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

TWELFTH 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 25, 2008

The House of Representatives was called to order at 2:00 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  McVea
Abramson  Geymann  Mills
Anders  Gisclair  Monica
Armes  Greene  Montoucet
Arnold  Guillory, E.  Morrell
Aubert  Guillory, M.  Morris
Badon, A.  Guinn  Norton
Badon, B.  Hardy  Nowlin
Baldone  Harrison  Pearson
Barras  Hazel  Perry
Barrow  Henderson  Peterson
Billiot  Henry  Pope
Burford  Hill  Pugh
Burns, H.  Hines  Richard
Burns, T.  Hoffmann  Richardson
Burrell  Honey  Richmon
Carmody  Howard  Ritchie
Carter  Hutter  Robideaux
Cazayoux  Jackson G.  Roy
Champagne  Jackson M.  Schroder
Chandler  Johnson  Simon
Chaney  Jones, R.  Smiley
Connick  Jones, S.  Smith, G.
Cortez  Katz  Smith, J.
Cromer  Kleckley  Smith, P.
Danahay  LaBruzio  St. Germain
Dixon  LaFonta  Talbot
Doerge  Lambert  Templet
Dove  LeBas  Trahan
Downs  Leger  Waddell
Edwards  Ligi  

ABSENT

Total - 105

The Speaker announced that there were 105 members present
and a quorum.

Prayer

Prayer was offered by Rep. Jane Smith.

Pledge of Allegiance

Rep. Lopinto 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. Hazel, the reading of the Journal was
dispensed with.

On motion of Rep. Hazel, the Journal of February 22, 2008, was
adopted.

Petitions, Memorials and
Communications

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

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE

February 25, 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 appointed the following committee to serve with a
like committee from the House to confer on the disagreement to
House Bill No. 1: Senators Chaisson, Kostelka, and Broome.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE

February 25, 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 appointed the following committee to serve with a
like committee from the House to confer on the disagreement to
House Bill No. 56: Senators Chaisson, Kostelka, and Broome.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate
Message from the Senate

DISAGREEMENT TO
SENATE CONCURRENT RESOLUTION
February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Concurrent Resolution No. 2 by Sen. Murray, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE
February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Concurrent Resolution No. 2: Senators Murray, Kostelka, and Jackson.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL
February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 1 by Sen. Chaisson, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE
February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 1: Senators Chaisson, Kostelka, and Broome.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL
February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 3 by Sen. Chaisson, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE
February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 3: Senators Chaisson, Kostelka, and Broome.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL
February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 8 by Sen. Chaisson, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF
CONFERENCE COMMITTEE
February 25, 2008

To the Honorable Speaker and Members of the House of Representatives:
Message from the Senate

DISAGREEMENT TO SENATE BILL

February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 14: Senators Marionneaux, Chaisson, and Amedee.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 14: Senators Marionneaux, Chaisson, and Amedee.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 35 by Sen. Marionneaux, Chaisson, and Amedee.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 35: Senators Marionneaux, Chaisson, and Amedee.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

February 25, 2008

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill
No. 58 by Sen. Martiny, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 58: Senators Martiny, Chaisson, and Amedee.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 58: Reps. Wooton, Tucker, and Gallot.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Concurrent Resolution No. 2: Reps. Peterson, Gallot, and Barras.

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. 23—
BY REPRESENTATIVE BILLIOT
A CONCURRENT RESOLUTION
To urge and request the Department of Environmental Quality, the Department of Transportation and Development, and the Department of Economic Development to send representatives to public hearings conducted by the United States Army Corps of Engineers regarding the use of borrow material and report to the House Committee on Natural Resources and Environment and Senate Committee on Environmental Quality.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVE BILLIOT
A CONCURRENT RESOLUTION
To urge and request the Louisiana Department of Transportation and Development to consider contributing factors which clog the drainage systems on Louisiana Highway 18 on River Road from the St. Charles Parish line east to Louisiana Avenue.

Read by title.

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

Ordered to the Senate.

Recess

On motion of Rep. Trahan, the Speaker declared the House at recess until 5:30 P.M.

