

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

EIGHTH 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

Tuesday, February 19, 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	Geymann	Mills
Abramson	Gisclair	Monica
Anders	Greene	Montoucet
Armes	Guillory, E.	Morrell
Arnold	Guillory, M.	Morris
Aubert	Guinn	Norton
Badon, A.	Hardy	Nowlin
Badon, B.	Harrison	Pearson
Baldone	Hazel	Perry
Barras	Henderson	Peterson
Barrow	Henry	Ponti
Billiot	Hill	Pope
Burford	Hines	Pugh
Burns, H.	Hoffmann	Richard
Burns, T.	Honey	Richardson
Burrell	Howard	Richmond
Carter	Hutter	Ritchie
Cazayoux	Jackson G.	Robideaux
Champagne	Jackson M.	Roy
Chandler	Johnson	Schroder
Chaney	Jones, R.	Simon
Connick	Jones, S.	Smiley
Cortez	Katz	Smith, G.
Cromer	Kleckley	Smith, J.
Danahay	LaBruzzo	Smith, P.
Dixon	LaFonta	St. Germain
Doerge	Lambert	Talbot
Dove	LeBas	Templet
Downs	Leger	Trahan
Edwards	Ligi	Waddell
Ellington	Little	White

Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	Marchand	Wooton
Gallot	McVea	
Total - 104		

ABSENT

Total - 0

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Dr. Ken Ward.

Pledge of Allegiance

Rep. Patricia Smith 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. Billiot, the reading of the Journal was dispensed with.

On motion of Rep. Billiot, the Journal of February 18, 2008, was adopted.

**Petitions, Memorials and
Communications**

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

Message from the Senate

SENATE BILLS

February 19, 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. 14, 29, 47, 58, and 65

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. 14—

BY SENATORS MARIONNEAUX AND LAFLEUR
AN ACT

To amend and reenact R.S. 18:1463(C)(2) and (E) and 1505.3(D)(3) and to enact R.S. 18:1463(C)(4) and (F), relative to political advertisements; to require certain statements involving authorized and unauthorized communications paid by certain persons; to provide for certain requirements with respect to oral, visual, and written material constituting a paid political advertisement distributed on behalf of a candidate for political office; and to provide for related matters.

Read by title.

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

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SENATE BILL NO. 29—

BY SENATORS MARIONNEAUX, N. GAUTREAUX AND LAFLEUR
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.

Read by title.

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

SENATE BILL NO. 47—

BY SENATOR ADLEY
AN ACT

To amend and reenact R.S. 18:1501.1(A) and 1511.6(A) and to enact R.S. 18:1483(9.1), 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 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. 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.

Read by title.

Motion

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

SENATE BILL NO. 65—

BY SENATORS SCALISE AND WALSWORTH
AN ACT

To amend and reenact R.S. 18:1505.2(C), relative to campaign finance; to provide for the receipt of campaign contributions; and to provide for related matters.

Read by title.

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

February 19, 2008

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

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

House Concurrent Resolution No. 13
Returned without amendments

House Concurrent Resolution No. 14
Returned without amendments

House Concurrent Resolution No. 15
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

February 19, 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 Nos. 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Justin P. Lowery upon his success as a secondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Erica Barmes upon her success as a secondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Brandy Beaubouef upon her success as a postsecondary silver medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Michelle Dopp-Porter upon her success as a postsecondary silver medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Ronnie Young upon his success as a postsecondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Kim Troutman upon her success as a postsecondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Deanne Passman upon her success as a postsecondary gold medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Michael Marcel upon his success as a postsecondary silver medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Parker Stough upon his success as a secondary bronze medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR NEVERS AND REPRESENTATIVE HONEY
A CONCURRENT RESOLUTION

To commend and to congratulate Jeff Morris upon his success as a postsecondary gold medalist while competing in the 2007 National SkillsUSA Championship.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was concurred in.

