LABI 2008 Voting Record

Introduction

Louisiana's business community looked forward to the first year of the new Legislature and administration with optimism. Many long-time legislators had been forced out of the Legislature by term limits, and there was hope that some "new blood" would bring positive changes to the business climate. For the most part, we were not disappointed, as most of LABI's 2008 goals were achieved:

- For the past three years, LABI has been developing reforms to make the state's workforce development system more responsive to employer needs. These reforms were incorporated into the Jindal administration's legislative package and adopted by the Legislature without a single dissenting vote.
- One percent of the state sales tax on business utilities was eliminated, effective July 1, 2008. The remaining 2.3% sales tax was already set to end on July 1, 2009.
- The timeframes for phasing out the state sales tax on manufacturing machinery and equipment and the franchise tax on corporate debt were each shortened by one year.

Other positive developments include a 10% reduction in unemployment insurance rates, the creation of a scholarship program to help low income children opt out of failing public schools in Orleans Parish, and an expansion of the charter school program. Bills that would have undermined the school accountability program, increased the political clout of unions, and expanded the time period for filing lawsuits were defeated.

LABI continued to fight to defend the right of employers to design their own health insurance plans. We were able to stop some of the mandated benefits bills in committee, and we defeated one on the Senate floor. However, two new mandates were enacted.

LABI also sought to eliminate gross inequities in the laws relating to state and local tax collection. Current laws favor state and local taxing authorities and discourage businesses from pursuing legitimate disputes over taxes owed. Current law also provides that contract auditors may be hired only on a per-hour basis rather than a contingency fee basis; but some taxing bodies continue to refuse to follow existing law, and LABI's 2008 efforts were directed toward legislation to enforce the law. However, political pressure exerted on legislators by assessors, sheriffs, and other elected officials who benefit from the status quo killed several important efforts at reform.

Nearly every legislator claims to support creating an environment where businesses can flourish, but actions really do speak louder than words. LABI's Voting Record reveals the action each legislator took on issues that impact businesses operating in Louisiana. Please spend some time getting acquainted with your legislators through their votes, and then let them know how you feel about actions they took on issues that affect you. If you are pleased with their votes, by all means let them know it, and encourage them with your support where you can. And, if you are not happy with their votes, have that discussion as well. Remember, legislators will be hearing from a long line of interest groups, from trial lawyers and unions to local government officials and public employees, whose interests are often directly the opposite from yours.

This year's Voting Record is for the first year of the current term. Over the next three years, many critical votes will be cast on legislation important to business people across Louisiana. Throughout the cycle of regular, fiscal, and special sessions, voting records fluctuate – sometimes radically – depending on the issues. Because voting records do fluctuate from session to session, no single year's voting record should be considered in isolation; the average over the entire term best reflects the level of a legislator's support for a better business climate in this state.

HOUSE VOTES

2008 FIRST EXTRAORDINARY SESSION

FINANCIAL DISCLOSURE

HB 1, Tucker - This bill requires elected and appointed officials to disclose their income, property, investments, liabilities, transactions and other financial holdings. It sets up three distinct tiers requiring varying degrees of disclosure. Tier 1 includes statewide elected officials, department heads, high level administrators, and the governor's chief of staff, deputy chief of staff, policy director, executive counsel, and legislative director. Tier 2 includes all elected officials serving populations of 5,000 or more, Ethics Board members and the administrator, BESE members, and state board or commission members who receive a salary above \$16,800 or have the authority to disperse, expend or invest over one million dollars. Tier 3 includes all elected officials from populations of 5,000 or less.

During the First Extraordinary Session focusing on ethics, this legislation was a major piece of the governor's ethics reform package. The Better Government Association's "BGA Integrity Index" of 2002, which measures the relative strength of existing state ethics laws, ranked Louisiana near the bottom at 46th. Of the five different sections of BGA's ranking system, financial disclosure was the lowest ranked section for our state. The administration insisted that just by passing this bill alone, Louisiana's ranking would be among the top 20 in the index and could positively change our national image in the ethics arena. LABI believes this legislation will have a significant impact on changing the perception of our state nationally and internationally.

How the House Voted

A vote FOR the adoption of the conference committee report was a vote WITH LABI. The report was adopted, 102-1-2.

2008 SECOND EXTRAORDINARY SESSION

SALES TAX ON UTILITIES

HB 1, Greene – This bill eliminated the permanent penny on business utilities, effective July 1, 2008, with an annual projected savings for commercial utility customers of \$69 million.

Under current law, natural gas and electricity purchased by businesses are subject to a 3.3% sales tax, and that rate was to have continued until July 1, 2009, when 2.3% of the tax is scheduled to expire, leaving a 1% permanent tax. The provisions of HB 1 of the Second Extraordinary Session eliminate that 1% permanent tax. Note that the same utilities are not subject to a sales tax when purchased by residential customers. Sales tax on commercial utilities has been seen as a major deterrent to business growth, competitiveness, and economic development. When these taxes were first imposed on utility customers, they were to have been "temporary taxes" during times of fiscal crisis; however, they have been "temporary" for almost two decades.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 101-0-4.

FRANCHISE TAX LONG-TERM DEBT

SB 10, Marionneaux – This legislation accelerates the phase-out of the corporate franchise tax on borrowed capital by one year, by excluding all "borrowed capital" from the definition of "taxable capital" for tax years beginning in 2011 (instead of 2012).

Prior to 2004 La. Act No. 2 (1st Extraordinary Session), Louisiana was one of only two states in the country (Oklahoma being the other) that taxed

long-term debt for corporate franchise tax purposes. Not only did a Louisiana business pay the franchise tax if the business was profitable, but it also paid the tax when it simply borrowed money to expand or to stay in business. This particularly hurt small, family-owned and closely held businesses trying to expand and compete with businesses in other states that did not have this tax burden. This unfair tax increased the capital cost of doing business in Louisiana, which was a deterrent to capital investment and jobs in the state.

The 2004 legislation enacted a seven-year phase-out ending January 1, 2012. SB 10 moves the phase-out date up by one year to January 1, 2011.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 103-0-2.

MANUFACTURING MACHINERY AND EQUIPMENT

SB 12, Marionneaux – This legislation accelerates the phase-out of the state sales taxes on manufacturing machinery and equipment by one year, making the purchase or lease of machinery and equipment 100% exempt from state sales and use tax beginning July 1, 2009 (instead of July 1, 2010).

Prior to 2004 La. Act No. 1 (1st Extraordinary Session), Louisiana was the only southern state that taxed manufacturing machinery and equipment, while other southern states had a reduced rate or exempted these sales entirely. The imposition of Louisiana's high sales tax rates on the purchase of manufacturing machinery and equipment placed Louisiana businesses at a competitive disadvantage compared to its southern neighbors, substantially increasing the cost of investing in our state.

The 2004 legislation enacted a seven-year phase-out ending July 1, 2010. SB 12 moves the phase-out date up by one year to July 1, 2009.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 103-0-2.

2008 REGULAR SESSION

INSURANCE MANDATE - PROSTHETICS

HB 318, Kleckley – This bill mandates health insurance coverage of prosthetic devices and services for no less than \$50,000 per limb per year.

LABI opposed this bill because it will increase the cost of health insurance for Louisiana employers and their employees who pay a portion of the premiums. Mandated benefits add to the high cost of health insurance paid by employers, especially small business owners. Practically every group insurance policy in Louisiana already covers prosthetic devices. This bill will add to the expense of that coverage.

How the House Voted

A vote AGAINST final passage was a vote WITH LABI. The bill passed, 69-32-4.

When HB 318 returned from the Senate, LABI tried to have the bill sent to conference committee so that it could be amended to provide coverages more in line with the 10 other states that have this type of mandate.