After Recess

Speaker Tucker called the House to order at 6:00 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker
Abramson
Anders
Armstrong
Arnold
Geymann
Gisclair
Greene
Guillory, E.
Guillory, M.
Mills
Monica
Montoucet
Morrell
Morris
The Speaker announced there were 104 members present and a quorum.

### Acting Speaker Trahan in the Chair

#### Petitions, Memorials and Communications

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

**Message from the Senate**

**HOUSE BILLS**

February 25, 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 House Bills:

- House Bill No. 41
  - Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

### House Bills and Joint Resolutions

**Returned from the Senate with Amendments**

Rep. Tucker asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

#### HOUSE BILL NO. 41—

**BY REPRESENTATIVES TUCKER, PETERSON, GALLOW, ABRAMSON, ANDREWS, ARNOLD, AUBERT, BOBBY BADON, BALDONE, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTÉZ, CROMER, DIXON, DOERGE, DOVE, DOWNS, ELLINGTON, FANNIN, DISCLAIR, GUINN, HARDY, HAZEL, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, GIROD JACKSON, ROSALIND JONES, KATZ, LABRUZZO, LEBAO, LEGER, LIGI, LOPINTO, LORUSO, 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.

Read title.

The above bill was taken up with the amendments proposed by the Senate.

### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 41 by Representative Tucker

#### AMENDMENT NO. 1

On page 2, line 16, after "received or," delete the remainder of the line and insert "if no sworn complaint was received, within one"

#### AMENDMENT NO. 2

On page 2, change "division of administrative law" to "Ethics Adjudicatory Board"

#### AMENDMENT NO. 3

On page 2, at the end of line 23, change "Subpart" to "Part"

#### AMENDMENT NO. 4

On page 2, delete lines 24 through 29 and on page 3, delete lines 1 through 3 and insert the following:

"(b)(i) The director of the division of administrative law shall randomly select seven administrative law judges from among those who meet the qualifications to comprise the Ethics Adjudicatory Board. Members of the board shall have not less than two years of experience as administrative law judge or not less than ten years experience in the practice of law.

(ii) Members of the Ethics Adjudicatory Board shall be subject to the same financial disclosure requirements as are provided by law for members of the Board of Ethics. Such members shall also be subject to the same limitations regarding contracting as are applicable to the members of the Board of Ethics as provided by law.

(c)(i) The Ethics Adjudicatory Board shall sit in rotating panels composed of three administrative law judges randomly selected from among the members of the board. The administrative law judge most senior in service who is present shall preside. The determination of
the majority of the panel in a particular case shall be the determination of the Ethics Adjudicatory Board. After the hearing, the presiding administrative law judge shall assign authorship responsibility for the determination.

AMENDMENT NO. 5
On page 3, delete line 4 and insert "(ii) At the hearing, an ethics adjudicatory panel shall determine whether"

AMENDMENT NO. 6
On page 3, line 6, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 7
On page 3, line 6, change "he" to "it"

AMENDMENT NO. 8
On page 3, line 8, change "(ii)" to "(iii)"

AMENDMENT NO. 9
On page 3, line 8, change "division of administrative law" to "ethics adjudicatory panel"

AMENDMENT NO. 10
On page 3, line 11, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 11
On page 3, line 12, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 12
On page 3, line 13, change "his" to "its"

AMENDMENT NO. 13
On page 3, line 13, change "board" to "Board of Ethics"

AMENDMENT NO. 14
On page 3, line 15, change "administrative law judge's" to "ethics adjudicatory panel's"

AMENDMENT NO. 15
On page 3, line 16, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 16
On page 3, line 18, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 17
On page 3, line 19, change "board" to "Board of Ethics"

AMENDMENT NO. 18
On page 3, line 20, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 19
On page 3, line 21, change "administrative law judge" to "ethics adjudicatory panel"

AMENDMENT NO. 20
On page 3, delete line 22 and on line 23, delete "law" and insert "D. Location of hearings. The board or panel Board of Ethics, a panel thereof, or an ethics adjudicatory panel,"

AMENDMENT NO. 21
On page 4, delete lines 4 and 5 and insert "(b) The board shall give public notice of each hearing to be conducted by the Ethics Adjudicatory Board pursuant to this Section."