Privileged Report of the Legislative Bureau

February 19, 2008

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 2
Reported without amendments.

Senate Bill No. 5
Reported without amendments.

Senate Bill No. 9
Reported with amendments.

Senate Bill No. 11
Reported without amendments.

Senate Bill No. 44
Reported with amendments.

Respectfully submitted,

WAYNE WADDELL
Chairman

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

Rep. Peterson asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

SENATE BILL NO. 2—
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. 42:1111(E)(1) and (2)(a), relative to conflicts of interest; to prohibit certain public servants from receiving or agreeing to receive any thing of economic value for assistance to persons in certain transactions related to lobbying; to prohibit certain former public servants from receiving compensation for assistance to persons in certain transactions related to lobbying; and to provide for related matters.

Read by title.

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

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The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 2 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 14, after "official" delete the comma "," and delete the remainder of the line and on line 15, delete "department,"

AMENDMENT NO. 2

On page 2, line 15, after "included in" change "Item (iv)" to "Item (d)(iv)"

AMENDMENT NO. 3

On page 2, at the beginning of line 16, change "Subparagraph" to "Paragraph"

AMENDMENT NO. 4

On page 2, line 19, after "official" delete the comma "," and delete the remainder of the line and on line 20, delete "branch department, or person holding" and insert "or person who formerly held"

AMENDMENT NO. 5

On page 2, at the end of line 20, change "Item (iv)" to "Item (d)(iv)"

AMENDMENT NO. 6

On page 2, line 21, after "of this" change "Subparagraph" to "Paragraph"

AMENDMENT NO. 7

On page 2, line 22, after "official or" delete the remainder of the line and on line 23, delete "branch department," and insert "in an office or position included in Item (d)(iv) of this Paragraph,"

AMENDMENT NO. 8

On page 2, delete lines 28 and 29, and delete page 3, and on page 4, delete lines 1 through 14

AMENDMENT NO. 9

On page 4, line 16, after "official" delete the comma "," and delete the remainder of the line and on line 17 delete "department,"

AMENDMENT NO. 10

On page 4, line 22, after "official" delete the comma "," and delete the remainder of the line and on line 23, delete "executive branch department, or person holding" and insert "or person who formerly held"

AMENDMENT NO. 11

On page 4, line 25, after "official" delete the remainder of the line and on line 26 delete "executive branch department," and insert "or in an office or position included in Item (iv) of this Subparagraph,"

AMENDMENT NO. 12

On page 5, line 3, after "(iv)" delete "This" and insert "Subparagraph (c) of this Paragraph and this"

AMENDMENT NO. 13

On page 6, line 12, delete "The" and insert "Members of the"

AMENDMENT NO. 14

On page 6, line 13, delete "The" and insert "Members of the"

AMENDMENT NO. 15

On page 6, line 14, delete "The" and insert "Members of the"

AMENDMENT NO. 16

On page 6, line 15, delete "The" and insert "Members of the"

AMENDMENT NO. 17

On page 6, line 16, delete "The" and insert "Members of the"

AMENDMENT NO. 18

On page 6, line 18, delete "The" and insert "Members of the"

AMENDMENT NO. 19

On page 6, after line 25, insert the following:

"Section 2. The provisions of this Act shall not apply to any former public servant whose public service terminated prior to the effective date of this Act.

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

Reported without amendments by the Legislative Bureau.

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

On motion of Rep. Gallot, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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, 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.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 5 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and at the beginning of line 3, delete "1120," and insert "R.S. 42:1120,"

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and at the beginning of line 9, delete "1120 are" and insert "R.S. 42:1120 is"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17 in their entirety

AMENDMENT NO. 4

On page 2, line 10, after "question" and before "the" delete the comma "," and insert "and"

Reported without amendments by the Legislative Bureau.