How the House Voted

Rep. Kleckley moved to concur in the Senate amendments. A vote AGAINST the motion to concur was a vote WITH LABI. The motion passed, 59-30-15.

PUBLIC BID LAW

HB 593, Carmody – This bill would have eroded Louisiana's public bid law by raising the set project cost level at which state agencies and local governments put a project out for bid from \$100,000 to \$200,000. Increasing the threshold would have reduced the number of contracts available to small and emerging businesses.

Under current law, any public works project costing over \$100,000 must be put out for public

bid. This bill specifically increased the public bid threshold for Caddo Parish only. Prior to this bill reaching the House floor, two bills attempting to increase the public bid threshold statewide were heard and died in committee. Even though this bill was locally advertised and affected one specific parish, LABI opposed it because it was likely to be amended to include all parishes.

How the House Voted

A vote AGAINST final passage was a vote WITH LABI. The bill failed, 36-51-17.

LOCAL CONTRACT SALES TAX AUDITORS

HB 747, Robideaux – This legislation would have required private contract auditors for local sales taxes to follow existing law. Current law provides that contract auditors may be hired only on a per-hour basis. However, certain contract auditors continue to work on a contingency fee basis and are paid only when they find that additional taxes are owed.

Local sales tax contingency fee arrangements violate current law and are bad tax policy, as they encourage contract auditors to place self interest over public interest. Local collectors should not be allowed to ignore the law and use contingency fee arrangements to engage these contract auditors. The IRS, Department of Revenue, and in-house auditors for local tax collectors do not work on a contingency fee basis, and neither should private contract auditors performing the same function.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 88-9-7.

HOSPITAL SERVICE DISTRICTS

HB 859, Arnold – This bill would have allowed hospital service districts to band together to negotiate for higher payments to health care

providers, to exchange pricing information, to set rates, and to be immune from lawsuits arising from these practices.

LABI opposed this bill because it would have increased hospital costs paid by employers through higher health insurance premiums. Moreover, it would have weakened the ability of managed care plans to effectively negotiate or contract for health care services.

How the House Voted

A vote FOR the motion to recommit the bill to the Committee on Appropriations was a vote WITH LABI. The motion passed, 51-50-3.

EXPENDITURE LIMIT

HB 888, Henry – This legislation establishes a reasonable formula for the determination of the constitutional spending cap.

In 1991, Louisiana taxpayers voted to limit the growth of state government by adding to the state constitution an expenditure limit on government spending. Our state constitution limits the spending increase each year to a "growth factor," computed as the average annual change in Louisiana personal income as reported by the U.S. Dept. of Commerce for the three preceding calendar years. Louisiana's constitution further provides that the calculation of the expenditure limit shall be provided for by the Legislature—which had not been done.

Prior to HB 888, the formula was derived by tradition and historical practices of prior administrations, which did not result in an accurate expenditure limit. In fact, during the fiscal year '07-'08, the prior formula generated an expenditure limit that was inflated by over \$750 million. HB 888 establishes in law a reasonable formula intended to more accurately determine the expenditure limit in accordance with the constitutional requirements.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 98-0-7.

INSURANCE MANDATE - AUTISM

HB 958, Foil – Prior to this legislation, the medical treatment of autism was already a mandated benefit. However, HB 958 expands coverage to include Applied Behavioral Analysis for children under the age of 17. ABA is a very expensive form of educational and behavioral therapy geared to addressing learning disabilities, not medical care.

LABI opposed this bill because the continued imposition of mandates adds significantly to the cost of health insurance coverage, making it difficult for employers to offer insurance benefits to their employees and for employees to afford health insurance coverage for their families.

How the House Voted

A vote AGAINST final passage was a vote WITH LABI. The bill passed, 98-0-6.

WORKFORCE DEVELOPMENT

HB 1104, Tucker – This legislation restructures Louisiana's workforce development service delivery system. The LDOL becomes the Louisiana Workforce Commission (LWC), which is charged with integrating the myriad job training, employment and employment-related educational programs operating within various state agencies.

LABI was instrumental in drafting and promoting this bill to give local workforce investment boards (WIBs) across the state more authority, resources and flexibility to tackle the workforce problems facing their regions. The federal Workforce Investment Act requires states to have WIBs, the majority of whose members must be business representatives. These WIBs will now serve as the point of contact for local employers and job seekers to communicate their employment and training needs, and they will have the power to develop and oversee their own programs to address those needs.

The expanded role will come with greater accountability for results. The LWC will monitor the WIBs while authorizing and providing the funds necessary for implementing their initiatives. Existing

WIBs will go through a "chartering" process and performance standards will be established for them. In addition, a state board (the Louisiana Workforce Investment Council) comprised of a majority of business representatives will assist the governor and the LWC in the development of a statewide strategy for workforce development.

The final vote on passage of the bill occurred when the conference committee report was adopted on the last day of the session. The conference committee report was unanimously adopted.

How the House Voted

A vote FOR adoption of the conference committee report was a vote WITH LABI. The report was adopted, 103-0-1.

CHARTER SCHOOLS

HB 1105, Trahan – This legislation caps the fee for indirect services that charter school authorizers may charge charter school operators at no more than 2% (of the total MFP dollars per pupil received) for the application period and first year of operation and 3% for the second year of operation and each year thereafter.

Prior to the passage of this legislation, charter school authorizers - either the State Board of Elementary and Secondary Education (BESE) or local school boards - could charge any fee they wanted for indirect administrative costs, and that fee could escalate from year to year. (This amount does not include fees charged for direct services such as transportation or school lunches.) Some authorizers charged nothing for these administrative functions, but some charter schools that operate in hostile environments were subject to double-digit administrative fees. This inability to control a charter school's budget due to indirect fee costs was a major disincentive to operating a school and made Louisiana less attractive to quality charter school operators that are considering opening sites in the state. With approximately 250 schools on track to be taken over by BESE within the next five years, it is critical that Louisiana continue to draw in quality charter school operators that have expertise in how to turn around failing schools.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 78-18-8.

UNEMPLOYMENT COMPENSATION

HB 1165, Honey – This legislation provides a 10% UC tax reduction for employers and a 10% benefit increase for the unemployed beginning January 1, 2009. The tax reduction represents close to \$20 million in annual savings to Louisiana employers. The enhancements will be paid for by the interest earnings of the trust fund.

This bill was jointly sponsored by LABI and the Louisiana AFL-CIO. Over the past two decades, these organizations have diligently worked together to protect the solvency of Louisiana's UC trust fund, recommending legislation to reduce taxes and raise benefits only when the fund balance would permit it.

Currently, Louisiana has the 8th largest trust fund in the country at over \$1.43 billion. The enhancements provided in this bill are possible because the fund's substantial balance is large enough that its interest earnings alone will cover the cost. Even with the enhancements, the fund is projected to grow to \$1.53 billion by the end of next year.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 100-0-5.

NEW CAUSE OF ACTION

HB 1234, Leger – This legislation would have created a new avenue for lawsuits against businesses.

LABI is constantly on the lookout for bills which create new causes of legal action against businesses. Sometimes these causes of action are blatant, but often they're not so obvious.

HB 1234, dealing with unauthorized disclosure of personal information in certain financial transactions, was broad, vague, and could have affected businesses other than those it was meant to target. The bill would have presented opportunities for abuse by leaving loopholes in the interpretation of "negligence."

How the House Voted

A vote AGAINST final passage was a vote WITH LABI. The bill failed, 17-73-14.

SCHOOL CHOICE

HB 1347, Austin Badon – This bill created the Student Scholarships for Educational Excellence Program to provide scholarships for about 1,500 Orleans Parish low-income students who otherwise would have attended "academically unacceptable" public schools. The scholarship pays tuition and fees for these students to attend participating nonpublic schools. The program begins with grades K-3 for the 2008-09 school year and adds a grade each succeeding year. Scholarship students are required to take the same LEAP exams as students in public schools.

