

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
TENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, February 21, 2008

The Senate was called to order at 2:30 o'clock P.M., by Hon. Joel T. Chaisson II, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneau	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 39		

ABSENT

Total - 0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Senator Nevers, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator B. Gautreaux, the reading of the Journal was dispensed with and the Journal of February 20, 2008, was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

February 21, 2008

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 41—

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

AN ACT

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

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

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

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

February 21, 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. 3—

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, 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.

Reported with amendments.

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

February 21, 2008

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 25— BY SENATOR CROWE

A CONCURRENT RESOLUTION

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

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 14— BY SENATORS MICHOT, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CRAVINS, CROWE, DONAHUE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, GRAY, HEBERT, HEITMEIER, JACKSON, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MARTINY, MCPHERSON, MORRISH, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH

A RESOLUTION

To commend Ambassador Pierre Vimont, Ambassador of France to the United States of America and to welcome him to the state of Louisiana.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

February 21, 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. 6— BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRUZZO, PEARSON, RICHARD, SCHRODER, SMILEY, JANE SMITH, AND WILLIAMS

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 17 of the Joint Rules of the Senate and House of Representatives, to provide for the submission of certain information required for appropriations to certain entities

and to provide for the duties of the Clerk of the House of Representatives and the Secretary of the Senate relative to such information.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE WOOTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress and to express to the Louisiana Congressional Delegation, the National Marine Fisheries Service of the National Oceanographic and Atmospheric Administration, and the Gulf of Mexico Fisheries Management Council opposition by the Louisiana Legislature to the authorization of deepwater fish farms in the Gulf of Mexico off the coast of the state of Louisiana.

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. 6—

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

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 17 of the Joint Rules of the Senate and House of Representatives, to provide for the submission of certain information required for appropriations to certain entities and to provide for the duties of the Clerk of the House of Representatives and the Secretary of the Senate relative to such information.

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

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE WOOTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress and to express to the Louisiana Congressional Delegation, the National Marine Fisheries Service of the National Oceanographic and Atmospheric Administration, and the Gulf of Mexico Fisheries Management Council opposition by the Louisiana Legislature to the authorization of deepwater fish farms in the Gulf of Mexico off the coast of the state of Louisiana.

On motion of Senator Broome, the resolution was read by title and referred to the Committee on Natural Resources.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

February 21, 2008

To the President and Members of the Senate:

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

HOUSE BILL NO. 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.

Reported with amendments.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Derrick D. T. Shepherd, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

February 21, 2008

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 71—
BY SENATOR SHEPHERD
AN ACT

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

Reported favorably.

HOUSE BILL NO. 80—
BY REPRESENTATIVES MORRELL, ABRAMSON, BALDONE, LEGER, 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.

Reported with amendments.

Respectfully submitted,
DERRICK D. T. SHEPHERD
Chairman

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

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

SENATE BILL NO. 71—
BY SENATOR SHEPHERD
AN ACT

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

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

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

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

HOUSE BILL NO. 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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 58 by Representative Morrell

AMENDMENT NO. 1
On page 1, line 3, after "through" and before "relative" change "1604," to "1603,"

AMENDMENT NO. 2
On page 1, line 4, after "activities;" delete the remainder of the line and at the beginning of line 5 delete "required content;"

AMENDMENT NO. 3
On page 1, line 5, change "to provide for penalties;" to "to provide penalties;"

AMENDMENT NO. 4
On page 1, line 9, after "through" and before "is" change "1604," to "1603,"

AMENDMENT NO. 5
On page 1, line 11, after "EXPENDITURES;" and before "AND" change "REQUIRED STATEMENTS" to "LIMITATIONS"

AMENDMENT NO. 6
On page 1 delete lines 12 through 22 in their entirety and on page 2 delete lines 1 through 13 in their entirety

AMENDMENT NO. 7
On page 2, at the beginning of line 14, change "\$1602." to "\$1601."

AMENDMENT NO. 8
On page 3, at the beginning of line 9, change "\$1603." to "\$1602."

AMENDMENT NO. 9

On page 3, line 12, after "acronyms," delete the remainder of the line and delete lines 13 through 15 in their entirety

AMENDMENT NO. 10

On page 3, at the beginning of line 16, change "\$1604." to "\$1603."

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

HOUSE BILL NO. 80—

BY REPRESENTATIVES MORRELL, ABRAMSON, BALDONE, LEGER, 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.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 80 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 13, after "census." delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 14, insert "B. The proper operation of democratic"

AMENDMENT NO. 3

On page 1, line 19, change "local government," to "the applicable municipalities and"

AMENDMENT NO. 4

On page 1, at the end of line 19, after "employees" insert "thereof"

AMENDMENT NO. 5

On page 2, line 5, change "other law" to "ordinance"

AMENDMENT NO. 6

On page 2, line 6, after "general," insert "or both,"

AMENDMENT NO. 7

On page 8, after line 6, add the following:

"C. Except for the reports of investigations released as provided in R.S. 33:9613, the records prepared or obtained by the inspector general or entity in connection with investigations conducted by the inspector general or entity shall be deemed confidential and protected from disclosure pursuant to R.S. 44:3 and 44:5. No privilege established by law shall be deemed waived on any record obtained by the inspector general or entity in connection with the performance of the duties established in this Chapter. Any record or information obtained by the inspector general or entity 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 inspector general or the entity or any designated staff member to make public any such information or record."

