarly situated persons;

(v) Contracts of employment of a physician with the state or the
veterinary health care professional providing services in the classroom or
working with administration in an elementary or secondary school or
other educational institution;

(vi) Contracts for employment or for services by any licensed
health care professional, providing services in the classroom or
working with administration in an elementary or secondary school or
other educational institution;

(vii) Contracts for services by health care professionals which
are required by federal or state law to provide an educational program
for students in an elementary or secondary school or other
educational institution;

(viii) Contracts for employment or for services by any licensed
health care professional, providing services in the classroom or
working with administration in an elementary or secondary school or
other educational institution;

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

(x) Contracts of employment of a physician with the state or the
charity hospitals of the state;

(xi) Donation of professional veterinary services or the donation
of any goods and services related to the provision of such veterinary
services;

(xii) Each person covered by this Section who derives, either
directly or through a company covered by this Section, any economic
good or service from any contract or subcontract that is related to a
gubernatorially declared disaster or emergency and which the official
thereof or agency thereof is an elected or appointed state official or
immediate family member of an elected or appointed state official,
shall have the same meaning provided in R.S. 14:67.25.

(5) Each person covered by this Section who derives, either
directly or through a company covered by this Section, any economic
good or service from any contract or subcontract that is related to a
gubernatorially declared disaster or emergency and which the official
thereof or agency thereof is an elected or appointed state official or
immediate family member of an elected or appointed state official,
shall file the annual disclosure statements required by this Section
within thirty days following the completion of the contract or
subcontract subject to disclosure. The initial disclosure statement
shall contain all of the information required by Subsection
(1) of this Subsection. Each elected or appointed official and immediate
family member subject to the provisions of this Section shall file an initial
disclosure statement with the Board of Ethics no later than thirty days
after the official, immediate family member, or legal entity enters
into the contract–whichever occurs later. The initial disclosure
statement shall contain all of the information required by Subsection
A of this Section. Paragraph 1 of this Subsection, except that instead
of the actual amount of income or value of any thing of economic
good or service, the statement shall state that such information
is deemed confidential and shall not be subject to public disclosure;
the estimate provided shall be based upon the contract or
subcontract subject to disclosure and shall contain all of the
is deemed confidential and shall not be subject to public disclosure;
the estimate provided shall be based upon the contract or
subcontract subject to disclosure and shall contain all of the
information in the initial disclosure statement.

B. (1) Except as provided in Subsection B Paragraph 2 of this
Section Subsection, each elected official other than a statewide
elected official or legislator, each appointed state official, other than
the commissioner of administration or the chief of staff or executive
counsel to the governor, and each immediate family member of an
elected official or appointed state official subject to this Subsection or
Subsection A of this Section who derives, either directly or
through a legal entity in which such official or immediate family
member owns ten percent or more, any thing of economic value
through any contract or subcontract which is related to a
gubernatorially declared disaster or emergency and which the official
or immediate family member knows or reasonably should know is
or may be funded or reimbursed in whole or in part with federal funds
shall make the disclosure shall disclose the following as provided in
this Section: disclose the information required by Subsection C
of this Section as provided in that Subsection.

(2) No person required to disclose information by Paragraph (1)
of this Subsection shall be required to disclose the receipt of any
thing of economic value pursuant to this Section when the value of
the contract is two thousand five hundred dollars or less. However,
no person shall enter into separate contracts valued at two thousand
five hundred dollars or less with the same person or governmental entity
or agency thereof in a subterfuge to avoid the disclosure
requirements of this Section.

C. (1) The following information shall be disclosed:

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

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

(2) The nature of the contract or subcontract, including the
amount of the contract or subcontract and a description of the goods
or services provided or to be provided pursuant to the contract or
subcontract.

(3) The amount of income or value of any thing of economic
value derived through the contract or subcontract by the official or
immediate family member for the previous calendar year, except as
provided in Subsection C of this Section Paragraph (2) of this
Subsection.

(4) No person shall be required to disclose the receipt of any
thing of economic value pursuant to this Section when the value of
the contract or subcontract is two thousand five hundred dollars or
less. However, no person shall enter into separate contracts or
subcontracts valued at two thousand five hundred dollars or less with
the same person or governmental entity or agency thereof as a
subterfuge to avoid the disclosure requirements of this Section.

D. (1) After filing the initial disclosure statement, the
elected or appointed official or immediate family member shall file
the disclosure statements required by this Section Subsection with the
Board of Ethics no later than thirty days after the initial filing. The
disclosure statement shall contain all of the information required by Subsection
A of this Section Paragraph 1 of this Subsection, except that instead
of the actual amount of income or value of any thing of economic
good or service, the statement shall state that such information
is deemed confidential and shall not be subject to public disclosure;
the estimate provided shall be based upon the contract or
subcontract subject to disclosure and shall contain all of the
information in the initial disclosure statement.

(2) An elected or appointed official or immediate family
member subject to the provisions of this Section shall file the annual
disclosure statements required by this Section Subsection with the
Board of Ethics no later than thirty days after the completion of
the contract or subcontract subject to disclosure, or the person
filing such statements, or to whom the immediate family member is
related is no longer an elected or appointed official, whichever occurs
first.

(3) Annual disclosure statements shall not be required for the
receivability of things of economic value pursuant to contracts or
subcontracts entered into prior to an elected or appointed official
taking office, however, if an elected or appointed official or
immediate family member thereof receives or reasonably expects
receipt of a thing of economic value otherwise required to be disclosed
by this Section pursuant to the renewal of such a contract or
subcontract occurring after the official takes office, such official or immediate family member shall file a disclosure statement no later than thirty days after such renewal in accordance with Subsection E of Paragraph 2 of this Subsection and annually thereafter in accordance with this Subsection.

Paragraph (d) All disclosure statements filed pursuant to this Section shall be a matter of public record.

Paragraph (1a) Failure to file a statement, failure to timely file a statement, failure to disclose required information, filing a false statement, or engaging in a subterfuge to avoid the disclosure requirements of this Section shall subject a person required to file to penalties as provided by this Chapter.

Paragraph (b) In addition to other applicable penalties, whoever fails to file a statement required by this Section, or knowingly and willfully fails to timely file any such statement, or knowingly and willfully fails to disclose or to accurately disclose any information required by this Section shall be assessed a civil penalty in accordance with R.S. 42:1157 for each day until such statement or the required accurate information is filed. The amount of the penalty shall be one hundred dollars per day.

Paragraph (c) In addition to other applicable penalties, whoever enters into separate contracts or subcontracts valued at two thousand five hundred dollars or less as a subterfuge to avoid the disclosure requirements of this Section shall be subject to the penalties of R.S. 42:1153.

E. For the purposes of this Section, the term “appointed state official” or “appointed official” shall mean a person holding an office in any branch of state government or other position on a state agency, board, or commission or any executive office of any state agency, board, commission, or department which is specifically established or specifically authorized by the constitution or laws of this state or by executive order of the governor and which is filled by appointment or election by an elected or appointed public official or by a governmental body composed of such officials of this state.

F. Nothing in this Section shall require the disclosure of any thing of economic value received from an individual assistance claim.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
In House Floor Amendment No. 1, proposed by Representative Abramson to Reengrossed Senate Bill No. 1 by Senator Chaisson and adopted by the House of Representatives on February 21, 2008, on page 1, line 6, after “1114.3” and before the comma “,” insert “and to enact R.S. 42:1114.4”

AMENDMENT NO. 2
On page 1, line 6, after the semicolon “;” and before “to” insert “to require certain disclosures by certain elected officials; to provide for enforcement and penalties;”

AMENDMENT NO. 3
In House Floor Amendment No. 3, proposed by Representative Gallot, and adopted by the House of Representatives on February 21, 2008, on page 1, line 9, after “reenacted” and before “to” insert “and R.S. 42:1114.4 is hereby enacted”

AMENDMENT NO. 4
In House Floor Amendment No. 4, proposed by Representative Gallot, and adopted by the House of Representatives on February 21, 2008, on page 9, between lines 4 and 5, insert the following: “1114.4. Disclosure statements; certain elected officials

A. Each statewide elected official, member of the legislature, elected member of the State Board of Elementary and Secondary Education, and official elected from a voting district having a population of more than five thousand persons shall disclose the information required by Subsection B of this Section as provided in that Subsection.

B.(1) The following information shall be disclosed:

(a) The name, address, job title, salary, and date of employment of any person who is directly hired by the elected official for employment in the agency of the elected official and who made a contribution or loan in excess of one thousand dollars to a campaign of the elected official or contribution as defined in R.S. 42:1125 and the amount of such contribution or loan.

(b) The name, address, position held, date of appointment, and amount of any compensation provided for such position of any person who is appointed to a board or commission by the elected official and who made a contribution or loan in excess of one thousand dollars to a campaign of such elected official or contribution as defined in R.S. 42:1125 and the amount of such contribution or loan.

(2) The information required to be disclosed by this Section shall be filed each year as part of the elected official’s annual financial disclosure statement required by this Part and shall include only those persons who contributed to a campaign and who were hired or appointed within one year of the contribution. This information shall be included in the report which covers the time period in which the employment or appointment occurred. This Section shall be subject to the provisions for enforcement and penalties applicable to such financial disclosure statement.”

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
In House Floor Amendment No. 1, proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 3, at the end of line 25, delete the period “.”, and insert: “or is competitively negotiated through a request for proposal process or any similar non-competitive selection process in accordance with Chapter 16 or 17 of Title 39 of the Louisiana
Revised Statutes of 1950; however, this exception for competitively negotiated contracts shall not include contracts for consulting services.

AMENDMENT NO. 2
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, line 26, after “1950” delete the comma “,” and insert: “or which contract, other than a contract for consulting services, was not competitively negotiated through a request for proposal process or any similar competitive selection process in accordance with Chapter 16 or 17 of Title 39 of the Louisiana Revised Statutes of 1950.”

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representatives Robideaux and Willmott to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, line 4, after “physician” and before “with” insert a comma “,” and insert “or other licensed health care professional”.

AMENDMENT NO. 2
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, line 28, after “physician” and before “with” insert a comma “,” and insert “or other licensed health care professional”.

AMENDMENT NO. 3
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, at the end of line 29, delete the period “.” and insert “or the Department of Health and Hospitals.”

AMENDMENT NO. 4
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, at the end of line 29, delete the period “.” and insert a comma “,” and insert “or the Department of Health and Hospitals.”

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Ponti to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert the following:

“(m) Contracts for employment or for services by any licensed health care professional providing services in the classroom or working with administration in an elementary or secondary school or other educational institution.

(n) Contracts for services by health care professionals which are required by federal or state law to provide an educational program for students in an elementary or secondary school or other educational institution.”

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, at the end of line 24, delete the period “.” and insert “and any warden or assistant warden of a state penal institution.”

AMENDMENT NO. 2
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert:

“(m) Contracts for which the compensation is solely reimbursement of costs.”

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 1, at the end of line 6, delete the comma “,” and insert “and” and to enact R.S. 42:1113(E),*

AMENDMENT NO. 2
In House Floor Amendment No. 2 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 1, line 9, after “reenacted” and before “to” insert “and R.S. 42:1113(E) is hereby enacted”

AMENDMENT NO. 3
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 5, between lines 12 and 13, insert:

* E. If any provision of this Section conflicts with any other provision of this Part, the more restrictive provision shall govern.