LABI supports legislation that empowers parents to make the best educational choices for their children and has advocated for increased parental choice since the 1980s. This landmark legislation gives parents the option to choose the best school for their child, not just the best school the government has to offer. Further, it gives parents educational "buying power." Children should not be relegated to attend a poorly performing public school because their parents cannot afford to send them to a better one. Before the passage of this bill, the only parents in Orleans Parish who were able to exercise the right to choose the best school for their children were often those who could afford to send their children to private or parochial schools.

This bill puts children first and redefines what public education should be — any school that can "educate the public" by producing literate students who can think critically and are prepared to go on to postsecondary education or the workforce — rather than its current narrow definition of being government-operated. Supported by both the administration and BESE, the bill drew strong opposition from teacher unions and local school system representatives. However, HB 1347 received significant grassroots support, and its passage signals a "sea change" in the willingness of Louisiana education officials to make the needs of children a priority over the needs of adults.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 60-42-2.

FIREARMS IN THE WORKPLACE

SB 51, McPherson – This bill prohibits business owners from disallowing firearms on their properties if locked in the owners' parked vehicles. As introduced, the legislation provided a new cause of action against businesses. While it also provided immunity from liability for any property owner in compliance with the new law on whose property an incident involving a firearm occurs, the bill picked up an amendment in a House committee that negated the immunity provision by adding a "gross negligence" standard.

LABI opposes any legislation that creates a new cause of action against employers. The bill sought to restrict the right of business owners to decide what happens on their properties, exposing them to more lawsuits. The National Rifle Association had backed laws like this one in other states, but those laws did not have cause of action provisions in them. Furthermore, the immunity provision in the bill exempting property owners from liability for damages resulting from an occurrence involving a firearm was nullified by the gross negligence standard placed in the bill in the House committee. If the standard had remained in the bill, the result would have been a lawsuit every time there was such an incident, costing businesses substantial time and money to prove the suit was without merit.

Early in the debate on the floor of the House, a motion was made by Rep. Katz to return the bill to the calendar. Had this motion passed, it would have effectively killed the measure for the session, because there would not have been enough votes to reach the two-thirds majority required to call it from the calendar before the session ended. While this motion failed to pass, the House did vote to recommit the bill to another committee. Later that day the recommital vote was reconsidered and rescinded. The bill was forced to lie over and was not heard again until the following week.

How the House Voted

A vote FOR the motion to return the bill to the calendar was a vote WITH LABI. The motion failed, 35-59-10.

The following week, Rep. Wooton offered a floor amendment that removed the provision in the bill creating a new cause of action. The amendment also stripped out the committee amendment that eroded the bill's immunity provision with a gross negligence standard. Finally, the amendment permitted employers to adopt policies requiring firearms to "be hidden from plain view or within a locked case or container within the vehicle."

How the House Voted

A vote FOR the amendment was a vote WITH LABI. The amendment was adopted, 85-12-7.

QUALIFICATION OF EXPERT WITNESSES

SB 308, Donahue – This legislation creates a uniform, predictable system for eliminating "junk science" and unqualified "expert" witnesses in the courtroom.

This bill helps solve a problem that has plagued the business community for years: going to trial and only then learning that the opposition's so called "expert" witnesses are not at all qualified and have used questionable methodology to reach their conclusions.

This bill saves businesses and individuals time and money by requiring that professional witnesses' qualifications be validated prior to, rather than during, the actual trial. The procedures under this legislation are the same as those used in federal court.

LABI was in favor of the bill as it passed out of Senate committee and had no position on a floor amendment offered by Sen. Amedee which required that, if the party making the motion for the pre-trial hearing were to lose, that losing party would pay all costs. LABI later supported removing the Amedee amendment in the House Civil Law & Procedures Committee where the amendment was stripped.

How the House Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 58-37-9.

SENATE VOTES

2008 FIRST EXTRAORDINARY SESSION

FINANCIAL DISCLOSURE

HB 1, Tucker – This bill requires elected and appointed officials to disclose their income, property, investments, liabilities, transactions and other financial holdings. It sets up three distinct tiers requiring varying degrees of disclosure. Tier 1 includes statewide elected officials, department heads, high level administrators, and the governor's chief of staff, deputy chief of staff, policy director, executive counsel, and legislative director. Tier 2 includes all elected officials serving populations of 5,000 or more, Ethics Board members and the administrator, BESE members, and state board or commission members who receive a salary above \$16,800 or have the authority to disperse, expend or invest over one million dollars. Tier 3 includes all elected officials from populations of 5,000 or less.

During the First Extraordinary Session focusing on ethics, this legislation was a major piece of the governor's ethics reform package. The Better Government Association's "BGA Integrity Index" of 2002, which measures the relative strength of existing state ethics laws, ranked Louisiana near the bottom at 46th. Of the five different sections of BGA's ranking system, financial disclosure was the lowest ranked section for our state. The administration insisted that just by passing this bill alone, Louisiana's ranking would be among the top 20 in the index and could positively change our national image in the ethics arena. LABI believes this legislation will have a significant impact on changing the perception of our state nationally and internationally.

How the Senate Voted

A vote FOR the adoption of the conference committee report was a vote WITH LABI. The report was adopted, 38-0-1.

2008 SECOND EXTRAORDINARY SESSION

FRANCHISE TAX LONG-TERM DEBT

SB 10, Marionneaux – This legislation accelerates the phase-out of the corporate franchise tax on borrowed capital by one year, by excluding all "borrowed capital" from the definition of "taxable capital" for tax years beginning in 2011 (instead of 2012).

Prior to 2004 La. Act No. 2 (1st Extraordinary Session), Louisiana was one of only two states in the country (Oklahoma being the other) that taxed long-term debt for corporate franchise tax purposes. Not only did a Louisiana business pay the franchise tax if the business was profitable, but it also paid the tax when it simply borrowed money to expand or to stay in business. This particularly hurt small, family-owned and closely held businesses trying to expand and compete with businesses in other states that did not have this tax burden. This unfair tax increased the capital cost of doing business in Louisiana, which was a deterrent to capital investment and jobs in the state.

The 2004 legislation enacted a seven-year phase-out ending January 1, 2012. SB 10 moves the phase-out date up by one year to January 1, 2011.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 31-0-8.

MANUFACTURING MACHINERY AND EQUIPMENT

SB 12, Marionneaux – This legislation accelerates the phase-out of the state sales taxes on manufacturing machinery and equipment by one year, making the purchase or lease of machinery and equipment 100% exempt from state sales and use tax beginning July 1, 2009 (instead of July 1, 2010).

Prior to 2004 La. Act No. 1 (1st Extraordinary Session), Louisiana was the only southern state which taxed manufacturing machinery and equipment, while other southern states had a reduced rate or exempted these sales entirely. The imposition of Louisiana's high sales tax rates on the purchase of manufacturing machinery and equipment placed Louisiana businesses at a competitive disadvantage compared to its southern neighbors, substantially increasing the cost of investing in our state.

The 2004 legislation enacted a seven-year phase-out ending July 1, 2010. SB 12 moves the phase-out date up by one year to July 1, 2009.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 35-0-4.

SALES TAX ON UTILITIES

HB 1, Greene – This bill eliminated the permanent penny on business utilities, effective July 1, 2008, with an annual projected savings for commercial utility customers of \$69 million.