AMENDMENT NO. 22
On page 4, delete line 25 and insert "the board or panel, the Ethics Adjudicatory Board, or any court authorized to conduct"

AMENDMENT NO. 23
On page 5, delete line 7 and insert "board or panel, the Ethics Adjudicatory Board, or any court authorized to conduct any"

AMENDMENT NO. 24
On page 6, line 10, change "administrative law judge" to "Ethics Adjudicatory Board"

AMENDMENT NO. 25
On page 7, line 26, delete "an"

AMENDMENT NO. 26
On page 7, delete line 27 and insert "judges who are licensed to practice law in Louisiana:"

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

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

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

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

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

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

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 41 by Representative Tucker
AMENDMENT NO. 1
On page 8, between lines 4 and 5 insert "Section 4. The number of new employee positions created by this Act shall not exceed two administrative law judges, one attorney, and one clerical worker."

AMENDMENT NO. 2
On page 8, line 5, change "Section 4." to "Section 5."

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

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

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

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

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

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

AMENDMENT NO. 2
On page 1, line 16, of the Senate Committee Amendment identified as BURKHARD 547, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008, change "(ii)" to "(b)"

AMENDMENT NO. 3
On page 1, between lines 19 and 20, of the Senate Committee Amendment identified as BURKHARD 547, proposed by the Senate Committee on Senate and Governmental Affairs, and adopted by the Senate on February 20, 2008, insert the following:

"(c) The members of the Ethics Adjudicatory Board shall be randomly selected at a public meeting held by the Board of Ethics in December of the preceding year. Since selection to the board is random, there is no limitation on the number of times a qualified member may be selected to serve."

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

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

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

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

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

AMENDMENT NO. 1
On page 3, between lines 21 and 22, insert the following:

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

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

AMENDMENT NO. 1
On page 3, line 12 delete "substantial"

Rep. Tucker moved that the amendments proposed by the Senate be rejected.

ROLL CALL
The roll was called with the following result:

YEAS

Abramson Franklin Marchand
Anders Gallot Monica
Armes Geymann Montoucet
Arnold Gisclair Morrell
Aubert Greene Morris
Badon, A. Guillory, E. Norton
Badon, B. Guillory, M. Nowlin
Baldone Guinn Pearson
Barras Hardy Perry
Barrow Harrison Peterson
Billiot Hazel Ponti
Burford Henry Pope
Burns, H. Hines Richard
Carmody Hoffmann Richardson
Carter Honey Richmond
Cazayoux Howard Robideaux
Chandler Hutter Roy
Chaney Jackson G. Schroder
Chaney Jones, R. Simon
The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 41: Reps. Tucker, Gallot, and Peterson.

Recess

On motion of Rep. Trahan, the Speaker declared the House at recess until 7:00 P.M.

After Recess

Speaker Tucker called the House to order at 7:00 P.M.

ROLL CALL

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

PRESENT


The Speaker announced there were 103 members present and a quorum.

Petitions, Memorials and Communications

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

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

February 25, 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 appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 41: Senators Marionneaux, Nevers, and Chaisson.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

February 25, 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 House Bills:

House Bill No. 80

Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate
HOUSE BILLS AND JOINT RESOLUTIONS
Returned from the Senate with Amendments

Rep. Morrell asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

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.

The above bill was taken up with the amendments proposed by the Senate.

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 investigations conducted by the inspector general or entity in connection with the performance of 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."

SENATE FLOOR AMENDMENTS
Amendments proposed by Senator Alario to Reengrossed House Bill No. 80 by Representative Morrell

AMENDMENT NO. 1
On page 5, at the end of line 11, add the following:

"Any request for financial records in the possession or under the control of a bank pursuant to this Chapter is subject to and shall comply with the requirements and procedures of R.S. 6:333."

