OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

SEVENTH DAY'S PROCEEDINGS

Thirty-sixth Extraordinary Session of the Legislature
Under the Adoption of the Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, February 18, 2008

The House of Representatives was called to order at 5:00 P.M.,
by the Honorable Jim Tucker, Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

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

PRESENT
Mr. Speaker Gallot Marchand
Abramson Geymann McVea
Anders Gisclair Mills
Arnould Greene Monica
Aubert Guillory, E. Morrell
Badon, A. Guillory, M. Morisse
Badon, B. Hamilton Morris
Baldone Harrison Pearson
Barras Hazel Perry
Barrow Henderson Peterson
Billiot Henry Ponti
Burford Hill Pope
Burns, H. Hines Pugh
Burns, T. Hoffmann Richard
Burrell Honey Richardson
Carter Howard Richmond
Cazayoux Hunter Ritchie
Champagne Jackson G. Robideaux
Chandler Jackson M. Roy
Chaney Johnson Schroder
Connick Jones, R. Simon
Cortez Jones, S. Smiley
Cromer Katz Smith, G.
Danahay Kleckley Smith, J.
Dixon LaBauzzo Smith, P.
Doe LaFonta St. Germain
Downs LeBas Talbot
Edwards Leger Trahan
Ellington Ligi Waddell
Fannin Little White

ABSENT

Norton Wooton

Total - 102

The Speaker announced that there were 102 members present
and a quorum.

Prayer

Prayer was offered by Rep. Fannin.

Pledge of Allegiance

Rep. Foil led the House in reciting the Pledge of Allegiance to
the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Jane Smith, the reading of the Journal was
dispensed with.

On motion of Rep. Jane Smith, the Journal of February 15,
2008, was adopted.

Petitions, Memorials and
Communications

The following petitions, memorials, and communications were
received and read:

Message from the Senate

SENATE BILLS
February 18, 2008

To the Honorable Speaker and Members of the House of
Representatives:

I am directed to inform your honorable body that the Senate has
finally passed the following Senate Bills:

Senate Bill Nos. 10, 35, and 39

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Senate Bills and Joint Resolutions
on First Reading

The following Senate Bills and Joint Resolutions on first reading
were taken up, read, and, under a suspension of the rules, referred to
committees, as follows:

SENATE BILL NO. 10—

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

AN ACT

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

Read by title.

Under the rules, the above bill was referred to the Committee on
House and Governmental Affairs.
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.
Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 39—
BY SENATORS CHAISSON, AMEDEE, BROOME, DONAHUE, DUPLESSIS, JACKSON, KOSTELKA, SMITH, THOMPSON AND WALSWORTH
AN ACT
To amend and reenact R.S. 42:13 and R.S. 44:37, relative to penalties for violations of laws relative to access to the business of public bodies; to provide relative to criminal penalties for violations of laws relative to meetings of public bodies and public records; to provide for discipline and termination or removal of public employees and certain public officials for certain violations of such laws; and to provide for related matters.
Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

Message from the Senate
ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS
February 18, 2008
To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 2
Respectfully submitted,
GLENN A. KOEPP Secretary of the Senate

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVE LIGI
A CONCURRENT RESOLUTION
To commend Craig Steltz on his outstanding collegiate football career at Louisiana State University and to congratulate him on his remarkable contributions to LSU’s victory in the 2007 Bowl Championship Series National Championship game.
Read by title.
On motion of Rep. Ligi, and under a suspension of the rules, the resolution was adopted.
Ordered to the Senate.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

HOUSE BILL NO. 96—
BY REPRESENTATIVE LAFONTA
AN ACT
To enact R.S. 42:1113.2, relative to conflicts of interest; to prohibit persons having certain contracts with any state agency from holding elective office in state government; to prohibit certain elected officials from having or entering into certain contracts with any state agency; and to provide for related matters.
Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

HOUSE BILL NO. 97—
BY REPRESENTATIVE LAFONTA
AN ACT
To enact R.S. 42:1112.1, relative to conflicts of interest; to prohibit persons from serving on or being employed by any board or commission under specified circumstances; and to provide for related matters.
Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 16—
BY REPRESENTATIVE LABRUZZO
A RESOLUTION
To amend House Rule 2.10(A)(12) and (B)(2) of the Rules of Order of the House of Representatives, to discontinue the daily distribution of paper copies of the journal and the order of the day to the members.
Read by title.
Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Reports of Committees

The following reports of committees were received and read:
Report of the Committee on House and Governmental Affairs
February 18, 2008
To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 2, by Chaisson
Reported with amendments. (17-0) (Regular)

Senate Bill No. 5, by Chaisson
Reported with amendments. (16-0) (Regular)

Senate Bill No. 9, by Chaisson
Reported with amendments. (18-0) (Regular)

Senate Bill No. 11, by Chaisson
Reported with amendments. (15-0) (Regular)

Senate Bill No. 44, by Chaisson
Reported with amendments. (17-0) (Regular)

RICHARD “RICK” GALLOT, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

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:

Regular Calendar
Suspension of the Rules

On motion of Rep. Morrell, and under a suspension of the rules, the following bill was taken up out of its regular order at this time.