Under current law, natural gas and electricity purchased by businesses are subject to a 3.3% sales tax, and that rate was to have continued until July 1, 2009, when 2.3% of the tax is scheduled to expire, leaving a 1% permanent tax. The provisions of HB 1 of the Second Extraordinary Session eliminate that 1% permanent tax. Note that the same utilities are not subject to a sales tax when purchased by residential customers. Sales tax on commercial utilities has been seen as a major deterrent to business growth, competitiveness, and economic development. When these taxes were first imposed on utility customers, they were to have been "temporary taxes" during times of fiscal crisis; however, they have been "temporary" for almost two decades.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 36-0-3.

2008 REGULAR SESSION

FIREARMS IN THE WORKPLACE

SB 51, McPherson – This bill prohibits business owners from disallowing firearms on their properties if locked in the owners' parked vehicles. As introduced, the legislation provided a new cause of action against businesses. While it also provided immunity from liability for any property owner in compliance with the new law on whose property an incident involving a firearm occurs, the bill picked up an amendment in a House committee that negated the immunity provision by adding a "gross negligence" standard.

LABI opposes any legislation that creates a new cause of action against employers. The bill sought to restrict the right of business owners to decide what happens on their properties, exposing them to more lawsuits. The National Rifle Association had backed laws like this one in other states, but those laws did not have cause of action provisions in them.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill failed, 16-18-4.

SB 51 was brought up later on reconsideration. The bill's author offered an amendment that did not remove the cause of action language in the bill, and LABI remained opposed to the instrument. This time, the Senate voted to pass the bill.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill passed, 28-4-6.

LITTLE HATCH ACT

SB 134, McPherson – This constitutional amendment would have sent to Louisiana voters a proposal to exempt the leaders of public employee unions from the Little Hatch Act provisions of Civil Service Law.

The purpose of the classified civil service is to ensure that state and local public employment opportunities are based on objective criteria rather than political influence. Civil service employees enjoy extraordinary job protections, and in exchange for these job protections, they accept certain restrictions on their political activities. Some political activities are prohibited, including seeking elective office, endorsing candidates, and contributing to and working in political campaigns. However, while individuals in the classified service are subject to these restrictions, current jurisprudence does not restrict public employee unions from endorsing candidates. SB 134 would have expanded the ability of public unions to affect elections by allowing the head or a spokesperson of a union or an association of public employees to actively campaign for candidates, while maintaining civil service job protections.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill failed, 13-23-3, with 26 votes needed to pass.

LIBERALIZATION OF PRESCRIPTION PERIOD

SB 186, Marionneaux – This legislation would have increased the threat and reality of individuals and businesses being sued by expanding the time in which to file certain tort suits from one year to two years.

LABI has a long history of opposition to changing the prescriptive period from one year to two. Plaintiff lawyers would like nothing more than additional time to file a lawsuit. The business community fears such an expansion would increase litigation and drive up costs. Businesses and individuals should not live in dread of lawsuits being filed. The present one-year period provides the predictability we all need.

In opposing this bill, the business community reminded legislators that (1) evidence can be lost or be destroyed, (2) memories can fade, (3) people can move away and become difficult or impossible to find, and (4) witnesses may die.

Also important is the fact that current law already provides protection for someone who isn't

aware of his injuries or losses within a year.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill failed, 17-20-1. It was returned to the calendar, subject to call, where it remained a threat until the end of the session.

DEPARTMENT OF REVENUE ATTORNEY FEES

SB 290, Kostelka – This legislation would have provided taxpayer fairness in the payment of private counsel attorney fees. Under R.S. 47:1512 (dating back to 1940), taxpayers are assessed an additional penalty for attorney fees in the amount of 10% of the tax, interest, and penalty due, to be paid by the taxpayer directly to the Department of Revenue's private counsel. On the other hand, if the taxpayer prevails in the litigation, no 10% attorney fees are awarded to the taxpayer. This bill would have repealed this bad tax policy.

Both the Department of Revenue and taxpayers should have a level playing field—neither party should have an advantage over the other. The 10% attorney fee award should either apply to both parties or to neither party. There appears to be no other state in the country that imposes a similar burden on its taxpayers. In an independent review of the fairness of state tax administration, Louisiana received the grade of "D"—tied for 2nd worst in the country ("The Best and Worst of State Tax Administration," COST, April 2007). Passage of SB 290 would have improved our state ranking.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 30-1-7.

INSURANCE MANDATE - SUBSTANCE ABUSE

SB 535, Cassidy – This bill would have significantly expanded existing mandated coverage for mental illness to include the treatment of alcoholism and drug abuse.

LABI opposed this bill because small business owners are currently struggling to provide health insurance for their workers. Any increase in premiums could force them to limit or drop coverage.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill failed, 13-24-1.

INSURANCE MANDATE – PROSTHETICS

HB 318, Kleckley – This bill mandates health insurance coverage of prosthetic devices and services for no less than \$50,000 per limb per year.

LABI opposed this bill because it will increase the cost of health insurance for Louisiana employers and their employees who pay a portion of the premiums. Mandated benefits add to the high cost of health insurance paid by employers, especially small business owners. Practically every group insurance policy in Louisiana already covers prosthetic devices. This bill will add to the expense of that coverage.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill passed, 26-7-5.

EXPENDITURE LIMIT

HB 888, Henry – This legislation establishes a reasonable formula for the determination of the constitutional spending cap.

In 1991, Louisiana taxpayers voted to limit the growth of state government by adding to the state constitution an expenditure limit on government spending. Our state constitution limits the spending increase each year to a "growth factor," computed as the average annual change in Louisiana personal income as reported by the U.S. Dept. of Commerce for the three preceding calendar years. Louisiana's constitution further provides that the calculation of the expenditure limit shall be provided for by the Legislature — which had not been done.

Prior to HB 888, the formula was derived by tradition and historical practices of prior administrations, which did not result in an accurate expenditure limit. In fact, during the fiscal year '07-'08, the prior formula generated an expenditure limit that was inflated by over \$750 million. HB 888 establishes in law a reasonable formula intended to more accurately determine the expenditure limit in accordance with the constitutional requirements.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 36-0-2.

INSURANCE MANDATE – AUTISM

HB 958, Foil – Prior to this legislation, the medical treatment of autism was already a mandated benefit. However, HB 958 expands coverage to include Applied Behavioral Analysis for children under the age of 17. ABA is a very expensive form of educational and behavioral therapy geared to addressing learning disabilities, not medical care.

LABI opposed this bill because the continued imposition of mandates adds significantly to the cost of health insurance coverage, making it difficult for employers to offer insurance benefits to their employees and for employees to afford health insurance coverage for their families.

How the Senate Voted

A vote AGAINST final passage was a vote WITH LABI. The bill passed, 33-0-5.

WORKFORCE DEVELOPMENT

HB 1104, Tucker – This legislation restructures Louisiana's workforce development service delivery system. The LDOL becomes the Louisiana Workforce Commission (LWC), which is charged with integrating the myriad job training, employment and employment-related educational programs operating within various state agencies.

LABI was instrumental in drafting and promoting this bill to give existing local workforce investment boards (WIBs) across the state more authority, resources and flexibility to tackle the workforce problems facing their regions. The federal Workforce Investment Act requires states to have WIBs, the majority of whose members must be business representatives. These WIBs will now serve as the point of contact for local employers and job seekers to communicate their employment and training needs, and they will have the power to develop and oversee their own programs to address those needs.

The expanded role will come with greater accountability for results. The LWC will monitor the WIBs while authorizing and providing the funds necessary for implementing their initiatives. Existing WIBs will go through a "chartering" process and performance standards will be established for them. In addition, a state board (the Louisiana Workforce Investment Council) comprised of a majority of business representatives will assist the governor and the LWC in the development of a statewide strategy for workforce development.

The final vote on passage of the bill occurred when the conference committee report was adopted on the last day of the session. The conference committee report was unanimously adopted.