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

AMENDMENT NO. 1
On page 1, line 3, change "9615" to "9614"

AMENDMENT NO. 2
On page 1, line 8, change "9615" to "9614"

AMENDMENT NO. 3
On page 2, line 19, after "A.", insert "(1)"

AMENDMENT NO. 4
On page 2, delete lines 23 and 24 and insert the following:

"(2) In the performance of its duties, a local ethics entity, ethics review board, or office of the inspector general may administer oaths and take the testimony of those sworn."
(3) In the performance of its duties, a local ethics entity, ethics review board, or office of the inspector general may compel the attendance of witnesses to be deposed under oath or the production of public and private records by issuing a subpoena. However, such a subpoena or subpoena duces tecum shall be issued only upon approval of a judge of the district court of the parish in which a local ethics entity, ethics review board, or office of inspector general is domiciled upon application in writing by such entity, board, or office. The judge shall issue a written decision within seventy-two hours after receipt of such application. Any subpoena for production of private records shall be in compliance with all applicable constitutionally established rights and processes. The subpoena may be served by certified mail, return receipt requested, at the addressee's residence or business address, or by representatives appointed by the local ethics entity, ethics review board, or office of inspector general, or may be directed for service to the office of the municipal police. If a person refuses to obey a subpoena issued by the local ethics entity, ethics review board, or office of inspector general, the district court of the parish in which the local ethics entity, ethics review board, or office of inspector general is domiciled may issue an order to the person requiring the person to appear before the court to show cause why an order shall not be issued ordering such person to obey the subpoena.  

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

C. When the local ethics entity, ethics review board, or office of inspector general issuing the subpoena has reason to believe that a person may attempt to conceal or destroy materials essential to an investigation, examination, audit, inspection, or performance review, the local ethics entity, ethics review board, or office of inspector general may apply by verified petition to the district court of the parish in which the person resides or is found or has a principal place of business or in which the materials may be found for an order directing the person requiring the person to appear before the court to show cause why an order shall not be issued ordering such person to obey the subpoena.

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

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

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

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

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

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

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

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

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

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

Rep. Morrell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Speaker Gallot Marchand
Abramson Geymann McVea
Anders Gisclair Mills
Armes Greene Monica
Arnold Guillory, E. Montoucet
Aubert Guillory, M. Morrell
Badon, A. Hardy Morris
Badon, B. Hardin Nowlin
Baldone Harrison Perry
Barras Hazel Perry
Barrow Henderson Peterson
Billiot Henry Ponti
Burford Hill Pope
Burns, H. Hines Pugh
Burrell Hoffmann Richard
Carmody Honey Richardson
Carter Howard Richmond
Champagne Hutter Ritchie
Chandler Jackson G. Robideaux
Chaney Jackson M. Roy
Connick Johnson Simon
Cortez Jones, R. Smiley
Cromer Jones, S. Smith, G.
Danahey Johnson St. Germain
Dixson Kleckley Talbot
Doerger LaBrea Timpet
Dove LaFonta Temple
Downs LeBas Trahan
Edwards Leger Waddell
Ellington Ligi Williams
Fannin Little Willmott
Foil Lopinto Wooton
Franklin Lorusso Wooton
Total - 99

NAYS
Total - 0

ABSENT
Burns, T. Lambert Schroder
Cazayoux Pearson White
Total - 6

The amendments proposed by the Senate were concurred in by the House.

Conference Committee Reports Received
Conference Committee Reports were received for the following legislative instruments:

House Bill Nos. 1, 41, and 56
Senate Bill Nos. 1, 3, 8, 11, 14, 35, and 58
Senate Concurrent Resolution No. 2
The conference committee reports for the legislative instruments above lie over under the rules.

**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 25, 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. 28 and 29

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. 28**
**BY SENATOR SCALISE**
A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to adopt and implement the recommendations of the Veterans’ Disability Benefits Commission.

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 29**
**BY SENATORS SHEPHERD, ALARIO AND HEITMEIER AND REPRESENTATIVES BILLIOT, CONNICK, GIROD JACKSON AND TEMPLET**
A CONCURRENT RESOLUTION
To commend and congratulate Raymond John Brandt on the opening of Ray Brandt Nissan on Lapalco Boulevard in Marrero, Louisiana.