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4, proposed by Rep. Gallot and adopted by the House on February 21, 2008, on page 4, line 36, after “providing for” insert: “housing,”

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Peterson to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 2, at the end of line 39, delete the period “.” and insert “and any person employed in his office, excluding clerical employees.”

AMENDMENT NO. 2
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, at the end of line 2, delete the period “.” and insert “and any person employed in his office, excluding clerical employees.”

AMENDMENT NO. 3
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, between lines 2 and 3, insert the following:

“(ww) The legislative director for the governor and any person employed in his office, excluding clerical employees.”

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 1 by Senator Chaissen

AMENDMENT NO. 1
In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert the following:

“(m) Applying for, payment of fees for, or obtaining a license, credential, or permit provided that such license, credential, or permit is available to similarly situated persons.”
AMENDMENT NO. 2
In House Floor Amendment No. 4 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 6, between lines 31 and 32, insert the following:

"(vii) Applying for, payment of fees for, or obtaining a license, credential, or permit provided that such license, credential, or permit is available to similarly situated persons.

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 1 by Senator Chaission

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, line 20, change "January 8, 2012" to "January 9, 2012"

AMENDMENT NO. 2
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, line 28, change "January 8, 2012" to "January 9, 2012"

AMENDMENT NO. 3
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 4, at the end of line 48, insert "The provisions of this Paragraph shall not prohibit the renewal of a contract that was not prohibited prior to the effective date of this Paragraph."

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Ellington to Reengrossed Senate Bill No. 1 by Senator Chaission

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 3, between lines 35 and 36, insert the following:

"(iii) For purposes of this Section, any action taken to comply with a state law, rule, or regulation shall not be considered a contract.

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Hutter to Reengrossed Senate Bill No. 1 by Senator Chaission

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot, on page 4, delete line 43 and 44 and insert:

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

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Lambert to Reengrossed Senate Bill No. 1 by Senator Chaission

AMENDMENT NO. 1
In House Floor Amendment No. 4 proposed by Representative Gallot and adopted by the House of Representatives on February 21, 2008, on page 4, between lines 43 and 44, insert the following:

"(m) A contract for professional services entered into by a person pursuant to Part VII of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 with any agency or entity of state government with whom such person had a contract for professional services pursuant to Part VII of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950 at any time prior to the effective date of this Subparagraph.

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

SENATE BILL NO. 11
By SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, GAUTREAUX, GAUTREAUX N, GIBSON, HENDERSON, HEITMEIER, HURD, KOSTELKA, LEONARD, MARIONNEAUX, MARTIN, MICHELE MURRIS, MILDRED, NEVERS, QUINN, RISER, SCALISE, SHEA, SHEPHERD, SMITH, THOMPSON AND WALSWORTH
AN ACT
To amend and reenact R.S. 24:51(2) and (5)(a), 53(A), (G) and (H), 54(A)(2), 55(B), (C) and (D), and R.S. 49:72(5), 74(A), (E) and (F), 75(A)(2), 76(B), (C) and (D) and to enact R.S. 24:57(3) and (4), and 58(D)(3), (4) and (5), and R.S. 49:77(4) and (5), 78(D)(3) and (5), and 42:1111(E)(2)(a) to "and shall not be subject to R.S. 42:1111(E)(2)(a)"
to provide relative to restrictions affecting lobbyists; to provide relative to the electronic filing of registrations and expenditure reports; to require certain information relative to lobbyist registrations; to provide relative to the content of expenditure reports; to provide for monthly filing of expenditure reports; to provide for the electronic storage and access of filings; to provide for the definition of a statewide elected official; to provide for the definition of an executive branch department head; to clarify the definition of lobbyist; to provide for the consequences of inaccurate or incomplete filings; to provide for failure to amend a registration or expenditure report; to provide for the filing of a false statement or false representation of a material fact; to provide for fines; to provide for penalties; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 11 by Senator Chaisson

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

AMENDMENT NO. 2
On page 1, line 13, delete “to clarify the definition of lobbyist;”

AMENDMENT NO. 3
On page 2, line 2, after “R.S. 24:51(2)” insert a comma “,” and delete “and (5)(a).”

AMENDMENT NO. 4
On page 2, delete lines 22 through 29 and on page 3 delete lines 1 through 8

AMENDMENT NO. 5
On page 5, line 10, after “subject” change “matter(s)” to “matter”

AMENDMENT NO. 6
On page 5, line 11, after “provided in” change “Paragraph (4) of this Subsection” to “this Paragraph”

AMENDMENT NO. 7
On page 5, delete lines 22 through 25, and insert the following:

(7) If a lobbyist is compensated for lobbying and non-lobbying services, he shall reasonably allocate his compensation and report only the amount received for lobbying in the manner provided in this Part.

AMENDMENT NO. 8
On page 8, lines 3 through 11, and insert the following:

(3) If the board determines that a person has filed a registration or report required by this Part that is inaccurate or incomplete, the board shall mail by certified mail a notice of delinquency informing the person that the inaccuracy must be corrected or the missing information must be provided no later than fourteen business days after receipt of the notice of delinquency. The notice of delinquency shall include the deadline for correcting the inaccuracy or providing the missing information. If the person corrects the inaccuracy or provides the missing information prior to the deadline contained in the notice of delinquency, no penalties shall be assessed against the person.

(4) Whoever fails to correct the inaccuracy or provide the missing information by the deadline included in the notice of delinquency shall be subject to penalties as provided by law.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 11 by Senator Chaisson

AMENDMENT NO. 1
Delete the set of amendments proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on February 19, 2008

AMENDMENT NO. 2
On page 1, delete lines 2 through 17 and insert the following:

“To amend and reenact R.S. 24:51(2), 53(A), (G), and (H), 54(A)(2), and 55, and R.S. 49:72(5), 74(A), (E) and (F), 75(A)(2), and 76, and to enact R.S. 24:51(7), 57(3), and 58(D)(3), (4), and (5), and R.S. 49:77(4), and 78(D)(3), (4), (5), relative to lobbying; to provide relative to the regulation of lobbyists; to provide definitions; to provide relative to the registration of lobbyists; to provide relative to the reporting requirements of lobbyists; to provide for penalties; and to provide for related matters.”

AMENDMENT NO. 3
On page 2, delete lines 2 through 29 and delete pages 3 through 16 and insert:

“Section 1. R.S. 24:51(2), 53(A), (G), and (H), 54(A)(2), and 55 are hereby amended and reenacted and R.S. 24:51(7), 57(3), and 58(D)(3), (4), and (5) are hereby enacted to read as follows: §51. Definitions
When used in this Part: * * *
(2) “Expenditure” means the gift or payment of money or anything any thing of value when the amount of value exceeds ten dollars for the purchase of food, drink, or refreshment for a legislator, for the spouse or minor child of a legislator, or for a public servant, other than a legislator, in the legislative branch of state government and any gift or payment as permitted by R.S. 42:1123(13) and (16) when the value exceeds ten dollars for the purpose of lobbying when the lobbyist or principal accounts or would
be expected to account for the expenditure as an ordinary and
necessary expense directly related to the active conduct of the
lobbyist's, his employer's, or the principal's trade or business.

(7) "Public servant" shall have the same meaning as
provided in R.S. 42:1102.

§53. Registration of lobbyists with the board; compilation of
information
A. Each lobbyist shall register with the board within as soon as possible
after employment as a lobbyist or after the first action
requiring his registration as a lobbyist, whichever occurs first,
and in any event not later than five days after employment as a
lobbyist or within five days after the first action
requiring his registration as a lobbyist, whichever occurs first. He
shall give to the board an initial registration form for a legislative
term.

B. The registration form shall include the following information:
(1) His name and business address.
(2) His name and address of each person by whom he is
employed and, if different, whose interests he represents, including
the business in which that person is engaged.
(3)(a) The name of each person by whom he is paid or is to be paid,
the amount he is paid or is to be paid for the purpose of
lobbying, and a characterization of such payment as paid, earned
but not received, or prospective.
(b) Amounts required to be disclosed pursuant to this
Paragraph shall be reported by category of value. The
categories shall be:
(i) Category I, $2,499 or less.
(ii) Category II, $25,000-$49,999.
(iii) Category III, $50,000-$99,999.
(iv) Category IV, $100,000-$249,999.
(v) Category V, $250,000 or more.
(d) The indication of potential subject matters shall be made by
he anticipates lobbying.
(e) (ii) Category II, $25,000-$49,999.
(f) Category III, $50,000-$99,999.
(ii) Category IV, $100,000-$249,999.
(iii) Category V, $250,000 or more.
(iii) Indication of potential subject matters shall be made by
choosing from the following potential subject matter categories:
(i) Aerospace and space technology.
(ii) Agriculture; horticulture; livestock; poultry.
(iii) Agriculture; forestry; timber.
(iv) Alcohol and other beverages.
(v) Arts and entertainment.
(vi) Aquaculture and fisheries.
(vii) Business and private and commercial enterprises.
(viii) Banking, financial, and accounting.
(ix) Charities and social services, faith-based organizations,
and community outreach.
(x) Computers, hardware, software, and intellectual
property.
(xi) Construction, contracting, and real estate.
(xii) Educational services; colleges; technical schools; trade
schools.
(xiii) Environmental quality, conservation, and wildlife
preservation.
(xiv) Gaming.
(xv) Government: local; municipal; parish; state; federal.
(xvi) Healthcare: hospitals; nursing homes; elderly care;
home health care.
(xvii) Health care: physicians; nurse practitioners; nurses.
(xviii) Health care: pharmaceutical and medical devices;
research; development; sales.
(xix) Homeland security.
(xx) Hotels, restaurants, and tourism.
(xxi) Insurance.
(xxii) International trade.
(xxiii) Law and lawyers.
(xxiv) Manufacturing: oil and gas; mining; refining;
production; chemical industry.
(xxv) Manufacturing: wholesale.
(xxvi) Military and veterans affairs.
(xxvii) Public safety, police, and fire.
(xxviii) Telecommunications.
(xxix) Tobacco industry.
(xxx) Transportation.

(xx) Utilities: electric; gas; water; nuclear.
(b) The unintentional omission of a potential subject matter
as provided in this Paragraph shall not be a violation of this Part.
(5) The identity of each legislator or spouse of a legislator
with whom he or his employer or principal has, or has had in the
preceding twelve months, a business relationship. For purposes of
this Paragraph, "business relationship" means any
transaction, contract, or activity that is conducted or undertaken
for profit and which arises from a joint ownership interest
partnership, or common legal entity between a lobbyist his
employer or principal and a legislator or spouse of a legislator
when the legislator or spouse owns ten percent or more of such
interest, partnership, or legal entity.
(6) One copy of a two inch by two inch recent photograph of the
registrant made within the prior six months shall be filed with the
initial registration form for a legislative term.

(7) If a lobbyist is compensated for lobbying and non-
lobbying services, he shall report his compensation and
report only the amount received for lobbying in the manner
provided in this Part.

G. The forms shall be published electronically by the board.
Registrations which have been filed shall be maintained in the office
of the board by the board and made available to the public via
the Internet. The filing by a lobbyist of any information required
under this Section shall constitute a certification that the
information is true and correct to the best of his knowledge,
information, and belief and that no information required by this
Part has been deliberately omitted.
H. Whenever any information contained in his registration
changes, or the lobbyist begins representing an additional person, a
supplemental electronic registration shall be filed with the board
within as soon as possible after such change occurs and in any
event not later than five days after such change, on forms
provided by the board.