How the Senate Voted

A vote FOR adoption of the conference committee report was a vote WITH LABI. The report was adopted, 34-0-4.

CHARTER SCHOOLS

HB 1105, Trahan – This legislation caps the fee for indirect services that charter school authorizers may charge charter school operators to no more than 2% (of the total MFP dollars per pupil received) for the application period and first year of operation and 3% for the second year of operation and each year thereafter.

Prior to the passage of this legislation, charter school authorizers — either the State Board of Elementary and Secondary Education (BESE) or local school boards — could charge any fee they wanted for indirect administrative costs, and that fee could escalate from year to year. (This amount

does not include fees charged for direct services such as transportation or school lunches.) Some authorizers charged nothing for these administrative functions, but some charter schools that operate in hostile environments were subject to double-digit administrative fees. This inability to control a charter school's budget due to indirect fee costs was a major disincentive to operating a school and made Louisiana less attractive to quality charter school operators that are considering opening sites in the state. With approximately 250 schools on track to be taken over by BESE within the next five years, it is critical that Louisiana continue to draw in quality charter school operators that have expertise in how to turn around failing schools.

HB 1105 was amended on the Senate floor to put funding for charter schools that are chartered directly with BESE (Type 2) in the MFP. In the past, Type 2 charter school funding was subject to an annual appropriation in the governor's executive budget. The amendment was supported by both the Jindal Administration and the Louisiana Charter School Association.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 38-0-0.

UNEMPLOYMENT COMPENSATION

HB 1165, Honey – This legislation provides a 10% UC tax reduction for employers and a 10% benefit increase for the unemployed beginning January 1, 2009. The tax reduction represents close to \$20 million in annual savings to Louisiana employers. The enhancements will be paid for by the interest earnings of the trust fund.

This bill was jointly sponsored by LABI and the Louisiana AFL-CIO. Over the past two decades, these organizations have diligently worked together to protect the solvency of Louisiana's UC trust fund, recommending legislation to reduce taxes and raise benefits only when the fund balance would permit it.

Currently, Louisiana has the 8th largest trust fund in the country at over \$1.43 billion. The enhancements provided in this bill are possible because the fund's substantial balance is large enough that its interest earnings alone will cover the cost. Even with

the enhancements, the fund is projected to grow to \$1.53 billion by the end of next year.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 32-0-6.

SCHOOL CHOICE

HB 1347, Austin Badon – This bill created the Student Scholarships for Educational Excellence Program to provide scholarships for about 1,500 Orleans Parish low-income students who otherwise would have attended "academically unacceptable" public schools. The scholarship pays tuition and fees for these students to attend participating nonpublic schools. The program begins with grades K-3 for the 2008-09 school year and adds a grade each succeeding year. Scholarship students are required to take the same LEAP exams as students in public schools.

LABI supports legislation that empowers parents to make the best educational choices for their children and has advocated for increased parental choice since the 1980s. This landmark legislation gives parents the option to choose the best school for

their child, not just the best school the government has to offer. Further, it gives parents educational "buying power." Children should not be relegated to attend a poorly performing public school because their parents cannot afford to send them to a better one. Before the passage of this bill, the only parents in Orleans Parish who were able to exercise the right to choose the best school for their children were often those who could afford to send their children to private or parochial schools.

This bill puts children first and redefines what public education should be — any school that can "educate the public" by producing literate students who can think critically and are prepared to go on to postsecondary education or the workforce — rather than its current narrow definition of being government-operated. Supported by both the administration and BESE, the bill drew strong opposition from teacher unions and local school system representatives. However, HB 1347 received significant grassroots support, and its passage signals a "sea change" in the willingness of Louisiana education officials to make the needs of children a priority over the needs of adults.

How the Senate Voted

A vote FOR final passage was a vote WITH LABI. The bill passed, 25-12-1.

Voting Record Criteria

There are certain rules that apply consistently to LABI voting records and to LABI's use of those records:

- ✓ Only KEY business votes are included in the record. Only bills on which LABI has taken a clear, broad-based position are considered.
- ✓ A vote may be on an amendment or procedural motion, as well as on final passage, if that vote was crucial to the fate of the bill.
- ✓ Because of factors such as committee action or amendments, the inclusion of a vote on a bill in one house doesn't necessarily mean that it will be a record vote in the second house.
- ✓ Votes are weighted according to their importance to the business community. See voting record chart for specific point values.
- ✓ Each term stands alone. Every legislator has an equal opportunity for a good four-year record, despite historical voting patterns.
- ✓ The annual and cumulative voting averages are based upon the number of points actually earned, compared to the number of points that could have been earned over the period.
- ✓ Legislators are not penalized in LABI voting records for absences due to hospitalization or immediate family illness or death, nor for abstentions due to conflicts of interest.
- ✓ The voting record is based on printouts from the House and Senate voting machines and personal privilege corrections recorded in the Official Journal.