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

Called from the calendar.

Read by title.

Rep. Morrell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 80 by Representative Morrell

AMENDMENT NO. 1
On page 2, at the end of line 4, delete “or” and at the beginning of line 5, delete “ethics review board” and insert a comma “,” and “ethics review board, or office of inspector general”
An order issued by a court of proper jurisdiction pursuant to this Section may be enforced in any court of this state or in the courts of any other state under applicable provisions of law.

AMENDMENT NO. 13

On page 7, at the beginning of line 11, change "(2)" to "(1)"

AMENDMENT NO. 14

On page 7, at the beginning of line 18, change "(3)" to "(2)"

On motion of Rep. Morrell, the amendments were adopted.

Rep. Morrell moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker          Gallot          McVea
Abramson             Geymann         Mills
Anders               Gisclair         Monica
Armes                Greene          Montoucet
Arnold               Guillory, E.     Morrell
Aubert               Guillory, M.     Morris
Badon, A.            Guinn            Nowlin
Baldone              Hardy            Pearson
Barras               Harrison         Perry
Barrow               Hazel            Peterson
Billiot              Henry            Ponti
Burford              Hill             Pope
Burns, H.            Hines            Pugh
Burns, T.            Hoffmann         Richard
Burrell              Honey            Richardson
Carter               Howard           Richmond
Cazayoux            Jackson G.       Ritchie
Champagne            Jackson M.       Robideaux
Chandler             Johnson          Roy
Chaney               Jones, R.        Schroder
Connick              Jones, S.        Simon
Cortez               Katz            Smiley
Cromer               Kleckley         Smith, G.
Dunahay              LaBruzzo         Smith, J.
Dixon                LaFonta          Smith, P.
Doeger               Lambert          St. Germain
Dove                 LeBas            Talbot
Downs                Leger            Templet
Edwards              Ligi             Trahan
Ellington            Little           Waddell
Fannin               Lopinto          White
Foil                 Lorusso          Williams
Franklin             Marchand         Willmott
Total - 99

NAYS

Total - 0

ABSENT

Badon, B.            Hutter           Wooton
Henderson            Norton           
Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Morrell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 2—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DOERGE, DOVE, HENRY, LABRUZZO, LIGI, PEARSON, PUGH, RICHARD, ROY, SMITH, SMILEY, AND WILLIAMS

AN ACT

To amend and reenact R.S. 42:1124, 1124.1, and 1157(A)(4)(a), to enact R.S. 18:1495.7 and R.S. 42:1124.2, 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 for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Tucker, the bill was returned to the calendar.

HOUSE BILL NO. 3—

BY REPRESENTATIVES TUCKER, PETERSON, GALLOT, BARROW, BILLIOT, TIM BURNS, CAZAYOUX, CONNICK, DOERGE, DOVE, HENRY, LABRUZZO, LIGI, PEARSON, PUGH, RICHARD, SMILEY, JANE SMITH, TALBOT, AND WILLIAMS

AN ACT

To amend and reenact R.S. 42:1124.1, 1157(A)(4)(a), and 1167 and to enact R.S. 18:1495.7 and R.S. 42:1124.2, relative to financial disclosure; to require certain disclosures by judges; to require certain disclosures by candidates for judge; to provide for the content of such disclosures; to provide for certain actions by the Board of Ethics relative to such disclosures; to provide relative to the application of certain provisions of the Code of Governmental Ethics; to provide for penalties; to provide relative to effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Tucker, the bill was returned to the calendar.