§54. Reports and statements under oath
A. * * *

(2) **Except as otherwise specifically provided in this Part,**
reports, registrations, notices, and statements required under this Part
shall be filed by mailing said documents through the United States
Postal Service, delivering by hand or through a commercial delivery
service, or by transmitting by facsimile or electronic transfer.

§55. Lobbyist expenditure reports
A. Each lobbyist registered under the provisions of this Part
shall file with the board, in the manner provided in this Section, a
report of all expenditures incurred for the purpose of lobbying.
B. A report shall be filed semiannually, and shall be filed, or
if mailed shall be postmarked, as follows:
(1) By August fifteenth for the period from January first
through June thirtieth.
(2) By February fifteenth for the period from July first through
December thirty-first, monthly. The report for each month shall
be filed by the fifteenth of the following month.
C. The report shall include all expenditures incurred for
lobbying, which may include the following:
(1) Expenses of the lobbyist.
(2) Payments to other lobbyists.
(3) Payments to political parties, campaign committees,
political action committees, or political committees
affiliated with political parties.
(4) The report shall be filed on forms provided by the
board, shall be signed by the person filing, and
shall include a certification of accuracy by the person responsible for
filing the report, as provided by R.S. 24:57(A) in a format suitable
for use on the database required by R.S. 24:57(3). The filing of
any report under this Section by a lobbyist shall constitute a
certification that the information contained in the report is true
and correct to the best of his knowledge, information, and belief;
that no reportable expenditures have been made that are not
included therein as required by law; and that no information
required by this Part has been deliberately omitted.
(2) A lobbyist shall retain records that document all reports
made pursuant to this Part for no less than three years.

D. (1) Each report shall include the following:
(a) A listing of each subject matter lobbied during each
reporting period.
(b) The total of all expenditures made during each reporting period.

(c) The aggregate total of expenditures attributable to an individual legislator or principal, or the principal's trade or business.

(d) The aggregate total of expenditures attributable to the spouse or minor child, or children of an individual legislator, or any per occasion amount attributable to a legislator or spouse of (insert name of legislator) as provided in Paragraph (E) of this Section.

(E) Each report shall include a statement of the expenditure for each reception, social gathering, or other function to which any legislator or legislative staff to which any legislator is invited shall include the name of the group or groups invited and the date and location of the reception, social gathering, or other function.

(F) The aggregate total of expenditures attributable to the spouse or minor child of a legislator for all reporting periods during the same calendar year. The name of the spouse or minor child shall not be included. The aggregate total of such expenditures shall be reported as follows: The aggregate total of expenditures attributable to the spouse of (insert name of legislator) for all reporting periods during the same calendar year shall not exceed the sum of two hundred and fifty dollars in a reporting period, then the total amount of expenditures attributable to the spouse for all reporting periods during the same calendar year shall not exceed the sum of two hundred and fifty dollars in any calendar year.

(G) The aggregate total of expenditures attributable to a legislator or employee who makes direct expenditures required to be reported pursuant to this Part shall timely furnish its lobbyist information about such expenditures as necessary for compliance with this Part. Such information shall be furnished to the lobbyist no later than two business days after the close of each reporting period.

(H) Any lobbyist's principal or employer who makes direct expenditures required to be reported pursuant to this Part shall fail to provide its lobbyist the information regarding such expenditures as provided in Paragraph (2) of this Subsection shall be required to register as a lobbyist pursuant to this Part and shall be subject to penalties for violations of this Part.

(i) Any lobbyist's principal or employer who makes direct expenditures required to be reported pursuant to this Part who fails to provide its lobbyist the information regarding such expenditures as provided in Paragraph (2) of this Subsection shall be required to register as a lobbyist pursuant to this Part and shall be subject to penalties for violations of this Part.

(j) Any lobbyist's principal or employer who makes direct expenditures required to be reported pursuant to this Part who fails to provide its lobbyist the information regarding such expenditures as provided in Paragraph (2) of this Subsection shall be required to register as a lobbyist pursuant to this Part and shall be subject to penalties for violations of this Part.

§57. Administration

The board, in the performance of its duties under this Part, shall:

A. Each lobbyist shall register with the ethics board as provided in Section 2. R.S. 49:72(5), 74(A)(1), (E), and (F), 75(A)(2), and 76 are hereby amended and reenacted and R.S. 49:77(D)(3), 47133.

The board may recommend to the legislature that any person penalized as provided in Subparagraph (a) of this Paragraph be censured by the legislature.

§72. Definitions

When used in this Part:

"Expenditure" means the gift or payment of money or anything of value when the amount of value exceeds ten dollars for the purpose of lobbying when the lobbyist or principal accounts, or would be expected to account, for the expenditure as an ordinary and necessary expense directly related to the active conduct of the lobbyist's, his employer's, or the principal's trade or business.

§74. Registration of lobbyists with the ethics board; compilation of information

A. Each lobbyist shall register with the ethics board as provided in Section 2. R.S. 49:72(5), 74(A)(1), (E), and (F), 75(A)(2), and 76 are hereby amended and reenacted and R.S. 49:77(D)(3), (4), and (5) are hereby enacted to read as follows: The aggregate total of expenditures attributable to the minor child or children of (insert name of legislator) was (insert aggregate total of expenditures). The aggregate total of expenditures attributable to the minor child or children of (insert name of legislator) was (insert aggregate total of expenditures). The aggregate total of expenditures attributable to a legislator or public servant, other than a legislator, in the legislative branch of state government shall not include any expenditure which is required to be reported in Paragraph (E) of this Subsection or (F) of this Section.

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first, and in any event not later than five days of after employment as a lobbyist or within not later than five days after the first action requiring his registration as a lobbyist, whichever occurs first. He shall give or cause to be given notice of such registration in writing, on using forms provided by it, the following information:

(1) His name and business address.

(2) The name and address of each person by whom he is employed and, if different, whose interests he represents, including the business in which that person is engaged.

(3)(a) The name of each person by whom he is paid or to be paid, the amount he is paid or is to be paid for the purpose of lobbying, and a characterization of such payment as paid, earned but not received, or prospective.

(b) Amounts required to be disclosed pursuant to this Paragraph shall be:

(i) Category I, $24,999 or less.
(ii) Category II, $25,000-$49,999.
(iii) Category III, $50,000-$99,999.
(iv) Category IV, $100,000-$249,999.
(v) Category V, $250,000 or more.

(4)(a) An indication of potential subject matter about which he anticipates lobbying.

(b) Indicators of potential subject matters shall be made by choosing from the following potential subject matter categories:

(i) Aerospace and space technology.
(ii) Agriculture: horticulture; livestock; poultry.
(iii) Agriculture: forestry; timber.
(iv) Alcoholic beverages.
(v) Arts and entertainment.
(vi) Aquaculture and fisheries.
(vii) Business and private and commercial enterprises.
(viii) Banking, financial, and accounting.
(ix) Building, development; sales.
(x) Computers, hardware, software, and intellectual property.
(xi) Construction, contracting, and real estate.
(xii) Educational services: colleges; technical schools; trade schools.
(xiii) Environmental quality, conservation, and wildlife preservation.
(xiv) Gaming.
(xv) Government: local; municipal; parish; state; federal.
(xvi) Health care; hospitals; nursing homes; elderly care; hospice.
(xvii) Health care: physicians; nurse practitioners; nurses.
(xviii) Health care: pharmaceutical and medical devices; research; development; sales.
(xix) Homeland security.
(xx) Hotels, restaurants, and tourism.
(xxi) Insurance.
(xxii) International trade.
(xxx) Law and lawyers.
(xxxi) Manufacturing; oil and gas; mining; refining; production; chemical industry.
(xxxii) Manufacturing; wholesale.
(xxxiii) Military and veterans affairs.
(xxxiv) Public safety, police, and fire.
(xxxv) Telecommunications.
(xxxvi) Tobacco industry.
(xxxvii) Transportation.
(xxxviii) Unions, labor issues, and special advocacy groups.
(xxxix) Utilities: electric; gas; water; nuclear.

(c) The unintentional omission of a potential subject matter as provided in this Paragraph shall not be a violation of this Part.

(5)(a) The identity of each statewide elected official or executive branch department head or spouse of a statewide elected official or executive branch department head with whom he or his employer or principal has or has had in the preceding twelve months a business relationship.

(b) For the purposes of this Paragraph, the following terms shall have the following meanings:

(i) "Executive branch department head" means:

(aa) The secretary of each of the following departments of state government:

(I) The Department of Economic Development.
(II) The Department of Culture, Recreation and Tourism.
(III) The Department of Environmental Quality.
(IV) The Department of Health and Hospitals.
(V) The Department of Labor.
(VI) The Department of Natural Resources.
(VII) The Department of Public Safety and Corrections.
(VIII) The Department of Revenue.
(IX) The Department of Social Services.
(X) The Department of Transportation and Development.
(XI) The Department of Wildlife and Fisheries.
(XII) The Department of Veterans Affairs.

(bb) The executive secretary of the Public Service Commission.

(cc) The director of state civil service.

(dd) Each member of the State Board of Elementary and Secondary Education.

(ccc) The state superintendent of education, the commissioner of higher education, and the president of each public postsecondary education system.

(II) The commissioner of the division of administration.

(gg) Each member of the Board of Ethics and the ethics administrator.

(hh) The chief of staff of the office of the governor.

(ii) The executive counsel to the governor.

(jj) "Business relationship" means any transaction or activity that is conducted or undertaken for profit and which arises from a joint ownership interest, partnership, or common legal entity between a lobbyist or his employer or principal and an executive branch department head or spouse of an executive branch department head or spouse of a statewide elected official or spouse of a statewide elected official when the executive branch department head or spouse or the statewide elected official or spouse owns ten percent or more of such interest, partnership, or legal entity.

(6) One copy of a two-inch-by-two-inch recent photograph of the registrant made within the prior six months shall be filed with the initial registration form.

E. The forms shall be published electronically by the ethics board. Registrations which have been filed shall be maintained in the office of the ethics board and made available to the public via the Internet. The electronic filing by a lobbyist of any information required under this Section shall constitute a verification that the information is true and correct to the best of his knowledge, information, and belief and that no information required by this Part has been deliberately omitted.

F. Whenever any information contained in his registration changes, or the lobbyist begins representing an additional person, a supplemental electronic registration shall be filed with the ethics board as soon as possible after such change occurs and in any event not later than five days after such change on using forms provided by the ethics board.

§75. Reports and statements under oath

A. * * *

* * *

(2) A? Except as otherwise specifically provided in this Part, reports, registrations, and statements required under this Part shall be filed by mailing said documents through the United States Postal Service, delivering by hand or through a commercial delivery service, or by transmitting by facsimile or electronic transfer.

* * *

§76. Lobbyist expenditure reports

A. Each lobbyist registered under the provisions of this Part shall file with the ethics board, in the manner prescribed by the ethics board by rule in accordance with the provisions of this Part, a report of all expenditures incurred for the purpose of lobbying.

B. A report shall be filed semiannually, and shall be filed, or if mailed shall be postmarked, as follows:

(1) His name and business address.

(2) All

(3) The name and address of each person by whom he is paid or is to be paid, the amount he is paid or is to be paid for the purpose of lobbying, and a characterization of such payment as paid, earned but not received, or prospective.

The report for each month shall be filed by the fifteenth of the following month, * * *
(1) By August fifteenth for the period from January first through June thirtieth.

(2) By February fifteenth for the period from July first through December thirty-first.