2008 Legislative Sessions

| 2000 Legislative Sessions | | | | | | | | | | | | | | | | | | | | | |
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| First Second Special Special Regular Legislative Session | | | | | | | | | | | | | | | | | | | | | |
| H O U S E | HB 1 Financial Disclosure. Adopt Conference Report | HB 1 Utilities Sales Tax. Final Passage | SB 10 Corporate Franchise Tax. Final Passage | SB 12 Tax on Mfg. Machinery and Equipment. Final Passage | HB 318 Prosthetic Mandate. Final Passage | HB 318 Prosthetic Mandate. Concur in Senate Amendments | HB 593 Public Bid Law. Final Passage | HB 747 Contingency Fee Auditors. Final Passage | HB 859 Hospital Service Districts. Recommit to Appropriations | HB 888 Expenditure Limit Formula. Final Passage | HB 958 Autism Mandate. Final Passage | HB 1104 Workforce Development. Adopt Conference Report | HB 1105 Charter Schools. Final Passage | HB 1165 UC Tax Reduction. Final Passage | HB 1234 New Cause of Action. Final Passage | HB 1347 School Choice. Final Passage | SB 51 Firearms in Workplace. Return to Calendar | SB 51 Firearms in Workplace. Wooton Amendment | SB 308 Expert Witnesses. Final Passage | 2008 Voting Percentage | a- Was absent when LABI needed a "yes" vote, or the motion required only a majority or supermajority of those present and voting. a° Was absent when LABI needed a "no" vote and the motion required a majority or supermajority of the elected members. |
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2008 Legislative Sessions **First** Second Special **Special** Regular Legislative Session HB 1 Utilities Sales Tax. Final Passage HB 593 Public Bid Law. Final Passage HB 1347 School Choice. Final Passage H HB 888 Expenditure Limit Formula. Final Passage Was absent when HB 747 Contingency Fee Auditors. Final Passage Machinery and Passage LABI needed a "yes" vote, or the motion required HB 859 Hospital Service Districts. Recommit to Appropriations HB 1104 Workforce Development. Adopt Conference Report HB 1165 UC Tax Reduction. Final Passage HB 1234 New Cause of Action. Final Passage SB 51 Firearms in Workplace. Wooton Amendment SB 308 Expert Witnesses. Final Passage SB 10 Corporate Franchise Tax. Final Passage HB 318 Prosthetic Mandate. Concur in Senate Amendments SB 51 Firearms in Workplace. Return to Calendar HB 318 Prosthetic Mandate. Final Passage only a majority or HB 1 Financial Disclosure. HB 1105 Charter Schools. Final Passage HB 958 Autism Mandate. Final Passage supermajority of 2008 Voting Percentage those present and voting. SB 12 Tax on Mfg. Equipment. Final 1 Was absent when LABI needed a "no" vote and the motion required a majority or su-permajority of the elected members. Jones, Rosalind 1 0 0 0 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{4}$ 0 1 0 0 $\frac{1}{2}$ 0 0 49 Jones, Rosalind Jones, Sam aº $\frac{1}{2}$ $\frac{1}{2}$ 4 0 $\frac{1}{2}$ $\frac{1}{2}$ 65 Jones, Sam $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{\frac{1}{2}}{\frac{1}{2}}$ 1 4 1 4 $\frac{\frac{1}{2}}{\frac{1}{2}}$ $\frac{1}{4}$ $\frac{1}{4}$ 89 1 0 $\frac{1}{2}$ Katz 1 4 1 4 1 4 $\frac{1}{2}$ 1 Katz 1 0 Ō $\frac{\bar{1}}{2}$ $\frac{\bar{1}}{2}$ 0 **Kleckley** 0 0 1 0 64 Kleckley LaBruzzo 0 0 73 LaBruzzo a a-1 $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ 0 0 LaFonta aa **a**º $\frac{1}{2}$ 0 1 aº a-0 61 LaFonta 1 $\frac{1}{2}$ 1 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ Lambert Lambert $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ 0 0 0 LeBas 1 0 0 1 0 46 LeBas Leger 1 0 0 $\frac{1}{2}$ 4 0 1 0 0 0 54 Leger 79 Ligi 0 0 0 Ligi 1 4 1 4 1 4 1 4 0 74 Little Little 0 0 0 Lopinto aaº $\frac{1}{2}$ 66 Lopinto 1 0 0 0 $\frac{1}{2}$ $\frac{1}{2}$ 74 Lorusso 0 1 Lorusso Marchand 1 0 0 1 2 $\frac{1}{2}$ 0 1 0 $\frac{1}{2}$ 0 57 Marchand a McVea 0 83 McVea Mills 1 $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Ō $\frac{1}{2}$ $\frac{\overline{1}}{2}$ Ō 0 1 $\frac{1}{2}$ Ō 0 $\frac{\overline{1}}{2}$ 67 Mills a- $\frac{\bar{1}}{2}$ $\frac{\overline{1}}{2}$ $\frac{1}{2}$ $\frac{\frac{1}{2}}{\frac{1}{2}}$ $\frac{1}{2}$ Monica 1 0 62 Monica aº 1 $\frac{1}{2}$ 1 $\frac{\frac{1}{2}}{\frac{1}{2}}$ Ō 57 0 a 0 $\frac{1}{2}$ 0 1 0 Montoucet Montoucet 0 Ō 41 Morrell 0 aº 0 0 0 Morrell aaa-Morris 1 4 1 4 1 4 1 4 1 4 1 4 0 0 71 Morris $\frac{\overline{1}}{2}$ $\frac{1}{2}$ 59 Norton 0 Norton $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ 85 Nowlin Nowlin $\frac{1}{2}$ 0 **Pearson** $\mathbf{0}$ 0 0 $\frac{1}{2}$ 74 Pearson $\frac{\tilde{1}}{2}$ 1 0 0 $\frac{1}{2}$ 0 0 0 69 Perry $\frac{1}{2}$ 1 $\frac{1}{2}$ Perry Peterson 0 aº 0 0 0 49 Peterson 1414141414141414141414141414141414 aº 1 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ 89 $\frac{\frac{1}{2}}{\frac{1}{2}}$ $\frac{1}{2}$ $\frac{1}{2}$ 0 1 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ Ponti Ponti $\frac{1}{2}$ $\frac{1}{2}$ Pope 1 1 1 4 1 4 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ 1 1 4 1 4 1 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ **79** Pope a-Õ **79** Pugh 0 0 1 1 $\frac{1}{2}$ Pugh Richard 1 0 $\frac{1}{2}$ 0 0 0 $\frac{1}{2}$ $\frac{1}{2}$ 69 Richard 1 Richardson a 0 84 Richardson Richmond 0 0 0 0 38 Richmond aa-Ritchie $\frac{1}{2}$ 0 $\frac{\frac{1}{2}}{\frac{1}{2}}$ $\frac{1}{2}$ 59 Ritchie 1 4 1 4 1 4 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\tilde{\mathbf{0}}$ $\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{2}$ 0 73 Robideaux Robideaux 1 0 1 a $\frac{1}{2}$ a-1 0 0 $\frac{1}{2}$ Ō 0 0 0 49 Rov 1 aº Roy a a-Schroder 0 0 84 Schroder $\frac{1}{2}$ $\frac{1}{2}$ 1 0 0 0 64 Simon 1 4 1 4 1 4 1 4 1 4 0 1 Simon aa-1/2 **Smiley** 1 $\frac{1}{2}$ 1 $\frac{1}{2}$ $\mathbf{0}$ $\frac{1}{2}$ $\frac{1}{2}$ 85 **Smiley** $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\bar{\mathbf{0}}$ 0 $\mathbf{0}$ $\mathbf{0}$ 0 0 $\mathbf{0}$ 33 Smith, Gary 0 1 a-Smith, Gary $\frac{1}{2}$ 1 $\frac{\frac{1}{2}}{\frac{1}{2}}$ $\frac{1}{2}$ $\frac{1}{2}$ Smith, Jane $\frac{1}{2}$ 0 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ 85 Smith, Jane Ō Smith, Pat 0 0 54 Smith, Pat St. Germain $\begin{array}{c} \frac{1}{4} \\ \end{array}$ 0 64 St. Germain 1 4 1 4 $\frac{1}{2}$ $\frac{1}{2}$ **Talbot** $\frac{1}{2}$ $\frac{1}{2}$ 69 **Talbot** a-0 0 **74** 1 0 0 **Templet Templet** $\frac{1}{2}$ $\frac{1}{2}$ Trahan 1 0 0 1 $\frac{1}{2}$ $\frac{1}{2}$ 74 Traĥan aa-77 Tucker 0 0 Tucker 1 1 4 1 4 1 4 1 4 1 4 Waddell 1 0 $\frac{1}{2}$ 0 0 $\frac{1}{2}$ 79 Waddell $\frac{1}{2}$ 1 $\frac{\frac{1}{2}}{\frac{1}{2}}$ White 1 $\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{2}$ $\frac{1}{2}$ 69 White $\frac{1}{2}$ 1 $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ $\frac{\frac{1}{2}}{\frac{1}{2}}$ $\mathbf{0}$ 0 $\frac{\frac{1}{2}}{\frac{1}{2}}$ 72 Williams 1 0 $\frac{1}{2}$ 0 $\frac{1}{2}$ Williams 1 $\frac{1}{2}$ 1 0 Ō $\frac{1}{4}$ Ō 0 Ō 57 Willmott $\frac{1}{2}$ 0 1 aº Willmott $\frac{1}{4}$ $\frac{1}{4}$ 1 1/4 1 1 $\frac{1}{4}$ 0 0 1 69 Wooton Wooton With LABI 102 101 103 103 32 30 51 88 51 98 103 100 85 With LABI 9 7 59 36 **50** 0 59 37 **Against LABI** 1 0 0 69 98 0 18 0 17 42 12 **Against LABI** 2 4 2 4 15 17 3 7 6 1 5 14 2 10 9 Absent Absent