Read by title.

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

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**
February 25, 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. 23
Returned without amendments

House Concurrent Resolution No. 24
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**
February 25, 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. 3, 25, and 27

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.

**Message from the Senate**

**SIGNED SENATE BILLS AND JOINT RESOLUTIONS**
February 25, 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 Bills:

Senate Bill Nos. 5, 29, 37, 47, and 53

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 Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

**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 RESOLUTION NO. 22—
BY REPRESENTATIVES RICHMOND AND AUSTIN BADON
A RESOLUTION
To commend Eric Hill and express enduring gratitude for his outstanding contribution to Orleans Parish and the state of Louisiana, and to congratulate him for having the number one car dealership in New Orleans.
Read by title.
On motion of Rep. Richmond, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 23—
BY REPRESENTATIVE WILLIAMS
A RESOLUTION
To commend Pastor Dennis R. Everett, Sr., upon his fifteenth anniversary as pastor of Lake Bethlehem Baptist Church in Shreveport, Louisiana.
Read by title.
On motion of Rep. Williams, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 24—
BY REPRESENTATIVE BARRAS
A RESOLUTION
To commend Joshua "Bubba" Murrell of New Iberia, Louisiana, for his outstanding achievement in winning the first Grammy Award for the new category, "Best Zydeco or Cajun Album".
Read by title.
On motion of Rep. Barbas, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 25—
BY REPRESENTATIVE ELBERT GUILLORY
A RESOLUTION
To commend Community Chapel Church of God in Christ in Opelousas, Louisiana, for its contributions to the Greenwoods Community.
Read by title.
On motion of Rep. Elbert Guillory, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 25—
BY REPRESENTATIVES RICHMOND, AUBERT, AUSTIN BADON, BARROW, BURRELL, DIXON, FRANKLIN, GALLOT, ELBERT, GUILLORY, HARDY, HONEY, GIROD JACKSON, ROSALIND JONES, MARCHAND, MORRELL, NORTON, PETERSON, PATRICIA SMITH, AND WILLIAMS AND SENATORS BROOME, CRAVINS, DORSEY, DUPLESSIS, GRAY, JACKSON, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION
To express sincere and heartfelt condolences upon the death of Officer Nicola Diane Cotton of the New Orleans Police Department, who was killed in the line of duty.
Read by title.
On motion of Rep. Richmond, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVES LAFONTA, AUBERT, AUSTIN BADON, BARROW, BURRELL, DIXON, FRANKLIN, GALLOT, ELBERT, GUILLORY, HARDY, HONEY, GIROD 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 Lieutenant Governor Mitch Landrieu and the staff of the office of the lieutenant governor for the creation of the Louisiana African American Heritage Trail.
Read by title.
On motion of Rep. LaFonta, and under a suspension of the rules, the resolution was adopted.
Ordered to the Senate.

Privileged Report of the Committee on Enrollment
February 25, 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. 1—
BY REPRESENTATIVES TUCKER, PETERSON, GALLOW, BROWN, WILLIAMS, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRIZZO, PEARSON, RICHARD, SCHRODER, SMILY, JANE SMITH, AND WILLIAMS
A RESOLUTION
To adopt House Rules 2.5(21) and 12.8 of the Rules of Order of the House of Representatives, to provide for audio and video broadcast of legislative proceedings and for the creation, nature, and maintenance of records thereof.

HOUSE RESOLUTION NO. 2—
BY REPRESENTATIVE TUCKER, PETERSON, GALLOW, BROWN, WILLIAMS, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRIZZO, PEARSON, RICHARD, SCHRODER, SMILY, JANE SMITH, AND WILLIAMS
A RESOLUTION
To amend and readopt House Rule 11.6 of the Rules of Order of the House of Representatives, to provide for the submission of certain information required for appropriations to certain entities and provides that certain actions are not in order if such information is not submitted.