C. (1) The report shall be electronically filed on forms provided by the ethics board, shall be signed by the person filing, and shall include a certification of accuracy by the person responsible for filing the report in a format suitable for use on the database required by R.S. 49:77(1). The electronic filing by a lobbyist of any report required under this Section shall constitute a certification that the information contained in the report is true and correct to the best of his knowledge, information, and belief; that no reportable expenditures have been made that are not included therein as required by law; and that no information required by this Part has been deliberately omitted.

(2) A lobbyist shall retain records that document all reports made pursuant to this Part for no less than three years.

D. (1) Each report shall include the following:

(a) A list of each subject matter lobby reported during each reporting period.

(b) The total of all expenditures made during each reporting period aggregate in the manner prescribed by the ethics board by rule.

(c) The aggregate total of expenditures attributable to an individual executive branch official as provided in Subsection E. of this Section during each reporting period, including the name of the executive branch official and his executive branch agency.

(d) The aggregate total of expenditures attributable to the spouse or minor child of an executive branch official during each reporting period. The name of the spouse or minor child shall not be included. The aggregate total of such expenditures shall be reported as follows:

The aggregate total of expenditures attributable to the spouse of an executive branch official was (insert aggregate total of expenditures).

The aggregate total of expenditures attributable to the minor child or children of (insert name of executive branch official) was (insert aggregate total of expenditures).

The aggregate total of expenditures attributable to the minor child or children of (insert name of executive branch official) was (insert aggregate total of expenditures).

(F) The aggregate total of all expenditures attributable to an individual executive branch official for all reporting periods during the same calendar year, aggregated in the manner prescribed by the ethics board by rule.

(G) The aggregate total of all expenditures attributable to an individual executive branch official as provided in Subsection E. of this Section for all reporting periods during the same calendar year, including the name of the executive branch official and his executive branch agency.

(H) The aggregate total of all expenditures attributable to the spouse or minor child of an executive branch official for all reporting periods during the same calendar year. The name of the spouse or minor child shall not be included. The aggregate total of such expenditures shall be reported as follows:

The aggregate total of expenditures attributable to the spouse of an executive branch official was (insert aggregate total of expenditures).

The aggregate total of expenditures attributable to the minor child or children of (insert name of executive branch official) was (insert aggregate total of expenditures).

(2) For the purposes of this Section, the aggregate amount or any per occasion amount attributable to an executive branch official or spouse or minor child of an executive branch official shall not include any expenditure which is otherwise required to be reported in Paragraph (E)(2) or (E)(3) of this Section or which is exempt as provided in Paragraph (F)(2) of this Section.

(3) When the aggregate expenditure for any one executive branch official exceeds the sum of fifty dollars on any one occasion, or the aggregate total of expenditures for any one executive branch official exceeds the sum of two hundred fifty dollars in a reporting period, then the total amount of expenditures for the executive branch official during the reporting period shall be attributable to an individual executive branch official.

Each report shall include a statement of the expenditure for each reception, social gathering, or other function to which more than twenty-five executive branch officials are invited. Any report of such amount shall include the name of the group or groups invited and the date and location of the reception, social gathering, or other function.

(2) Any expenditure, as defined herein, for any reception or social gathering sponsored in whole or in part by a lobbyist, individually or on behalf of a principal, is held in conjunction with a meeting of a national or regional organization of executive branch officials shall be exempt from the provisions of this Part.

(3) Any expenditure for any meal or refreshment consumed by or offered to an executive branch official which is incidental to the executive branch official giving a speech, being a member of a panel, or otherwise being involved in an informational presentation to a group shall be exempt from the provisions of this Part.

(4) Establish and maintain access to a searchable electronic database available to the public via the Internet.

§78. Enforcement

D. In addition to any other applicable penalties:

§77. Administration

The board, in performance of its duties under this Part, shall:

(3) If the board determines that a person has filed a registration or report required by this Part that is inaccurate or incomplete, the board shall mail by certified mail a notice of delinquency informing the person that the inaccuracy must be corrected or the missing information must be provided no later than fourteen business days after receipt of the notice of delinquency. The notice of delinquency shall include the deadline for correcting the inaccuracy or providing the missing information. If the person corrects the inaccuracy or provides the missing information prior to the deadline contained in the notice of delinquency, no penalties shall be assessed against the person.

(4) Whoever fails to correct the inaccuracy or provide the missing information by the deadline included in the notice of
delinquency shall be subject to penalties as provided by law. 

(5)(a) Any person who with knowledge of its falsity files a registration or report as required in this Part contains a false statement or false representation of a material fact shall be subject to the assessment of the civil penalties provided in Part III of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950, and the findings of the board relative to such filing shall be referred by the board to the appropriate district attorney for prosecution pursuant to R.S. 14:133.

(b) The board may recommend to the legislature that any person penalized as provided in Subparagraph (a) of this Paragraph be censured by the legislature.

Section 3. The first monthly expenditure report as required by R.S. 24:55 and R.S. 49:76 as amended and reenacted in this Act shall be filed not later than February 15, 2009, and shall include information for the month of January, 2009. In addition, not later than February 15, 2009, each lobbyist shall file an expenditure report for the period from July 1, 2008 through December 31, 2008, as required by R.S. 24:55 and R.S. 49:76 prior to the effective date of this Act.

Section 4. The provisions of this Act shall become effective on January 1, 2009."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gallot to Reengrossed Senate Bill No. 11 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 3 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 15, line 1, change "(5)(a)" to "(5)"

AMENDMENT NO. 2

In House Floor Amendment No. 3 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 15, delete lines 8 through 10

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Reengrossed Senate Bill No. 11 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 3 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 5, line 3, change "fifteenth" to "twenty-fifth"

AMENDMENT NO. 2

In House Floor Amendment No. 3 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 5, line 18, delete "period," and insert "period pursuant to R.S. 24:53(4)."

AMENDMENT NO. 3

In House Floor Amendment No. 3 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 11, line 44, change "fifteenth" to "twenty-fifth"

AMENDMENT NO. 4

In House Floor Amendment No. 3 proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 12, line 19, delete "period," and insert "period pursuant to R.S. 49:74(4)."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Reengrossed Senate Bill No. 11 by Senator Chaisson

AMENDMENT NO. 1

In House Floor Amendment No. 3 of the set of House Floor Amendments proposed by Representative Gallot and adopted by the House on February 21, 2008, on page 1, line 22, after "thing of value" delete the remainder of the line and insert "for the"
On page 2, line 28, change "made" to "broadcast".

AMENDMENT NO. 10
On page 2, line 28, after "sixty days before" delete the remainder of the line and delete line 29 and insert "any election in which such candidate is on the ballot;"

AMENDMENT NO. 11
On page 3, line 11, after "seconds," and before "For" insert the following: "If the advertisement is placed by a public relations firm, advertising agency, media buyer, or other person who purchases media advertising or time or space for such advertising, such person shall provide the information required by this Section;"

AMENDMENT NO. 12
On page 3, at the end of line 13, delete the period "." and insert a semicolon ";

AMENDMENT NO. 13
On page 3, at the beginning of line 14, change "F.(1)" to "F."

AMENDMENT NO. 14
On page 3, delete lines 17 through 19 in their entirety

AMENDMENT NO. 15
On page 3, between lines 19 and 20, insert the following:

’’G. The carriage, distribution, or transmission by a radio station, television station, cable company, or newspaper of any announcement or advertisement determined to have occurred in violation of the provisions of Subsection C or E of this Section shall not be considered a violation by the radio station, television station, cable company, or newspaper.’’

§1505.2. Contributions; expenditures; certain prohibitions and limitations

I.

(4) No candidate, political committee, person required to file reports under this Chapter, nor any other person shall use a contribution, loan, or transfer of funds to pay a fine, fee, or penalty imposed pursuant to the provisions of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950.

O.(1) The a fine, fee, or penalty assessed for a violation of this Chapter shall be paid only by the person against whom the fine, fee, or penalty was assessed. All such fines, fees, or penalties may be paid only with the personal funds of such person or with contributions in accordance with Subsection I of this Section; however, the supervisory committee may prohibit a candidate or elected official from using contributions received by, or other campaign funds of, such candidate or elected official or the principal or a subsidiary campaign committee of such candidate or elected official to pay a fine, fee, or penalty, assessed for a violation of this Chapter upon a finding that the violation was intentional or egregious.

(2) "Intentional" for the purposes of this Subsection shall mean actions which, in the considered opinion of the supervisory committee, were designed to avoid full and accurate compliance with the provisions of this Chapter. "Egregious" for the purposes of this Subsection shall mean actions which, in the considered opinion of the supervisory committee, significantly injured the public’s right to full and accurate disclosure of the financing of election campaigns.

AMENDMENT NO. 16
On page 4, at the end of line 1, after "advertisement," insert "The font size of such display shall be no less than half of the font size of the content of the advertisement.

AMENDMENT NO. 9
On page 2, line 28, change "clearly identified" to "legally qualified"
AMENDMENT NO. 17
On page 4, line 3, after "Section 2," and before "shall" delete "This Act" and insert "The provisions of R.S. 18:1463(C)(2) and (E) and 1505.3(D)(3) as amended and reenacted in this Act and the provisions of R.S. 18:1463(C)(4), (F), and (G) as enacted in this Act"

AMENDMENT NO. 18
On page 4, after line 3, insert the following:
"Section 3. The provisions of R.S. 18:1505.2(O) as amended and reenacted in this Act and the provisions of R.S. 18:1505.2(I)(4) as enacted in this Act shall become effective upon signature by the governor or, if this Act is not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, the provisions of R.S. 18:1505.2(O) as amended and reenacted in this Act and the provisions of R.S. 18:1505.2(I)(4) as enacted in this Act shall become effective on the day following such approval."

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Morrell to Reengrossed Senate Bill No. 14 by Senator Marionneaux

AMENDMENT NO. 1
In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House on February 21, 2008, on page 1, line 4, after "1505.2(I)(4)" delete the comma ",", and insert "and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1601 through 1603,"

AMENDMENT NO. 2
In House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House on February 21, 2008, on page 1, at the end of line 7, insert "to provide relative to certain expenditures for certain political activities; to provide for certain required reports; to provide penalties;"

AMENDMENT NO. 3
In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs, and adopted by the House on February 21, 2008, on page 1, at the end of line 13 insert "and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1601 through 1603,"

AMENDMENT NO. 4
On page 4, between lines 2 and 3, insert the following:
"PART VIII. TELEPHONE AND RADIO COMMUNICATIONS AND POLITICAL POLLING EXPENDITURES;
LIMITATIONS AND REPORTS
§1601. Special reports; disclosures for certain telephone communications
A. In addition to all other reports required by this Chapter, not later than twenty-four hours after any person, political committee, or other entity or organization makes an expenditure or payment for the purpose of conducting a political poll or similar communication via the telephone involving questions or statements about a candidate or proposition, such person, political committee, or other entity or organization shall electronically file a report with the supervisory committee, on such form as the supervisory committee shall provide, which shall include:
1. The total amount of such payments or expenditures for such telephone political poll or communication.
2. The name and address of each person to whom a payment or expenditure was made for such telephone political poll or communication.
3. The amount paid to each person listed pursuant to Paragraph (2) of this Section.
B. The provisions of Subsection A of this Section shall apply to expenditure or payments made after the opening of qualifying for an election, except if the expenditure or payment is made relative to a proposition election, such provisions shall apply after the thirtieth day prior to such election. Prior to such time, any person, political committee, or other entity or organization that makes an expenditure or payment for the purpose of conducting a political poll or similar communication via the telephone involving questions or statements about a candidate or proposition shall include such information on the next report such person, political committee, or other entity or organization is required to file with the supervisory committee in addition to the information required to be included in such report.
§1602. Radio communications
No persons or organizations using radio advertisement which is paid for and authorized by a candidate or political committee of a candidate or an agent of the candidate or political committee shall use acronyms.
§1603. Penalties
Whoever violates the provisions of this Part shall be assessed a civil fine of not more than two thousand five hundred dollars. On a second violation, or any succeeding violation, the penalty shall be a civil fine of not more than five thousand dollars.