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

On motion of Rep. Gallot, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 9—

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

AN ACT

To amend and reenact R.S. 24:51(2), 55(B) and (E), and R.S. 49:76(B) and (E), all relative to expenditures on public servants and the reporting of such expenditures by lobbyists; to provide for monthly reporting of expenditures by lobbyists; to provide for the reporting of monthly aggregate expenditures by lobbyists; to provide for reporting of certain things of economic value expended on behalf of certain public officials; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 9 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 9, after "55(B)" and before "are" delete "and (E)"

AMENDMENT NO. 2

On page 1, line 16, after "legislator" delete the comma ","

AMENDMENT NO. 3

On page 1, line 16, after "or" and before "and any" change "public servant as defined in R.S. 42:1102," to "for a public servant in the legislative branch of state government"

AMENDMENT NO. 4

On page 3, delete lines 13 through 18 and insert the following:

"E. The total amount of every"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 9 by Senator Chaisson

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs

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

On motion of Rep. Gallot, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 11—

BY SENATORS CHAISSON, ALARIO, AMEDEE, BROOME, CHEEK, CRAVINS, CROWE, DORSEY, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, N. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LONG, MARIONNEAUX, MARTINY, MICHOT, MORRISH, MOUNT, NEVERS, QUINN, RISER, SCALISE, SHAW, 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), and 78(D)(3), (4) and (5), relative to lobbying; to provide relative to legislative lobbying; to provide relative to executive branch lobbying; to provide relative to regulations affecting lobbyists; to provide relative to restrictions affecting lobbyists; to provide relative to the electronic filing of registrations and expenditure reports; to require certain information relative to lobbyist registrations; to provide relative to the content of expenditure reports; to provide for monthly filing of expenditure reports; to provide for the electronic storage and access of filings; to provide for the definition of a statewide elected official; to provide for the definition of a 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.

Read by title.

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

The committee amendments were read as follows:

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),"

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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, delete 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."

AMENDMENT NO. 9

On page 8, line 18, after "board" change "shall" to "may"

AMENDMENT NO. 10

On page 8, line 19, between "Paragraph" and "be" delete "shall"

AMENDMENT NO. 11

On page 11, line 16, after "subject" change "matter(s)" to "matter"

AMENDMENT NO. 12

On page 11, line 17, after "provided in" change "Paragraph (4) of this Subsection" to "this Paragraph"

AMENDMENT NO. 13

On page 16, delete lines 4 through 12, 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."

AMENDMENT NO. 14

On page 16, line 19, after "board" change "shall" to "may"

AMENDMENT NO. 15

On page 16, line 20, between "Paragraph" and "be" delete "shall"

Reported without amendments by the Legislative Bureau.

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

On motion of Rep. Gallot, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 44—

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

AN ACT

To amend and reenact R.S. 42:1111(E), relative to conflicts of interest; to prohibit certain public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to prohibit certain former public servants from receiving or agreeing to receive any thing of economic value for assisting persons in certain transactions; to provide for exceptions; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 44 by Senator Chaisson

AMENDMENT NO. 1

On page 2, at the end of line 24, insert the following:

"However, nothing in this Subitem shall prevent a former statewide elected official or a former legislator from receiving or agreeing to receive any thing of economic value for representing a person before a judicial officer governed by the Louisiana Code of Judicial Conduct, a court of record established in or authorized by Article V of the Constitution of Louisiana, an administrative law judge, or a worker's compensation judge or assisting a person in a ministerial transaction as defined in Item (i) of this Subparagraph."

AMENDMENT NO. 2

On page 3, at the end of line 1, insert the following:

"However, nothing in this Subitem shall prevent a person who formerly held an office or position included in Item (iv) of this Subparagraph from receiving or agreeing to receive any thing of economic value for representing a person before a judicial officer governed by the Louisiana Code of Judicial Conduct, a court of record established in or authorized by Article V of the Constitution of Louisiana, an administrative law judge, or a worker's compensation judge or assisting a person in a ministerial transaction as defined in Item (i) of this Subparagraph."