HOUSE RESOLUTION NO. 3—
BY REPRESENTATIVE TUCKER, PETERSON, GALLOW, BROWN, WILLIAMS, BILLIOT, TIM BURNS, DOVE, HENRY, HINES, LABRIZZO, PEARSON, RICHARD, SCHRODER, SMILY, JANE SMITH, AND WILLIAMS
A RESOLUTION
To amend and readopt House Rule 10.8 of the Rules of Order of the House of Representatives, to provide relative to consent for a member to have his vote protected.

HOUSE RESOLUTION NO. 4—
BY REPRESENTATIVE TUCKER AND MORRIS
A RESOLUTION
To adopt House Rule 7.2(F) of the Rules of Order of the House of Representatives, to require a request for legislation which is to be prefixed to be received by House Legislative Services staff not later than forty-eight hours prior to the prefiling deadline.

HOUSE RESOLUTION NO. 11—
BY REPRESENTATIVES RICHMOND, BALDINO, AND LABRIZZO
A RESOLUTION
To amend and readopt House Rules 14.32(B) and 14.51 of the Rules of Order of the House of Representatives, to require a person testifying before a committee to submit a sworn written statement affirming the truth of his testimony.

HOUSE RESOLUTION NO. 21—
BY REPRESENTATIVES LAFONTA, HENRY, LEROY, LORUSSO, AND TALBOT
A RESOLUTION
To express sincere and heartfelt condolences of the House of Representatives upon the death of John Edward Fitzpatrick, Jr., of New Orleans, Louisiana.
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 25, 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. 22—
BY REPRESENTATIVE PATRICIA SMITH
A CONCURRENT RESOLUTION
To commend Malavika Balachandran as a winner of the Siemens Award for Advanced Placement.
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 and were signed by the Speaker of the House and taken to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

February 25, 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 Bills have been properly enrolled:

HOUSE BILL NO. 6—
BY REPRESENTATIVES TUCKER, PETERTSON, GALLOT, ABRAMSON, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARRY, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CORTEZ, CROMER, DANAHAU, DIXON, DOERGE, DORIS, DOWNS, EDWARDS, ELIOTT, FOR, FRANKLIN, GINCLAIR, GREENE, ELBERT GUIL LORY, MICKEY GUIL LORY, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HINES, HOFFMANN, HOWARD, HUTTER, ROSALIND JONES, KATZ, LAFLEUR, LAMBERT, LEBAS, LERG, LIGI, LORUSSO, MILLS, MONICA, MONTUCET, MORRELL, NORTON, NOWLIN, PEARSON, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLE, TRAHAN, WHITE, WILLIAMS, AND WILMOTT and SENATORS GRAY, NEVERS, SCALISE, AND WALSWORTH
AN ACT
To amend and reenact R.S. 42:1132(B)(1)(a) and (4) and to enact R.S. 42:1132(B)(5), relative to the Board of Ethics; to provide for qualifications for selection and service on the Board of Ethics; and to provide for related matters.

HOUSE BILL NO. 65—
BY REPRESENTATIVES GREENE AND BALDONE
AN ACT
To amend and reenact R.S. 18:463(A)(2) and 491(C) and to enact R.S. 18:492(A)(6), relative to qualifying for primary elections; to require a candidate to certify that he does not owe any ethics fines as a condition of qualification; to provide relative to objections to candidacy based on false certification regarding ethics fines; and to provide for related matters.

HOUSE BILL NO. 73—
BY REPRESENTATIVES WHITE AND BALDONE
AN ACT
To enact R.S. 18:1485(E), relative to certain campaign reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 78—
BY REPRESENTATIVES LEGER AND BALDONE
AN ACT
To amend and reenact R.S. 18:1485(C), relative to certain campaign finance reporting requirements; to require certain reports to be filed electronically; to provide relative to procedures for the filing of such reports; and to provide for related matters.

Respectfully submitted,
WAYNE WADDELL
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Adjourment

On motion of Rep. Trahan, at 7:10 P.M., the House agreed to adjourn until Tuesday, February 26, 2008, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Tuesday, February 26, 2008.

ALFRED W. SPEER
Clerk of the House