Senator Marionneaux moved to reject the amendments proposed by the House.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President
Duplessis
Morrish
Adley
Erdey
Mount
Alario
Gauteaux B
Murray
Amedee
Gauteaux N
Nevers
Broome
Heitmeier
Quinn
Cassidy
Jackson
Riser
Cheek
Kostelka
Scalse
Cravins
Long
Shaw
Crowe
Marionneaux
Smith
Donahue
Martiny
Thompson
Dorsey
Michot
Walsworth

NAYS

Total - 33

ABSENT

Total - 6

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

SENATE BILL NO. 29—
BY SENATORS MARIONNEAUX, N. GAUTREAUX AND LAFLEUR AND REPRESENTATIVE BALDWIN—
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.

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

HOUSE COMMITTEE AMENDMENTS
Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 29 by Senator Marionneaux
On page 2, after line 2, after "(14)(b)" and before "and to enact" insert "and 1505.2(O)"

AMENDMENT NO. 2
On page 1, line 2, after "(14)(c)" delete the remainder of the line and insert a comma "," and "1501.2, and 1505.2(I)(4),"

AMENDMENT NO. 3
On page 1, line 6, after "expenditures;" and before "and" insert "to provide relative to the use of campaign funds; to provide for the payment of campaign finance fines, fees, and penalties;"

AMENDMENT NO. 4
On page 1, line 8, delete "is" and insert "and 1505.2(O) are"

AMENDMENT NO. 5
On page 1, line 9, after "(14)(c)" delete "and 1501.2" and insert a comma "," and "1501.2, and 1505.2(I)(4)"

AMENDMENT NO. 6
On page 2, delete lines 19 and 20 at the beginning of line 21, delete "(1)" The and insert the following:

"(1) In addition to the reports filed as provided in Subsection B of this Section, during the period beginning at midnight of the twentieth day prior to a primary election and extending through midnight of primary election day, and during the period beginning at midnight of the twentieth day prior to a general election and extending through midnight of general election day, any person, other than a candidate or a political committee, who makes any expenditures or who accepts a contribution, other than to or from a candidate or to or from a political committee, shall file a report with the supervisory committee which shall contain the

AMENDMENT NO. 7
On page 2, after line 28, insert the following:

"§1505.2. Contributions; expenditures; certain prohibitions and limitations
   I. *
   * *
   *

(4) No candidate, political committee, person required to file reports under this Chapter, nor any political committee shall use a contribution, loan, or transfer of funds to pay a fine, fee, or penalty imposed pursuant to the provisions of Chapter 15 of Title 42 of the Louisiana Revised Statutes of 1950

O. (1) The fine, fee, or penalty assessed for a violation of this Chapter shall be paid only by the person against whom the fine, fee, or penalty was assessed. All such fines, fees, or penalties may be paid only with the personal funds of such person or with contributions in accordance with Subsection I of this Section; however, the supervisory committee may prohibit a candidate or elected official from using contributions received by, or other campaign funds of, such candidate or elected official or the principal or a subsidiary campaign committee of such candidate or elected official to pay a fine, fee, or penalty, assessed for a violation of this Chapter upon a finding that the violation was intentional or egregious.

(2) "Intentional" for the purposes of this Subsection shall mean actions which, in the considered opinion of the supervisory committee, were designed to avoid full and accurate compliance with the provisions of this Chapter. "Egregious" for the purposes of this Subsection shall mean actions which, in the considered opinion of the supervisory committee, significantly injured the public's right to full and accurate disclosure of the financing of election campaigns.

AMENDMENT NO. 1
On page 1, line 11, after "spending" and the period ";" delete the remainder of the line, delete lines 12 and 13 in their entirety, and at the beginning of line 14, delete "applications" and the period ";"

AMENDMENT NO. 2
On page 2, line 3, after "The" change "division" to "commissioner"

AMENDMENT NO. 3
On page 2, line 4, after "shall" delete the remainder of the line and insert "consult with the"

AMENDMENT NO. 4
On page 2, line 5, after "Budget" and before "specifications" delete "for the" and insert "in the development of"

The roll was called with the following result:

YEAS
Mr. President
Adley
Alario
Amedee
Broome
Cassidy
Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Michot
Morrish
Mount
Murray
Nevers
Riser
Scalise
Shaw
Smith
Thompson
Walsworth

NAYS
Total - 0

ABSENT
LaFleur
McPherson
Quinn
Shepherd

Total - 4

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

SENATE BILL NO. 37—
BY SENATORS CHAISSON, AMEDEE, BROOME, CHEEK, DONAHUE, DUPLESSIS, JACKSON, KOSTELKA, MICHOT, SCALISE, SMITH AND WALSWORTH AND REPRESENTATIVE BALDONE
AN ACT
To enact R.S. 39:6(C), relative to the duties of 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.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Re-Engrossed Senate Bill No. 37 by Senator Chaisson

AMENDMENT NO. 1
On page 1, line 11, after "spending" and the period ";" delete the remainder of the line, delete lines 12 and 13 in their entirety, and at the beginning of line 14, delete "applications" and the period ";"

AMENDMENT NO. 2
On page 2, line 3, after "The" change "division" to "commissioner"

AMENDMENT NO. 3
On page 2, line 4, after "shall" delete the remainder of the line and insert "consult with the"

AMENDMENT NO. 4
On page 2, line 5, after "Budget" and before "specifications" delete "for the" and insert "in the development of"

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

ROLL CALL
The roll was called with the following result:

YEAS
Mr. President
Adley
Alario
Amedee
Broome
Cassidy
Cheek
Cravins
Crowe
Donahue
Dorsey
Duplessis
Michot
Morrish
Mount
Murray
Nevers
Riser
Scalise
Shaw
Smith
Thompson
Walsworth

NAYS
Total - 0

ABSENT
LaFleur
McPherson
Quinn
Shepherd

Total - 4
The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 47 by Senator Adley

| AMENDMENT NO. 1 | On page 1, line 2, after "R.S. 18:1501.1(A)" insert a comma ",", and insert "1505.2(O)," |
| AMENDMENT NO. 2 | On page 1, line 2, after "R.S. 18:1483(9.1)," insert "1505.2(I)(4)," |
| AMENDMENT NO. 3 | On page 1, line 7, after "committees;" insert "to provide relative to the use of campaign funds; to provide for the payment of campaign finance fines, fees, and penalties;" |
| AMENDMENT NO. 4 | On page 1, line 10, after "R.S. 18:1501.1(A)" insert a comma ",", and insert "1505.2(O)," |
| AMENDMENT NO. 5 | On page 1, line 11, after "R.S. 18:1483(9.1)," insert "1505.2(I)(4)," |
| AMENDMENT NO. 6 | On page 2, between lines 16 and 17, insert the following: 

| §1505.2. Contributions; expenditures; certain prohibitions and limitations |

| YEAS | Mr. President Duplessis Michot |
| Adley Dupre Morrish |
| Alario Erdey Mount |
| Amedee Gautreaux B Murray |
| Broome Gautreaux N Nevers |
| Cassidy Gray Riser |
| Cheek Hebert Scalise |
| Cravins Heitmeier Shaw |
| Crowe Kostelka Smith |
| Donahue Long Thompson |
| Dorsey Martiny Walsworth |
| Total - 33 |
| NAYS |
| Jackson |
| Total - 1 |
| ABSENT |
| LaFleur McPherson Shepherd |
| Marionneaux Quinn |
| Total - 5 |

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

**SENATE BILL NO. 58—**

By Senators Martiny, Murray and N. Gautreaux

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:
The Chair declared the amendments proposed by the House were rejected. Senator Martiny moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**Rules Suspended**

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

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

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

**Called from the Calendar**

Senator Chaisson asked that Senate Bill No. 5 be called from the Calendar at this time.

**SENATE BILL NO. 5—**

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

AN ACT

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

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

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 58 by Senator Martiny

**AMENDMENT NO. 1**

On page 1, line 3, change "prosecution" to "elements"

**AMENDMENT NO. 2**

On page 1, at the beginning of line 4, insert "for criminal"

**AMENDMENT NO. 3**

On page 1, line 10, after "officer" and before "or" insert a comma and "public employee,"

**AMENDMENT NO. 4**

On page 1, line 11, after "officer" and before "is" insert "or employee"

**AMENDMENT NO. 5**

On page 2, at the end of line 1, after "state" add "or any political subdivision of the state or any governmental entity"

**AMENDMENT NO. 6**

On page 2, at the end of line 3, add "Nothing in this Section shall prohibit or limit the ability of a public officer or public employee from performing his duties as authorized by law or as a condition of his employment or office."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Mickey Guillory to Reengrossed Senate Bill No. 58 by Senator Martiny

**AMENDMENT NO. 1**

In Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on February 20, 2008, on page 1, line 15, after "office" and before the period insert "nor shall it prohibit or limit the ability of an elected official from responding to a request by his constituency"

Senator Martiny moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>YEAS</th>
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<td>McPherson</td>
<td>Shepherd</td>
</tr>
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<td>Marionneaux</td>
<td>Quinn</td>
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<td>Total - 5</td>
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</tbody>
</table>
AMENDMENT NO. 2
Delete House Committee Amendment No. 4 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on February 19, 2008

AMENDMENT NO. 3
On page 2, delete lines 1 through 22 and insert the following:

"§1120. Recusal from voting

A. If any elected official, in the discharge of a duty or responsibility of his office or position, would be required to vote on a matter which vote would be a violation of R.S. 42:1112, he shall recuse himself from voting. Notwithstanding the foregoing, an elected official shall not be required to recuse himself if he prepares and files the statement required by this Section as provided herein. In such case, the elected official shall prepare in writing a statement describing the matter in question, the nature of the conflict or potential conflict, and the reasons why, despite the conflict, the elected official is able to cast a vote that is fair, objective, and in the public interest. Such statement shall be filed within three days of the vote with the chief clerical officer of the respective house of the legislature, of the legislative committee, of the governing authority, or of any other body in which the vote is taken, as the case may be, who shall cause the statement to be recorded in the official journal, minutes, or other official record of the body. In addition, the elected official shall be required to file a copy of such statement as it appears in such published or recorded official journal, minutes, or record, with the appropriate ethics body. An elected official who recuses himself from voting pursuant to this Section shall not be prohibited from participating in discussion or debate concerning the matter, provided that he verbally discloses the nature of the conflict or potential conflict during his participation in the discussion or debate and prior to any vote taken on the matter.

B. This Section shall not be applicable when the elected official is the sole decisionmaker in the discharge of the particular duty or responsibility of his office or position.

C. This Section shall not extend to any act of participation other than voting.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur  McPherson
Marionneaux  Shepherd
Total - 4

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

Rules Suspended

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

Senate Concurrent Resolutions
Returned from the House of Representatives with Amendments

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

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.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 2 by Senator Murray

AMENDMENT NO. 1
On page 1, line 2, after "To" and before "to study" delete "create a special committee" and insert the following: "request the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure to meet and function as a joint committee"

AMENDMENT NO. 2
On page 1, line 18, after "WHEREAS," and before "allows" change "present law" to "current law"

AMENDMENT NO. 3
On page 2, delete line 19, and insert "it."