HOUSE

| Party | Representatives | 2008 Voting % | Party | Representatives | 2008 Voting % | Party | Representatives | 2008 Voting % |
|-------|------------------|------------------|-------|------------------|------------------|-------|-----------------|------------------|
| (R) | Katz | 89 | (R) | Templet | 74 | (D) | Anders | 59 |
| (R) | Ponti | 89 | (R) | Trahan | 74 | (D) | Barrow | 59 |
| (R) | Dove | 86 | (R) | Greene | 73 | (D) | Doerge | 59 |
| (R) | Hutter | 85 | (D) | Jackson, Michael | . 73 | (D) | Franklin | 59 |
| (R) | Nowlin | 85 | (R) | LaBruzzo | 73 | (R) | Geymann | 59 |
| (R) | Smiley | 85 | (I) | Robideaux | 73 | (D) | Gisclair | 59 |
| (R) | Smith, Jane | 85 | (D) | Williams | 72 | (D) | Hill | 59 |
| (D) | Aubert | 84 | (R) | Morris | 71 | (D) | Norton | 59 |
| (D) | Guillory, Elbert | 84 | (D) | Champagne | 69 | (D) | Ritchie | 59 |
| (R) | Richardson | 84 | (R) | Cortez | 69 | (D) | Baldone | 57 |
| (R) | Schroder | 84 | (D) | Danahay | 69 | (D) | Marchand | 57 |
| (R) | McVea | 83 | (R) | Harrison | 69 | (D) | Montoucet | 57 |
| (D) | Barras | 79 | (R) | Henry | 69 | (R) | Willmott | 57 |
| (D) | Chaney | 79 | (R) | Lambert | 69 | (D) | Arnold | 54 |
| (R) | Foil | 79 | (R) | Perry | 69 | (D) | Billiot | 54 |
| (R) | Ligi | 79 | (I) | Richard | 69 | (D) | Henderson | 54 |
| (R) | Pope | 79 | (R) | Talbot | 69 | (D) | Leger | 54 |
| (R) | Pugh | 79 | (R) | White | 69 | (D) | Smith, Pat | 54 |
| (R) | Waddell | 79 | (R) | Wooton | 69 | (D) | Burrell | 51 |
| (D) | Abramson | 78 | (D) | Fannin | 68 | (R) | Connick | 51 |
| (R) | Burns, Henry | 78 | (R) | Hazel | 68 | (D) | Gallot | 51 |
| (R) | Cromer | 78 | (D) | Mills | 67 | (D) | Honey | 51 |
| (R) | Howard | 78 | (D) | Hardy | 66 | (D) | Armes | 49 |
| (R) | Carmody | 77 | (R) | Lopinto | 66 | (D) | Dixon | 49 |
| (R) | Tucker | 77 | (D) | Jones, Sam | 65 | (D) | Edwards | 49 |
| (D) | Badon, Austin | 74 | (D) | Chandler | 64 | (D) | Johnson | 49 |
| (R) | Burford | 74 | (R) | Guinn | 64 | (D) | Jones, Rosalind | 49 |
| (R) | Carter | 74 | (R) | Kleckley | 64 | (D) | Peterson | 49 |
| (R) | Downs | 74 | (R) | Simon | 64 | (D) | Roy | 49 |
| (D) | Ellington | 74 | (D) | St. Germain | 64 | (D) | LeBas | 46 |
| (D) | Hines | 74 | (D) | Guillory, Mickey | 63 | (D) | Morrell | 41 |
| (R) | Hoffmann | 74 | (D) | Badon, Bobby | 62 | (D) | Jackson, Girod | 38 |
| (R) | Little | 74 | (R) | Burns, Tim | 62 | (D) | Richmond | 38 |
| (R) | Lorusso | 74 | (R) | Monica | 62 | (D) | Smith, Gary | 33 |
| (R) | Pearson | 74 | (D) | LaFonta | 61 | | | |