AMENDMENT NO. 3

On page 5, line 17, after "legislator" delete the remainder of the line and on line 18, delete "member of the State Bond Commission"

AMENDMENT NO. 4

On page 5, between lines 24 and 25, insert the following:

"Section 3. The provisions of this Act shall not apply to any former public servant whose public service terminated prior to the effective date of this Act."

AMENDMENT NO. 5

On page 5, line 25, change "Section 3." to "Section 4."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 44 by Senator Chaisson

AMENDMENT NO. 1

On page 4, line 16, following "(bbb)" delete "The" and insert "Members of the"

AMENDMENT NO. 2

On page 4, line 17, following "(ccc)" delete "The" and insert "Members of the"

AMENDMENT NO. 3

On page 4, line 18, following "(ddd)" delete "The" and insert "Members of the"

AMENDMENT NO. 4

On page 4, line 19, following "(eee)" delete "The" and insert "Members of the"

AMENDMENT NO. 5

On page 4, line 20, following "(fff)" delete "The" and insert "Members of the"

AMENDMENT NO. 6

On page 4, line 22, following "(hhh)" delete "The" and insert "Members of the"

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

On motion of Rep. Gallot, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

**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. 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.

Read by title.

On motion of Rep. Wooton, and under a suspension of the rules, the above resolution was referred to the Committee on Natural Resources and Environment, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 17—

BY REPRESENTATIVES LAFONTA, AUBERT, AUSTIN BADON, BARROW, BURRELL, DIXON, FRANKLIN, GALLOT, ELBERT GUILLORY, HARDY, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, MARCHAND, MORRELL, NORTON, PETERSON, RICHMOND, PATRICIA SMITH, AND WILLIAMS AND SENATORS BROOME, CRAVINS, DORSEY, DUPLESSIS, GRAY, JACKSON, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend former state senator Charles D. Jones upon being named the 2008 Humanitarian of the Year by the Monroe Metropolitan Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated.

Read by title.

On motion of Rep. LaFonta, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE NOWLIN AND SENATOR LONG

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Claude Hamilton "Grits" Gresham, Jr., of Natchitoches.

Read by title.

On motion of Rep. Nowlin, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 19—

BY REPRESENTATIVES RICHMOND, AUBERT, AUSTIN BADON, BARROW, BURRELL, DIXON, FRANKLIN, GALLOT, ELBERT GUILLORY, HARDY, HONEY, GIROD JACKSON, MICHAEL JACKSON, ROSALIND JONES, LAFONTA, MARCHAND, MORRELL, NORTON, PETERSON, PATRICIA SMITH, AND WILLIAMS AND SENATORS BROOME, CRAVINS, DORSEY, DUPLESSIS, GRAY, JACKSON, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend the George and Leah McKenna Museum of African American Art in New Orleans upon its grand reopening celebration on February 22 and 23, 2008.

Read by title.

On motion of Rep. Richmond, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

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HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVES HONEY, PATRICIA SMITH, BARROW, AND
MICHAEL JACKSON AND SENATORS BROOME AND DORSEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of
Shannon Veal of Baton Rouge.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules,
the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To commend Chancellor Alex Johnson upon his retirement from
Delgado Community College and to recognize and record his
myriad accomplishments and remarkable contributions to the
educational community.

Read by title.

On motion of Rep. Hutter, 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. 98—

BY REPRESENTATIVE TUCKER

AN ACT

To enact R.S. 18:1505.2(U), relative to campaign finance; to prohibit
statewide elected officials and their campaign committees from
accepting campaign contributions, loans, or transfers of funds
for the statewide elected officials' own campaigns during
regular legislative sessions; to provide for penalties and
enforcement; to provide exceptions; 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.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on House and Governmental Affairs

February 19, 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:

House Concurrent Resolution No. 6, by Tucker
Reported favorably. (16-0)

House Bill No. 85, by Jones, Sam
Reported with amendments. (17-0) (Regular)