AMENDMENT NO. 4
On page 2, at the end of line 20, after "hereby" delete "creates" and at the beginning of line 21, delete "a special committee" and insert the following: "requests the Senate Committee on Judiciary A and the House Committee on Civil Law and Procedure to meet and function as a joint committee"

AMENDMENT NO. 5
On page 2, at the end of line 23, change "families;" to "families."

AMENDMENT NO. 6
On page 2, line 24, after "that the" delete the remainder of the line and delete lines 25 through 30 in their entirety and delete pages 3 and 4 in their entirety and insert the following: "joint committee shall specifically solicit input, recommendations, and advice from the following:

(1) The Louisiana State Bar Association.
(2) The New Orleans Notarial Archives.
(3) The Louisiana Clerks of Court Association.
(4) The Louisiana Land Title Association.
(5) The Louisiana Bankers Association.
(6) The Louisiana Mortgage Lenders Association.
(7) The Louisiana State Law Institute.
(8) The Louisiana Housing Finance Agency.
(9) The office of the secretary of state.
(10) The New Orleans Legal Assistance Corporation.

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Senator Murray moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

LaFleur  McPherson  Shepherd
Total - 3

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

Recess

On motion of Senator Michot, the Senate took a recess until 12:30 o’clock P.M.

After Recess

The Senate was called to order at 12:30 o’clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

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

McPherson  ABSENT

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

Senate Business Resumed

Appointment of Conference Committee on Senate Concurrent Resolution No. 2

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Concurrent Resolution No. 2: Senators Murray, Kostelka and Jackson.

Appointment of Conference Committee on Senate Bill No. 1

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1: Senators Chaisson, Kostelka and Broome.

Appointment of Conference Committee on Senate Bill No. 3

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 3: Senators Chaisson, Kostelka and Broome.

Appointment of Conference Committee on Senate Bill No. 8

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 8: Senators Chaisson, Kostelka and Broome.

Appointment of Conference Committee on Senate Bill No. 11

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 11: Senators Chaisson, Kostelka and Broome.

Appointment of Conference Committee on Senate Bill No. 14

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 14: Senators Marionneaux, Chaisson and Amedee.

Appointment of Conference Committee on Senate Bill No. 35

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 35: Senators Chaisson, Kostelka and Broome.
Appointment of Conference Committee on Senate Bill No. 58

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 58: Senators Martiny, Chaisson and Amedee.

Appointment of Conference Committee on House Bill No. 1

The President of the Senate appointed on the Conference Committee on House Bill No. 1 the following members of the Senate: Senators Chaisson, Kostelka and Broome.

Appointment of Conference Committee on House Bill No. 56

The President of the Senate appointed on the Conference Committee on House Bill No. 56 the following members of the Senate: Senators Chaisson, Kostelka and Broome.

Regular Order of the Day Resumed

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1

On page 3, between lines 21 and 22, insert the following:

“(6) Any complainant who, with knowledge of its falsity, makes a false non-sworn complaint shall be subject to the penalties set forth in R.S. 42:1153.”

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1
In Senate Committee Amendment No. 22 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008 on page 2, line 30, after “Board” insert “or panel thereof”

AMENDMENT NO. 2
In Senate Committee Amendment No. 23 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008 on page 3, line 2, after “Board” insert “or panel thereof”

AMENDMENT NO. 3
In Senate Committee Amendment No. 24 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on February 20, 2008 on page 3, line 25 after “Board” insert “or panel thereof”

On motion of Senator Marionneaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1
On page 1, line 11, of the Senate Committee Amendment identified as BURKHARD 547, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008, change “(b)(i)” to “(4)(a)”

AMENDMENT NO. 2
On page 1, line 16, of the Senate Committee Amendment identified as BURKHARD 547, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008, change “(ii)” to “(bi)”
AMENDMENT NO. 3
On page 1, between lines 19 and 20, of the Senate Committee Amendment identified as BURKHARD 547, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008, insert the following:
"(c) The members of the Ethics Adjudicatory Board shall be randomly selected at a public meeting of the Board of Ethics, from among the names of all administrative law judges who meet the qualifications. The members of the first Ethics Adjudicatory Board will be selected by no later than August 14, 2008, or before the effective date of this Subparagraph. The initial Ethics Adjudicatory Board will serve until January 1, 2009. Thereafter, the board members will be selected annually to serve a one-year term from January 1 through December 31. The board members for the years 2009 and beyond shall be randomly selected at a public meeting held by the Board of Ethics in December of the preceding year. Since selection to the board is random, there is no limitation on the number of times a qualified member may be selected to serve."

AMENDMENT NO. 4
On page 1, line 20, of the Senate Committee Amendment identified as BURKHARD 547, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008, change "(ii)" to "(d)"

AMENDMENT NO. 5
Delete Senate Committee Amendment No. 22, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008.

AMENDMENT NO. 6
On page 4, delete lines 24 through 29.

AMENDMENT NO. 7
On page 5, delete lines 1 through 14.

Senator Marionneaux moved for a division of the question on the floor amendments.

Without objection, the division of the question was ordered.

Senator Marionneaux moved the adoption of Amendments No. 1, 2 and 3.

Without objection, Amendments No. 1, 2 and 3 were adopted.

Senator Marionneaux moved the adoption of Amendments No. 4, 5, 6 and 7.

Without objection, Amendments No. 4, 5, 6 and 7 were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Gautreaux to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1
Delete the set of 26 Senate Committee Amendments proposed by the Senate Committee on Governmental Affairs and adopted by the Senate on February 20, 2008.

AMENDMENT NO. 2
On page 1, line 2 after "repeal R.S." delete the remainder of the line and at the beginning of line 3 delete "994(E)," and insert in lieu thereof "42:1134(B), and 1141."

AMENDMENT NO. 3
On page 1, line 6 after "Ethics" and before "to provide" delete "Adjudicatory Board;" and insert in lieu thereof "Investigatory Committee and the Ethics Adjudicatory Committee;"

AMENDMENT NO. 4
On page 1, delete line 7 in its entirety and insert in lieu thereof "committees relative to such"

AMENDMENT NO. 5
On page 1, line 12 after "R.S." delete "42:1141(C)(1), (D), (E), and (F))" and insert in lieu thereof "42:1134(B) and 1141."

AMENDMENT NO. 6
On page 1, between lines 13 and 14 insert the following: "§[1134. Powers, duties, and responsibilities of the board"

B.(1) The board shall select an executive secretary who shall perform the necessary administratıve and other functions that the board may delegate. The executive secretary shall be a full-time public employee and shall not engage in any employment with any other agency of the state or with a political subdivision or agency thereof or enter into any contract or subcontract with any other agency of the state or with a political subdivision or agency thereof. All investigations, normal staff functions, and legal services shall be conducted by the staff of the Department of State Civil Service under the authority and direction of the board. The board may obtain investigative assistance from any agency.

(3)(a) The board shall select an ethics administrator to serve as a general counsel to the chief investigator for the board, to provide general office management, and to perform other functions that the board may delegate. The board shall assign such staff to the ethics administrator for his investigations as it may deem necessary for carrying out the investigatory function of the board.

(b) The ethics administrator shall be a full-time public employee and shall not engage in any employment with any other agency of the state or with a political subdivision or agency thereof or enter into any contract or subcontract with any other agency of the state or with a political subdivision or agency thereof. In addition, the ethics administrator shall not engage in outside business activities requiring active participation as determined by the board. For purposes of this Subparagraph, "outside business activities requiring active participation" shall include but not be limited to the practice of any profession for compensation other than in performing his public duties and responsibilities as ethics administrator.

(3)(a) The board shall select a general counsel to serve as the chief prosecutor of the board. The board shall assign such staff to the general counsel for his carrying out his duties as it may deem necessary for implementing the adjudicatory function of the board.

(b) The general counsel shall be a full-time public employee and shall not engage in any employment with any other agency of the state or with a political subdivision or agency thereof or enter into any contract or subcontract with any other agency of the state or with a political subdivision or agency thereof. In addition, the general counsel shall not engage in outside business activities requiring active participation as determined by the board. For purposes of this Subparagraph, "outside business activities requiring active participation" shall include but not be limited to the practice of any profession for compensation other than in performing his public duties and responsibilities as general counsel to the board.

AMENDMENT NO. 7
On page 1, between lines 14 and 15 insert the following: "A. Panels and committees. (1)(a) The board members shall sit en banc and in panels in such order and at such times as the board directs."

(b) The chairman shall divide the board members into two committees. The committees shall be known as the Ethics Investigatory Committee and the Ethics Adjudicatory Committee. The committees shall have the duties and authority as provided in Subsection C of this Section.

(2) The board shall authorize the hearing and determination of matters by separate panels of the committees, each consisting of not less than three members. Such panels shall sit at the times and places
to hear matters assigned as the chairman directs. Such hearings shall be public except those provided for in Subsection C of this Section. Each panel shall be vested with specific subject matter jurisdiction. The board may determine by rule a procedure to rotate members among different subject matter panels to encourage the participation of each member of the board in, and the knowledge of each member of the board of, matters concerning the different provisions of law under the jurisdiction of the board.

(3) Matters shall be heard and determined by the board or a committee panel of not less than three members, unless a hearing before the board en banc is ordered by a majority of the members of the board. The presence of the three members of the panel shall be required to conduct the business of the panel.

(4) Notwithstanding any other provision of this Chapter, the presence of nine members shall be required to conduct the business of the board sitting en banc.

(5) The board shall promulgate procedural and jurisdictional rules relative to the establishment of the committees and the several panels. The rules shall specify procedures wherein the chairman may refer matters to the appropriate panel with proper subject matter jurisdiction.

(6) The board, by a majority vote of its membership, may review any opinion, decision, finding, or ruling of any panel.

B. Complaints. (1)(a) The board shall consider any signed sworn complaint from any elector, hereinafter referred to as complainant, concerning a violation of this Chapter which is within its jurisdiction or the regulations or orders issued by the board, or by any of a two-thirds majority vote of its membership, consider any matter which it has reason to believe may be a violation of this Chapter. Additionally, the board may consider any matter which it has reason to believe may be a violation of any other provision of law within its jurisdiction as provided in this Subsection or as may be otherwise provided by law. A certified copy of the vote and explanation of the matter or a copy of the sworn complaint if one has been submitted to the board shall be sent by certified mail to the accused and the complainant within ten days after the vote occurs. The chairman of the board shall assign each such matter to the appropriate panel of the investigatory committee for investigation.

(b) The board shall provide a person who has filed a non-sworn complaint with only a notification stating the final disposition of the complaint.

(2) A notice or report sent to the board by the legislative auditor or the inspector general may be treated by the board as a matter for consideration in accordance with the provisions of this Subsection.

(3) If an elected official has tested positive for the use of illegal drugs or if an elected official has refused to submit to a drug test required pursuant to R.S. 42:1116.1, the board shall treat such conduct as a matter for consideration in accordance with the provisions of this Subsection.