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

Motion to Recommit

Senator Jackson asked for and obtained a suspension of the rules and recommitted House Bill No. 41, which is in the Legislative Bureau, to the Committee on Finance.

Special Order of the Day

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

HOUSE BILL NO. 1—

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

AN ACT

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

On motion of Senator Chaisson, House Bill No. 1 was made Special Order of the Day No. 1 on Friday, February 22, 2008, immediately following the Morning Hour.

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:

SENATE BILL NO. 5—

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

AN ACT

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

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

**Senate Resolutions
on Second Reading**

The following Senate Resolutions were read and acted upon as follows:

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

BY SENATOR CHAISSON

A RESOLUTION

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

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

**Senate Concurrent Resolutions
on Second Reading**

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

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR ALARIO

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Jackson	Walsworth
Total - 2	

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

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

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

SENATE BILL NO. 46—
BY SENATOR ADLEY

AN ACT

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

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

**House Concurrent Resolutions
on Second Reading**

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

HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVE HOFFMANN

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

February 21, 2008

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

House Bills and Joint Resolutions on 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. 22— BY REPRESENTATIVE CHAMPAGNE AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Michot, Adley, Gautreaux B, Morrish, Alario, Gautreaux N, Mount, Amedee, Gray, Murray, Broome, Hebert, Nevers, Cassidy, Heitmeier, Quinn

Table with 3 columns: Cheek, Jackson, Riser, Cravins, Kostelka, Scalise, Crowe, LaFleur, Shaw, Donahue, Long, Shepherd, Dorsey, Marionneaux, Smith, Duplessis, Martiny, Thompson, Dupre, McPherson, Walsworth

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 33— BY REPRESENTATIVE PETERSON AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

HOUSE BILL NO. 65— BY REPRESENTATIVE GREENE AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

Senator Cravins in the Chair

HOUSE BILL NO. 73—

BY REPRESENTATIVE WHITE

AN ACT

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

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed House Bill No. 73 by Representative White

AMENDMENT NO. 1

On page 1, line 10, between "Chapter" and the comma "," insert "that receives contributions or loans in excess of fifty thousand dollars in a calendar year or which makes expenditures in excess of fifty thousand dollars in a calendar year"

On motion of Senator Marionneaux, 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

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers

Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Gray	Murray
Broome	Hebert	Nevers
Cassidy	Heitmeier	Quinn
Cheek	Jackson	Riser
Cravins	Kostelka	Scalise
Crowe	LaFleur	Shaw
Donahue	Long	Shepherd
Dorsey	Marionneaux	Smith
Duplessis	Martiny	Thompson
Dupre	McPherson	Walsworth
Total - 39		

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

February 21, 2008

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

Rules Suspended

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

Privilege Report of the Legislative Bureau

February 21, 2008

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 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.

Reported without amendments.

HOUSE BILL NO. 80— BY REPRESENTATIVES MORRELL, ABRAMSON, BALDONE, LEGER, 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.

Reported without amendments.

Respectfully submitted, ROB MARIONNEAUX Chairman

Adoption of Legislative Bureau Report

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

February 21, 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. 8—

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

AN ACT

To enact R.S. 42:1115.1, relative to the Code of Governmental Ethics; to restrict the provision of food, drink, or refreshment to a public servant by certain prohibited sources; to provide for the adjustment of the restricted limit; to provide for the duties of the Board of Ethics; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 35—

BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, DUPLESSIS, N. GAUTREAU, 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.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 15—

BY SENATOR MARIONNEAUX

A RESOLUTION

To designate the third Saturday of each May as "Amie Comeaux Music Festival Day" and to honor the life and extraordinary musical accomplishments of the late Amie Comeaux.

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

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 5 of the Joint Rules of Order of the Senate and House of Representatives, relative to appropriations, allocations, or distributions requested in the executive budget or supporting documents submitted to the legislature; to require supplemental information for any requested appropriation, allocation, or distribution of funds through the General Appropriation Act to certain non-government entities; and to provide for related matters.

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

Mr. President in the Chair

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Gray
Total - 1

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

**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 21, 2008

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR DUPRE AND REPRESENTATIVES DOVE AND BALDONE
A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR DUPRE
A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATORS THOMPSON AND LONG AND REPRESENTATIVE NOWLIN
A CONCURRENT RESOLUTION

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

February 21, 2008

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR JACKSON

A CONCURRENT RESOLUTION

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

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

A CONCURRENT RESOLUTION

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

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

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

Adjournment

Senator Broome moved that the Senate adjourn until Friday, February 22, 2008, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 10:00 o'clock A.M. on Friday, February 22, 2008.

GLENN A. KOEPP
Secretary of the Senate

LYNDA E. WHEELER
Journal Clerk