Senate Bill No. 1, by Chaisson
Reported with amendments. (18-0) (Regular)

Senate Bill No. 3, by Chaisson
Reported favorably. (16-0) (Regular)

Senate Bill No. 8, by Chaisson
Reported with amendments. (16-0) (Regular)

Senate Bill No. 10, by Chaisson
Reported with amendments. (17-0) (Regular)

Senate Bill No. 35, by Chaisson
Reported with amendments. (15-0) (Regular)

Senate Bill No. 39, by Chaisson
Reported with amendments. (16-0) (Regular)

Senate Bill No. 57, by Adley
Reported with amendments. (15-0) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

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

Suspension of the Rules

On motion of Rep. Gallot, the rules were suspended in order to
take up House Bills contained in the committee report at this time.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second
reading reported by committee were taken up and acted upon as
follows:

HOUSE BILL NO. 85—

BY REPRESENTATIVE SAM JONES

AN ACT

To enact R.S. 42:1116(D), relative to conflicts of interest; to prohibit
statewide elected officials and legislators from appointing
campaign contributors to certain positions; to provide for
penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and
Governmental Affairs to Original House Bill No. 85 by
Representative Sam Jones

AMENDMENT NO. 1

On page 1, line 2, delete "statewide"

AMENDMENT NO. 2

On page 1, line 3, delete "and legislators"

AMENDMENT NO. 3

On page 1, delete line 9 and insert "D.(1) No elected official shall
appoint a contributor"

AMENDMENT NO. 4

On page 1, line 14, after "18:1483" insert "of one thousand dollars or more"

AMENDMENT NO. 5

On page 1, at the beginning of line 15, delete "statewide"

AMENDMENT NO. 6

On page 1, line 18, after "18:1483" insert "of one thousand dollars or more"

AMENDMENT NO. 7

On page 1, line 19, delete "statewide"

AMENDMENT NO. 8

On page 2, line 2, after "42:1125" insert "of one thousand dollars or more"

AMENDMENT NO. 9

On page 2, line 2, delete "statewide"

AMENDMENT NO. 10

On page 2, line 5, after "42:1125" insert "of one thousand dollars or more"

AMENDMENT NO. 11

On page 2, line 6, delete "statewide"

AMENDMENT NO. 12

On page 2, after line 6, insert the following:

"Section 2.(A) The provisions of this Act shall be applied prospectively only.

(B) This Act shall become effective on January 1, 2009."

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

On motion of Rep. Gallot, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions 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.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

Suspension of the Rules

On motion of Rep. Wooton, and under a suspension of the rules, the following bill was called from the calendar.

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.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

Suspension of the Rules

On motion of Rep. Wooton, and under a suspension of the rules, the following bill was called from the calendar.

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.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

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. 91—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 42:1134(B)(2), relative to the board of ethics; to provide for an executive counsel to the board; to provide for the duties of the board administrator; to provide term limits for both the board administrator and executive counsel; and to provide for related matters.

Called from the calendar.

Read by title.

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

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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrell to Engrossed House Bill No. 91 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 42:1134(B)(2)," add "and to enact R.S. 42:1141(C)(3)."

AMENDMENT NO. 2

On page 1, line 4, after "counsel;" add "to provide for procedures on the board; to provide relative to certain information relied upon by the board; to provide for requests for such information;"

AMENDMENT NO. 3

On page 2, between lines 17 and 18, insert the following:

"Section 2. R.S. 42:1141(C)(3) is hereby enacted to read as follows:

§1141. Procedure

* * *

C. Investigation and hearing.

* * *

(3) Upon receipt of a written request by a person charged, the board shall furnish the person with all information that the board relied upon in making its determination to issue charges against the person.