AMENDMENT NO. 8
On page 2, line 1 after "conducted" and before "to elicit" insert "by the ethics administrator"

AMENDMENT NO. 9
On page 2, line 1 after "panel" and before "as provided" insert "of the investigatory committee"

AMENDMENT NO. 10
On page 2, line 2 delete "board" and insert in lieu thereof "adjudicatory committee"

AMENDMENT NO. 11
On page 2, line 6 after "of the" and before "panel" insert "investigatory committee"

AMENDMENT NO. 12
On page 2, at the beginning of line 7 insert "investigatory committee"

AMENDMENT NO. 13
On page 2, at the end of line 8 insert "If two members of the three-member panel vote to recommend that a public hearing be conducted, the matter shall go before a five-member panel of the investigatory committee for final determination of whether to recommend to the adjudicatory committee that a public hearing be conducted."

AMENDMENT NO. 14
On page 2, line 9 change "board" to "investigatory committee"

AMENDMENT NO. 15
On page 2, line 10 after "conducted" and before "to receive" insert "by the adjudicatory committee"

AMENDMENT NO. 16
On page 2, line 11 after "occurred" and before "If" delete the period "." and insert in lieu thereof a comma "," and "and if a violation has occurred, to prescribe authorized penalties."

AMENDMENT NO. 17
On page 2, line 15 change "board" to "investigatory committee"

AMENDMENT NO. 18
On page 2, line 19 change "board" to "investigatory committee"

AMENDMENT NO. 19
On page 2, line 21 change "board" to "investigatory committee"

AMENDMENT NO. 20
On page 2, line 22 change "division of administrative law" to "adjudicatory committee"

AMENDMENT NO. 21
On page 2, delete lines 24 and 25 in their entirety and insert in lieu thereof "(b) The chairman of the board shall appoint at least five board members to the Ethics Adjudicatory Committee to conduct public hearings, make"

AMENDMENT NO. 22
On page 2, at the end of line 26 delete "administrative" and delete line 27 in its entirety and insert in lieu thereof "board members appointed by the chairman to conduct"

AMENDMENT NO. 23
On page 2, line 29 change "Board" to "Committee"

AMENDMENT NO. 24
On page 3, line 1 change "Board" to "Committee" and change "board" to "committee" and change "director" to "chairman"

AMENDMENT NO. 25
On page 3, line 2 change "Board" to "Committee"

AMENDMENT NO. 26
On page 3, line 4 change "an administrative law judge" to "a three-member panel of the adjudicatory committee"

AMENDMENT NO. 27
On page 3, delete line 6 in its entirety and insert in lieu thereof "If the panel determines by a unanimous vote that a violation has occurred, it shall"

AMENDMENT NO. 28
On page 3, delete line 8 in its entirety and insert the following: "(iii) If two members of the three-member panel agree that a violation has occurred, the matter shall go before a five-member panel of the adjudicatory committee for final determination of whether a violation has occurred and what penalties or other sanctions, if any, should be imposed.

(iii) No panel of the adjudicatory committee shall conduct a public hearing"

AMENDMENT NO. 29
On page 3, line 11 change "administrative law judge" to "panel"

AMENDMENT NO. 30
On page 3, line 12 change "administrative law judge" to "panel"
AMENDMENT NO. 31
On page 3, line 13 change "his" to "its"

AMENDMENT NO. 32
On page 3, line 15 change "administrative law judge's" to "panel's"

AMENDMENT NO. 33
On page 3, line 16 change "administrative law judge" to "panel"

AMENDMENT NO. 34
On page 3, line 18 change "administrative law judge" to "panel"

AMENDMENT NO. 35
On page 3, line 20 change "administrative law judge" to "panel"

AMENDMENT NO. 36
On page 3, line 21 change "administrative law judge" to "panel"

AMENDMENT NO. 37
On page 3, line 22 after "board" delete the remainder of the line and at the beginning of line 23 delete "law" and insert in lieu thereof "or any panel thereof"

AMENDMENT NO. 38
On page 4, at the end of line 4 delete "an" and at the beginning of line 5 delete "administrative law judge" and insert in lieu thereof "a panel of the adjudicatory committee"

AMENDMENT NO. 39
On page 4, line 25 delete "or administrative law judge"

AMENDMENT NO. 40
On page 5, line 7 delete "or administrative law judge"

AMENDMENT NO. 41
On page 5, delete lines 15 through 21 in their entirety and insert in lieu thereof the following:

"(5) No disciplinary action shall be taken against a public servant or other person by the board or any panel thereof unless it is determined by a majority vote of the membership of the board or panel that such public servant or other person has violated a provision of law within its jurisdiction at a public hearing conducted for that purpose. However, in cases where the panel consists of three members, all determinations of such a panel shall require a unanimous vote of the members of the panel."

AMENDMENT NO. 42
On page 5, at the beginning of line 22 change "(5)" to "(6)"

AMENDMENT NO. 43
On page 5, at the beginning of line 25 change "(6)" to "(7)"

AMENDMENT NO. 44
On page 5, at the beginning of line 27 change "(7)" to "(8)"

AMENDMENT NO. 45
On page 6, at the beginning of line 3 change "(8)" to "(9)"

AMENDMENT NO. 46
On page 6, at the beginning of line 8 change "(9)" to "(10)"

AMENDMENT NO. 47
On page 6, at the beginning of line 10 change "administrative law judge" to "board or any panel thereof"

AMENDMENT NO. 48
On page 6, at the end of line 22 insert "Any appeal of panel action shall be filed with the board within fourteen days of the panel's decision."

AMENDMENT NO. 49
On page 7, line 14 delete "private" and after "board" and before the period "insert "or any panel thereof"

AMENDMENT NO. 50
On page 7, delete lines 15 through 27 in their entirety.

AMENDMENT NO. 51
On page 7, at the beginning of line 28 change "Section 3." to "Section 2."

AMENDMENT NO. 52
On page 8, line 1 change "member" to "panel"

AMENDMENT NO. 53
On page 8, line 2 change "Board." to "Committee."

AMENDMENT NO. 54
On page 8, line 2 after "the board" delete the remainder of the line and at the beginning of line 3 delete "administrative law"

AMENDMENT NO. 55
On page 8, at the beginning of line 5 change "Section 4." to "Section 3."

Senator B. Gautreaux moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Dorsey LaFleur
Broome Dupre Michot
Cassidy Gautreaux B Mount
Cravins Gautreaux N Murray
Total - 12

NAYS

Alario Heitmeier Quinn
Amedee Jackson Riser
Cheek Kostelka Scalise
Crowe Long Shaw
Donahue Marionneaux Smith
Duplessis Martin Smith
Erdey Morrish Thompson
Hebert Nevers Walsworth
Total - 24

ABSENT

Mr. President Gray McPherson
Total - 3

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 4
On page 8, between lines 4 and 5 insert "Section 4. The number of new employee positions created by this Act shall not exceed two administrative law judges, one attorney, and one clerical worker."

AMENDMENT NO. 5
On page 8, line 5, change "Section 4. " to "Section 5. "

On motion of Senator N. Gautreaux, the amendments were adopted.
Floor Amendments Sent Up

Senator Nevers sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1
On page 3, line 17, after "him," insert "If the ethics adjudicatory panel or the Board of Ethics makes an official determination that the charges lack validity, the complainant shall be liable to the person charged for the court costs and attorney fees."

Senator Nevers moved adoption of the amendments.

Senator Marionneaux objected.

ROLL CALL

The roll was called with the following result:

YEAS
Broome  Erdey  Murray
Cassidy  Gautreaux B  Nevers
Cheek  Heitmeier  Quinn
Cravins  Kostelka  Risser
Crowe  LaFleur  Shaw
Donahue  Long  Shepherd
Dorsey  Michot  Smith
Dupre  Mount
Total - 23

NAYS
Mr. President  Gautreaux B  Murray
Total - 3

ABSENT
Cassidy  Marionneaux  McPherson
Total - 3

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Kostelka sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Kostelka to Reengrossed House Bill No. 41 by Representative Tucker

AMENDMENT NO. 1
On page 3, line 11 after the words "disclose" delete "any"

AMENDMENT NO. 2
On page 3, line 12 delete "substantial" and insert "clear and convincing"

AMENDMENT NO. 3
Delete Senate Floor Amendment proposed by Senator Marionneaux and adopted by the Senate on February 25, 2008, designated as SFA41 WADDELLG 772

On motion of Senator Kostelka, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS
Adley  Erdey  Morrish
Alario  Gautreaux N  Mount
Amedee  Gray  Nevers
Broome  Hebert  Quinn
Cheek  Heitmeier  Riser
Cravins  Jackson  Scalise
Crowe  Kostelka  Shaw
Donahue  LaFleur  Shepherd
Dorsey  Long  Smith
Duplessis  Marionneaux  Thompson
Dupre  Michot  Walsworth
Total - 33

NAYS
Mr. President  Gautreaux B  Murray
Total - 3

ABSENT
Cassidy  Marionneaux  McPherson
Total - 3

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

Notice Regarding Vote

Senator Marionneaux stated he appeared as absent on the vote on House Bill No. 41. He was handling the bill on the floor and his machine malfunctioned and he was shown as absent. He intended to vote yea on the bill and 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

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 1 by Senator Chaisson:

Representatives Gallot, Tucker and Peterson.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:
Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 3 by Senator Chaisson:

Representatives Gallot, Tucker and Connick.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 8 by Senator Chaisson:

Representatives Gallot, Tucker and Danahay.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 11 by Senator Chaisson:

Representatives Gallot, Tucker and Peterson.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 14 by Senator Marionneaux:

Representatives Ellington, Gallot and Lambert.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 35 by Senator Chaisson:

Representatives Henry, Gallot and Abramson.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 58 by Senator Martiny:

Representatives Wooton, Tucker and Gallot.

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

Message from the House

HOUSE CONFEREES APPOINTED
February 25, 2008
To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Concurrent Resolution No. 2 by Senator Murray:

Representatives Peterson, Gallot and Barras.

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

Rules Suspended

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

House Bills and Joint Resolutions on
Third Reading
and Final Passage

The following House Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:
HOUSE BILL NO. 58—
BY REPRESENTATIVES MORRELL AND BALDONE
AN ACT
To enact Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1601 through 1604, relative to campaign finance; to provide relative to certain expenditures for certain political activities; to provide for certain required content; to provide for certain required reports; to provide for penalties; and to provide for related matters.

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

Rules Suspended

Senator Dupre asked for and obtained a suspension of the rules for the purpose of allowing the Committee on Natural Resources to meet without the required 24 hour notice.

Recess

On motion of Senator Dupre, the Senate took a recess until 5:00 o'clock P.M.

After Recess

The Senate was called to order at 5:00 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President Erdey 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 Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre Michot
Total - 38

ABSENT

McPherson
Total - 1

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

Senate Business Resumed

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

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

HOUSE BILL NO. 80—
BY REPRESENTATIVES MORRELL, ABRAMSON, BALDONE, LERGER, LORUSSO, AND PETERSON
AN ACT
To enact Chapter 44 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9611 through 9615, relative to certain local entities; to provide relative to certain powers of a local ethics entity, ethics review board, or office of inspector general in certain municipalities; and to provide for related matters.

Senator Marionneaux in the Chair

Floor Amendments Sent Up

Senator Quinn sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Reengrossed House Bill No. 80 by Representative Morrell

AMENDMENT NO. 1
Delete Senate Committee Amendment No. 7 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on February 21, 2008.