HOUSE BILL NO. 27—

BY REPRESENTATIVE WADDELL

AN ACT

To amend and reenact R.S. 44:5, relative to public records; to provide for the application of the laws relative to public records to the office of the governor; to provide that exemption from such laws applies solely to the executive office of the governor; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Waddell moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker          Foil            Little
Abramson             Franklin         Lopinto
Franklin             
TOTAL - 99
Anders Gallot Lorusso
Armes Geymann Marchand
Arnold Guillas Monica
Aubert Greene Montoucet
Badon, A. Guillory, E. Morrell
Badon, B. Guillory, M. Morris
Baldone Guinn Nowlin
Barras Hardy Pearson
Barrow Harrison Perry
Billiot Hazel Peterson
Burford Henry Pope
Burns, T. Hill Pugh
Burrell Hoffmann Richard
Carter Honey Richardson
Cazayoux Howard Richmon
Champagne Hutter Ritchie
Chandler Jackson G. Roy
Chaney Jackson M. Simon
Connick Johnson Smiley
Cortez Jones, R. Smith, G.
Cromer Jones, S. Smith, P.
Danahay Katz St. Germain
Dixon Kleckley Talbot
Doerge LaBruzzo Templet
Downs LaFonta Waddell
Edwards Lambert Williams
Ellington Leger Willmott
Fannin Ligi White
Total - 90
NAYS
Burns, H. McVea Schroder
Hines Ponti Smith, J.
Total - 6
ABSENT
Dove Mills White
Henderson Norton Wooton
LeBas Robideaux
Total - 8

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Waddell moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Petitions, Memorials and Communications
The following petitions, memorials, and communications were received and read:

Message from the Senate
SENATE BILLS
February 18, 2008
To the Honorable Speaker and Members of the House of Representatives:
I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 34, 53, and 57

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

 Senate Bills and Joint Resolutions on First Reading
The following Senate Bills and Joint Resolutions on first reading were taken up, read, and, under a suspension of the rules, referred to committees, as follows:

SENATE BILL NO. 34—
BY SENATORS KOSTELKA, AMEDEE, BROOME, CHAISSON, DONAHUE, DUPLESSIS, JACKSON, SMITH AND WALSWORTH
AN ACT
To enact R.S. 18:1505.2(1)(4), relative to election campaign finance; to provide relative to permitted use of contributions to election campaigns; to prohibit use of election campaign contributions to pay family members; to provide for allowable reimbursements; to provide for an effective date; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

SENATE BILL NO. 53—
BY SENATOR MURRAY
AN ACT
To amend and reenact R.S. 14:120, relative to offenses affecting organized government; to provide relative to the crime of corrupt influencing; to provide for the increase of penalties for such crime; and to provide for related matters.

Read by title.

Motion
On motion of Rep. Peterson, the bill was returned to the calendar.

SENATE BILL NO. 57—
BY SENATOR ADLEY
AN ACT
To amend and reenact R.S. 42:1121(A)(1), relative to conflicts of interest; to prohibit assistance to certain persons by certain public servants within two years after termination of public service; and to provide for related matters.

Read by title.
Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

Introduction of Resolutions, House and House Concurrent
The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVES KATZ AND LORUSSO
A CONCURRENT RESOLUTION
To designate the week of March 10, 2008, through March 17, 2008, as Multiple Sclerosis Awareness Week.

Read by title.
On motion of Rep. Katz, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.
Privileged Report of the Committee on Enrollment
February 18, 2008

To the honorable Speaker and Members of the House of Representatives:

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 15—
BY REPRESENTATIVE BILLIOT
A 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 government-furnished borrow material and report to the House Committee on Natural Resources and Environment.

HOUSE RESOLUTION NO. 17—
BY REPRESENTATIVE AUSTIN BADON
A RESOLUTION
To recognize February 16, 2008, as Women's Empowerment Day.

Respectfully submitted,
WAYNE WADDELL
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment
February 18, 2008

To the honorable Speaker and Members of the House of Representatives:

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE HENRY AND SENATORS SCALISE AND WALSWORTH
A CONCURRENT RESOLUTION
To urge and request the secretary of the Department of Revenue to take every possible action within the boundaries of the law to ensure that no additional individual income tax burden is placed on the Louisiana taxpayers as a result of the enactment of the 2008 federal economic stimulus income tax relief legislation and to urge and request the governor to include in any proclamation for a Second Extraordinary Session this year the power to enact legislation to accomplish such purpose, if necessary.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVES GREENE, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CAZAYOUX, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOW, GEYMANN, GISCLAIR, ELBERT GUILLORE, MICKEY GUILORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIORGI JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBA, LEE, LEROY, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOUCE, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS, WILLOTT, AND WOOTON
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Staff Sergeant Michael John Gabel, United States Army, who was killed in action in Afghanistan.

Respectfully submitted,
WAYNE WADDELL
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Gallot, the rules were suspended to permit the Committee on House and Governmental Affairs to meet and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 34, 63, and 85
House Concurrent Resolution No. 6
Senate Bill Nos. 1, 3, 8, 10, 35, 39, and 57

Leave of Absence

Rep. Norton - 1/2 day
Rep. Wooton - 1/2 day

Adjournment

On motion of Rep. Trahan, at 5:50 P.M., the House agreed to adjourn until Tuesday, February 19, 2008, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Tuesday, February 19, 2008.

ALFRED W. SPEER
Clerk of the House