* * *"

AMENDMENT NO. 4

On page 2, line 18, change "Section 2" to "Section 3"

AMENDMENT NO. 5

On page 2, line 18, after "provisions" add "of Section 1"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ligi to Engrossed House Bill No. 91 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 16, after "counsel" and before "to" insert and comma "," and insert "who has been licensed to practice in the state of Louisiana for a minimum of five years."

On motion of Rep. Ligi, 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	Franklin	Mills
Abramson	Gallot	Monica
Anders	Geymann	Montoucet
Arnes	Gisclair	Morrell
Arnold	Guillory, E.	Morris
Aubert	Guillory, M.	Norton

Badon, A.
Badon, B.
Baldone
Barras
Barrow
Billiot
Burford
Burns, H.
Burns, T.
Burrell
Carter
Cazayoux
Champagne
Chandler
Chaney
Connick
Cortez
Cromer
Danahay
Dixon
Doerge
Dove
Downs
Edwards
Ellington
Fannin
Total - 95

Guinn
Hardy
Harrison
Hazel
Henderson
Henry
Hill
Hoffmann
Honey
Hutter
Jackson G.
Jackson M.
Johnson
Jones, R.
Jones, S.
Kleckley
LaBruzzo
LaFonta
Lambert
LeBas
Leger
Ligi
Little
Lopinto
Lorusso
Marchand

Nowlin
Pearson
Perry
Peterson
Ponti
Pugh
Richard
Richmond
Ritchie
Robideaux
Roy
Schroder
Simon
Smith, G.
Smith, J.
Smith, P.
St. Germain
Talbot
Templet
Trahan
Waddell
White
Williams
Willmott
Wooton

NAYS

Foil
Greene
Hines
Total - 8

Howard
Katz
Pope

Richardson
Smiley

ABSENT

McVea
Total - 1

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.

Petitions, Memorials and Communications

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

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

February 19, 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 Nos. 20, 21, 22, and 23

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR DUPRE AND REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

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

Read by title.

On motion of Rep. Dove, and under a suspension of the rules, the resolution was concurred in.

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.

Read by title.

On motion of Rep. Dove, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATORS THOMPSON AND LONG
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.

Read by title.

On motion of Rep. Downs, and under a suspension of the rules, the resolution was concurred in.

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.

Read by title.

On motion of Rep. Williams, and under a suspension of the rules, the resolution was concurred in.

Message from the Senate

SENATE BILLS

February 19, 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 No. 37

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. 37—
BY SENATORS CHAISSON, AMEDEE, BROOME, CHEEK, DONAHUE,
DUPLESSIS, JACKSON, KOSTELKA, MICHOT, SMITH, WALSWORTH
AND SCALISE

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.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

February 19, 2008

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

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

House Concurrent Resolution No. 17
Returned without amendments

House Concurrent Resolution No. 18
Returned without amendments

House Concurrent Resolution No. 19
Returned without amendments

House Concurrent Resolution No. 20
Returned without amendments

House Concurrent Resolution No. 21
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

February 19, 2008

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 7 and 8

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and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Privileged Report of the Committee on Enrollment

February 19, 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. 13— BY REPRESENTATIVE BURFORD AND SENATOR CHEEK **A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of six-year-old Bryce Norwood of Stanley, Louisiana.

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.

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.

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. 4, 5, 88, 93, and 95

House Resolution Nos. 1, 2, 3, 4, 5, 6, 7, 9, 11, and 16

Senate Bill Nos. 14, 29, 34, 47, and 65

Senate Concurrent Resolution Nos. 2 and 5

Suspension of the Rules

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

Senate Bill Nos. 53 and 58

Suspension of the Rules

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

Senate Bill No. 37

Suspension of the Rules

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

House Concurrent Resolution No. 16

Adjournment

On motion of Rep. Trahan, at 6:20 P.M., the House agreed to adjourn until Wednesday, February 20, 2008, at 3:30 P.M.

The Speaker of the House declared the House adjourned until 3:30 P.M., Wednesday, February 20, 2008.

ALFRED W. SPEER
Clerk of the House