AMENDMENT NO. 2
On page 8, after line 6, insert the following:
"C. Except for the completed reports, findings, advisories, letters, and recommendations of investigations, audits, inspections, performance reviews, qualitative assurance reviews, peer reviews, annual operating budgets, and annual office reports, the records prepared or obtained by the ethics entity, ethics review board, or office of inspector general shall be deemed confidential and protected from disclosure pursuant to R.S. 44:3 and 44:5. In order to maintain the confidentiality of such materials, the ethics entity, ethics review board, or office of inspector general may meet and make decisions in executive session. No privilege established by law shall be deemed waived on any record obtained by the ethics entity, ethics review board, or office of inspector general in connection with the performance of duties established by this Chapter. Any record or information obtained by the ethics entity, ethics review board, or office of inspector general which is confidential pursuant to any other provision of law shall remain confidential, and it shall be a misdemeanor punishable by a fine of not more than two thousand dollars or imprisonment for not more than one year, or both, for the ethics entity, ethics review board, or office of inspector general or any designated staff member or any other public official, corporation, or individual to make public any such information or record."

Senator Quinn moved adoption of the amendments.

Senator Shepherd objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley Gautreaux N Mount
Amedee Gray Murray
Cassidy Hebert Nevers
Cravins Heitmeier Quinn
Crowe Kostelka Riser
Donahue LaFleur Scalise
Dorsey Long Smith
Dorsey Marionneaux Thompson
Duplessis Martiny Walsworth
Dupre Michot
Total - 31

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Quinn to Reengrossed House Bill No. 80 by Representative Morrell

AMENDMENT NO. 1
Delete Senate Committee Amendment No. 7 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on February 21, 2008.

AMENDMENT NO. 2
On page 8, after line 6, insert the following:
"C. Except for the completed reports, findings, advisories, letters, and recommendations of investigations, audits, inspections, performance reviews, qualitative assurance reviews, peer reviews, annual operating budgets, and annual office reports, the records prepared or obtained by the ethics entity, ethics review board, or office of inspector general shall be deemed confidential and protected from disclosure pursuant to R.S. 44:3 and 44:5. In order to maintain the confidentiality of such materials, the ethics entity, ethics review board, or office of inspector general may meet and make decisions in executive session. No privilege established by law shall be deemed waived on any record obtained by the ethics entity, ethics review board, or office of inspector general in connection with the performance of duties established by this Chapter. Any record or information obtained by the ethics entity, ethics review board, or office of inspector general which is confidential pursuant to any other provision of law shall remain confidential, and it shall be a misdemeanor punishable by a fine of not more than two thousand dollars or imprisonment for not more than one year, or both, for the ethics entity, ethics review board, or office of inspector general or any designated staff member or any other public official, corporation, or individual to make public any such information or record.

Senator Quinn moved adoption of the amendments.

Senator Shepherd objected.

ROLL CALL

The roll was called with the following result:

YEAS
cause why an order shall not be issued ordering such person to obey the subpoena.

B. Any costs and attorney's fees incurred by the local ethics entity, ethics review board, or office of inspector general may be taxed against the person who failed or refused to comply with the terms of the subpoena.

C. When the local ethics entity, ethics review board, or office of inspector general issuing the subpoena has reason to believe that a person may attempt to conceal or destroy materials essential to an investigation, examination, audit, inspection, or performance review, the local ethics entity, ethics review board, or office of inspector general may apply by verified petition to the district court of the parish in which the person resides or is found or has a principal place of business or in which the materials may be found for an order protecting the materials from concealment or destruction. The court may order and fix the amount of a bond to be posted and conditioned upon compliance with the terms of the subpoena. The order shall be directed to the person upon whom the subpoena will be served and to any other person necessary to protect the materials from concealment or destruction.

AMENDMENT NO. 5
On page 2, line 25, change "B." to "D."

AMENDMENT NO. 6
On page 3, line 14, change "C." to "E."

AMENDMENT NO. 7
On page 4, line 14, change "D." to "F."

AMENDMENT NO. 8
On page 4, line 19, change "E." to "G."

AMENDMENT NO. 9
On page 4, delete lines 23 through 29

AMENDMENT NO. 10
Delete pages 5 and 6 in their entirety

AMENDMENT NO. 11
On page 7, delete lines 1 through 14

AMENDMENT NO. 12
On page 7, line 15, change "§9615" to "§9614"

Senator Alario moved adoption of the amendments.

Senator Quinn objected.

ROLL CALL

The roll was called with the following result:

YEAS

Alario  Hebert  Mount
Cheek   Heitmeier  Murray
Dupre  Jackson  Shaw
Erdey  LaFleur  Shepherd
Gautreaux B  Marionneaux  Smith
Gautreaux N  Martiny  Thompson
Gray  Morrish
Total - 20

NAYS

Amedee  Duplessis  Quinn
Cassidy  Kostelka  Riser
Cravins  Long  Scalise
Crowe  Michot  Walsworth
Donahue  Nevers
Total - 14
SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 80 by Representative Morrell

AMENDMENT NO. 1
On page 2, delete lines 14 through 17 in their entirety.

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey
Alario Gautreaux B
Amedee Gautreaux N
Broome Gray
Cassidy Hebert
Cheek Heitmeier
Crawfins Jackson
Donahue LaFleur
Dorsey Long
Duplessis Marionneaux
Dupre Michot
Erdey Morrise

Total - 36

NAYS

Total - 0

ABSENT

Adley McPherson

Total - 3

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

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATORS SHEPHERD, ALARIO AND HEITMEIER AND REPRESENTATIVES BILLIOT, CONNICK, GIROD JACKSON AND TEMPLET

A CONCURRENT RESOLUTION

To commend and congratulate Raymond John Brandt on the opening of Ray Brandt Nissan on Lapalco Boulevard in Marrero, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey
Alario Gautreaux B
Amedee Gautreaux N
Broome Gray
Cassidy Hebert
Cheek Heitmeier
Crawfins Jackson
Donahue LaFleur
Dorsey Long
Duplessis Marionneaux
Dupre Michot
Erdey Morrise

Total - 36

NAYS

Total - 0

ABSENT

Adley McPherson

Total - 3

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

February 25, 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. 23—**

BY REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality, the Department of Transportation and Development, and the Department of Economic Development to send representatives to public hearings conducted by the United States Army Corps of Engineers regarding the use of borrow material and report to the House Committee on Natural Resources and Environment and Senate Committee on Environmental Quality.

**HOUSE CONCURRENT RESOLUTION NO. 24—**

BY REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to consider contributing factors which clog the drainage systems on Louisiana Highway 18 on River Road from the St. Charles Parish line east to Louisiana Avenue.

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. 23—**

BY REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality, the Department of Transportation and Development, and the Department of Economic Development to send representatives to public hearings conducted by the United States Army Corps of Engineers regarding the use of borrow material and report to the House Committee on Natural Resources and Environment and Senate Committee on Environmental Quality.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Adley McPherson
Total - 2

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

**HOUSE CONCURRENT RESOLUTION NO. 24—**

BY REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to consider contributing factors which clog the drainage systems on Louisiana Highway 18 on River Road from the St. Charles Parish line east to Louisiana Avenue.

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

**ROLL CALL**

The roll was called with the following result:

**PRESENT**

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

**NAYS**

Total - 0
The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Mr. President in the Chair

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON NATURAL RESOURCES**

Senator Reggie P. Dupre, Jr., Chairman on behalf of the Committee on Natural Resources, submitted the following report:

February 25, 2008

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 16—**

A CONCURRENT RESOLUTION

To memorialize the United States Congress and to express to the President and Members of the Senate:

The following Messages from the House were received and read:

**Message from the House**

February 25, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 6—**

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARDAS, BARRAS, BARROW, BILLOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DANAHY, DIXON, DOERGE, DOEVE, DOWNS, EDWARDS, ELLINGTON, FORI, FRANKLIN, GINCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LABRUZZO, LAMBERT, LEVAS, LEGER, LIGI, LORUSO, MILLS, MONICA, MONTUCCIET, MORRELL, MURRIE, NOWLIN, PEARSON, PERKY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBLEDO, ROY, SCHROEDER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, THOMAS, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, AND WILLMOTT and SENATORS ADLEY, ALARIO, AMEDEE, BROOM, CARDUCCI, CHAISON, CREHOU, DORSEY, DUPELIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEIMBEKER, JACKSON, KOSTELKA, LAFLAISON, LONG, MARTINY, MICHOT, MARRIOTT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, THOMPSON, AND WALSWORTH

Respectfully submitted,

REGGIE P. DUPRE, JR.

Chairman

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

February 25, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 41 by Representative Tucker, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Tucker, Gallo and Peterson.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives
12th DAY'S PROCEEDINGS

HOUSE BILL NO. 73—
BY REPRESENTATIVES WHITE AND BALDONE
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. 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. 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.

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. 33—
BY REPRESENTATIVES PETERSON AND BALDONE
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.

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.

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.

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS
February 25, 2008

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVE HOFFMANN AND SENATORS CASSIDY, CRAWINS, CROWE, B. GAUTREAUX, NEVERS, SCALISI, AND WALS WORTH
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION
To commend Malavika Balachandran as a winner of the Siemens Award for Advanced Placement.

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

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

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

February 25, 2008

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 53—
BY SENATOR MURRAY AND REPRESENTATIVE BALDONE
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.

SENATE BILL NO. 5—
BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARTIN, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISI, SHAW, SHEPHERD, SMITH, THOMPSON AND WALS WORTH
AN ACT
To amend and reenact R.S. 42:1120, relative to recusal from voting for certain elected officials; to eliminate authorization for certain elected officials to vote upon certain matters which would otherwise present a conflict of interest; to allow for certain
SENATE BILL NO. 29—
BY SENATORS MARIONNEAUX, N. GAUTREAUX AND LAFLEUR AND REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 18:1483(14)(b) and 1505.2(O) and to enact R.S. 18:1483(14)(c), 1501.2 and 1505.2(I)(4), 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; 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.

SENATE BILL NO. 37—
BY SENATORS CHAISSON, AMEDEE, BROOME, CHEEK, DONAHUE, DUPLESSIS, N. GAUTREAUX, JACKSON, KOSTELKA, MICHEL, SCALISE, SMITH AND WALSWORTH AND REPRESENTATIVE BALDONE
AN ACT
To enact R.S. 39:6(C), relative to the duties of 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.

SENATE BILL NO. 47—
BY SENATOR ADLEY AND REPRESENTATIVE BALDONE
AN ACT
To amend and reenact R.S. 18:1501.1(A), 1505.2(O), and 1511.6(A) and to enact R.S. 18:1483(9.1), 1505.2(I)(4), 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 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 the use of campaign funds; to provide for the payment of campaign finance fines, fees, and penalties; to provide for an effective date; and to provide for related matters.

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATORS ALARIO, CASSIDY, CRAVINS, CROWE, B. GAUTREAUX, NEVERS AND SCALISE
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR MARIONNEAUX
A CONCURRENT RESOLUTION
To designate the Smokin' Oldies Cook-Off in West Baton Rouge Parish as an official Louisiana State barbeque championship.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Message to the Governor

SIGNED SENATE BILLS
February 25, 2008
To the Honorable Governor of the State of Louisiana:
The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bill:

SENATE BILL NO. 53—
BY SENATOR MURRAY AND REPRESENTATIVE BALDONE
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.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Leaves of Absence
The following leaves of absence were asked for and granted:

McPherson 1 Day

Adjournment
Senator Broome moved that the Senate adjourn until Tuesday, February 26, 2008, at 9:00 o'clock A.M.
The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Tuesday, February 26, 2008.

GLENN A. KOEPP
Secretary of the Senate
LYNDA E. WHEELER
Journal Clerk