2008 Legislative Sessions

| | First | Second | | | | | | | | | | | | | | | |
|---------------------------|---|---|--------------------------------------|---|--|---|---|--|--|--|--------------------------------------|---|--|---|--------------------------------------|--------------|---|
| | Specia | l Special | | | | Reg | jular | Legis | lativ | e Ses | sion | | | | | | |
| S | | ent. | şe | ıtion | | | | age | | | | | | • | | | |
| | | uipm | Firearms in Workplace. Final Passage | 51 Firearms in Workplace. Reconsideration | d) | | sage | 535 Mental Health Mandate. Final Passage | HB 318 Prosthetic Mandate. Final Passage | | e. | opt | as | HB 1165 UC Tax Reduction. Final Passage | | a- | Was absent when LABI needed a |
| E | | d Eq | nal P | cons | ssage | od. | Pass | Final | l Pas | ıla. | assag | . Ad | assa | ıl Pa | sage | | "yes" vote, or the motion required |
| NI | | fax. y ano | e. Fi | e. Re | al Pa | Peri | Final | ate.] | Fina | orm | nal P | ment | nal P | Fins | ıl Pas | | only a majority or supermajority of |
| 1 | ë t | nise 7 niner Fina | plac | plac | Fin | ption | ees. I | Iand | late. | nit F | e. Fir | elop | s. Fi | tion. | Fina | | those present and voting. |
| $oldsymbol{\Lambda}$ | closu Repo | ranch Macl Tax. | Vork | Work | Act | escri | ley F | lth N | Mano | e Lir | ndat | Dev | choo | educ | oice. | aº | Was absent when |
| | I Dis | ite Fi Mfg. Sales | s in | s in | Iatch | se Pr | ttorr | Hea | etic] | ditur | ı Ma | forc | ter S | fax R | ol Ch | | LABI needed a "no" vote and the motion required |
| \mathbf{T} | Financial Disclosure. † Conference Report | 10 Corporate Franchise Tax. 12 Tax on Mfg. Machinery and Equ 11 Passage 11 Utilities Sales Tax. Final Passage | earm | earm | ttle I | crea | DRA | enta | rosth | xpen sage | utisn | HB 1104 Workforce Development. Adopt Conference Report | Char | UC 1 | Scho | | a majority or su- permajority of the |
| E | t Co | 0 Co I Pas 2 Tay I Pas Util | 51 Fir | 1 Fir | 34 Li | 86 In Pas | 7 06 | 35 M | 18 P | 88 E Pas | 58 A | 104 eren | 105 | 165 | 347 | | elected members. |
| | HB 1 Financial Disclosure Adopt Conference Report | SB 10 Corporate Franchise Tax. Final Passage SB 12 Tax on Mfg. Machinery and Equipment. Final Passage HB 1 Utilities Sales Tax. Final Passage | SB 5 | SB 2 | SB 134 Little Hatch Act. Final Passage | SB 186 Increase Prescription Period. Final Passage | SB 290 LDR Attorney Fees. Final Passage | SB 2 | HB 3 | HB 888 Expenditure Limit Formula. Final Passage | HB 958 Autism Mandate. Final Passage | HB 1 | HB 1105 Charter Schools. Final Passage | HB 1 | HB 1347 School Choice. Final Passage | | |
| Adley | 1/4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 0 | 1 | $\frac{1}{2}$ | 1 | 0 | 1/4 | 0 | 1 | 1/2 | 1/4 | 0 | 58 | Adley |
| Alario Amedee | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 0 aº | 0 | 1 0 | 0 | $\frac{\frac{1}{2}}{\frac{1}{2}}$ | 1 1 | 0 1 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 0 a° | 1 1 | $\frac{1}{2}$ $\frac{1}{2}$ | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 1/2 a- | 53 68 | Alario Amedee |
| Broome | 4 1 4 | $\begin{array}{cccccccccccccccccccccccccccccccccccc$ | $\frac{1}{2}$ | $\frac{1}{2}$ | u a° | 0 | $\frac{\overline{2}}{\underline{1}}$ | 0 | 0 | $\frac{\overline{4}}{\frac{1}{4}}$ | a 0 | 1 | $\frac{\overline{2}}{\underline{1}}$ | 4 1 4 | a- 0 | 54 | Broome |
| Cassidy | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | a° | 1 | 1 | $\frac{1}{2}$ | 0 | 0 | $\frac{1}{4}$ | 0 | 1 | $\frac{1}{2}$ | a- | $\frac{1}{2}$ | 68 | Cassidy |
| Chaisson | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | \mathbf{a}^{o} | 0 | 0 | $\frac{1}{2}$ | 0 | 0 | $\frac{1}{4}$ | 0 | 1 | 1 | 1/4 | 1 | 51 | Chaisson |
| Cheek | 1 4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 0 | 1 | a- | 1 | 0 | 1/4 | 0 | 1 | $\frac{1}{2}$ | 1/4 | $\frac{1}{2}$ | 58 | Cheek |
| Cravins Crowe | $\begin{array}{c} \frac{1}{4} \\ \frac{1}{4} \end{array}$ | a- $\frac{1}{4}$ 1 1 1 | 0 $\frac{1}{2}$ | a° 0 | aº 1 | 0 1 | $\frac{1}{2}$ | 1 1 | 1 0 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 0 0 | 1 1 | $\frac{1}{2}$ $\frac{1}{2}$ | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | $\frac{0}{\frac{1}{2}}$ | 59 77 | Cravins Crowe |
| Donahue | 1 1 4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 1 | 1 | $\frac{\overline{2}}{\underline{1}}$ | 1 | 1 | $\frac{\overline{4}}{\frac{1}{4}}$ | 0 | 1 | 1 2 | 1 4 | $\frac{\overline{2}}{\underline{1}}$ | 81 | Donahue Donahue |
| Dorsey | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 0 | 0 | $\frac{1}{2}$ | 1 | 0 | 1/4 | 0 | 1 | $\frac{1}{2}$ | 1/4 | 0 | 49 | Dorsey |
| Duplessis | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | aº | 1 | 1 | $\frac{1}{2}$ | 1 | a° | $\frac{1}{4}$ | 0 | 1 | $\frac{1}{2}$ | $\frac{1}{4}$ | $\frac{1}{2}$ | 89 | Duplessis |
| Dupre | 1/4 | a- $\frac{1}{4}$ 1 | $\frac{1}{2}$ | 0 | 1 | 0 | $\frac{1}{2}$ | 1 | 0 | 1/4 | 0 | 1 | $\frac{1}{2}$ | $\frac{1}{4}$ | $\frac{1}{2}$ | 65 | Dupre |
| Erdey Gautreaux, Butch | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 0 | 0 | 0 | 1 1 | $\frac{1}{2}$ a- | 0 | 0 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 0 | 1 1 | $\frac{1}{2}$ $\frac{1}{2}$ | a- 1/4 | $\frac{0}{\frac{1}{2}}$ | 37 44 | Erdey Gautreaux, Butch |
| Gautreaux, Butch | 4 1 4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | a ^o | 0 | 1 | 1 | $\frac{1}{2}$ | 1 | 0 | 4 1 4 | 0 | 1 | 1 2 | 4 1 4 | $\frac{2}{\frac{1}{2}}$ | 76 | Gautreaux, Butch Gautreaux, Nick |
| Gray | 1/4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | 1 | 0 | 0 | $\frac{1}{2}$ | aº | 0 | 1/4 | 0 | 1 | $\frac{1}{2}$ | 1/4 | 0 | 54 | Gray |
| Hebert | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 1 | 0 | 1 2 | 1 | 0 | $\frac{1}{4}$ | 0 | a- | 1 2 | 1/4 | 1/2 | 53 | Hebert |
| Heitmeier | 1/4 1 | $a - \frac{1}{4} 1$ | $\frac{1}{2}$ | 0 | 0 | 0 | $\frac{1}{2}$ | 1 | 0 | 1 4 | 0 | 1 | $\frac{1}{2}$ | 1 4 | $\frac{1}{2}$ | 56 | Heitmeier |
| Jackson Kostelka | $\begin{array}{c c} \frac{1}{4} \\ \frac{1}{4} \end{array}$ | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | $\frac{1}{2}$ \mathbf{a}^{0} | $\frac{1}{2}$ | 1 | a° | $\frac{1}{2}$ $\frac{1}{2}$ | 0 | 0 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 0 | 1 a- | $\frac{1}{2}$ $\frac{1}{2}$ | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | $\frac{0}{\frac{1}{2}}$ | 64 76 | Jackson Kostelka |
| LaFleur | 4 1 4 | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 0 | 0 | a ^o | 0 | $\frac{2}{\frac{1}{2}}$ | 1 | a ^o | 4 a- | 0 | 1 | $\frac{2}{\frac{1}{2}}$ | 4 1 4 | 0 | 57 | LaFleur |
| Long | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 1 | 1 | $\frac{1}{2}$ | 0 | 1 | $\frac{1}{4}$ | 0 | 1 | $\frac{1}{2}$ | a- | $\frac{1}{2}$ | 70 | Long |
| Marionneaux | $\frac{1}{4}$ | $\frac{1}{4}$ a- 1 | $\frac{1}{2}$ | 0 | 0 | 0 | $\frac{1}{2}$ | 0 | 0 | $\frac{1}{4}$ | 0 | 1 | 1 2 | 1/4 | 0 | 42 | Marionneaux |
| Martiny | 1/4 | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 0 | 0 | 1 | 0 | $\frac{1}{2}$ | 1 | 0 | $\frac{1}{4}$ | 0 | 1 | $\frac{1}{2}$ | 1/4 | $\frac{1}{2}$ | 63 | Martiny McPherson |
| McPherson Michot | a- 1/4 | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 0 $\frac{1}{2}$ | 0 a° | 0 1 | 1 1 | $\frac{\frac{1}{2}}{\frac{1}{2}}$ | 0 1 | 1 0 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | aº aº | 1 1 | $\frac{\frac{1}{2}}{\frac{1}{2}}$ | a- 1/4 | $\frac{0}{\frac{1}{2}}$ | 59 89 | Michot |
| Morrish | 1/4 | $\begin{array}{cccccccccccccccccccccccccccccccccccc$ | $\frac{\overline{2}}{\underline{1}}$ | a 0 | 1 | 1 | $\frac{\overline{2}}{\underline{1}}$ | 1 | 1 | $\frac{\overline{4}}{\frac{1}{4}}$ | a 0 | 1 | 1 2 | 1 4 | $\frac{\overline{2}}{\underline{1}}$ | 86 | Morrish |
| Mount | 1 4 1 4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | 0 | 1 | 0 | $\frac{1}{2}$ | 1 | a° | a- | a° | 1 | $\frac{1}{2}$ | $\frac{1}{4}$ | $\frac{1}{2}$ | 80 | Mount |
| Murray | 1/4 | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | 0 | 0 | 0 | $\frac{1}{2}$ | 0 | 0 | 1 4 | 0 | 1 | 1 2 | $\frac{1}{4}$ | 0 | 44 | Murray |
| Nevers | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | $\frac{1}{2}$ | 1 | 1 | $\frac{1}{2}$ | 0 | 0 | $\frac{1}{4}$ | 0 | 1 | $\frac{1}{2}$ | 1/4 | $\frac{1}{2}$ | 72 54 | Nevers |
| Quinn Riser | $\begin{array}{c} \frac{1}{4} \\ \frac{1}{4} \end{array}$ | a- a- a- $\frac{1}{4}$ $\frac{1}{4}$ 1 | $\frac{1}{2}$ | a° 0 | 1 1 | 1 1 | $\frac{1}{2}$ | 0 1 | a° 0 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 0 a° | 1 1 | $\frac{1}{2}$ $\frac{1}{2}$ | a- 1/4 | $\frac{\frac{1}{2}}{\frac{1}{2}}$ | 54 79 | Quinn Riser |
| Scalise | 4 1 4 | $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | U | U | 1 | • | 2 | 1 | U | 4 | a | | | | | , 2008 | Scalise |
| Shaw | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | aº | 0 | 1 | 0 | a- | 0 | 0 | $\frac{1}{4}$ | 0 | 1 | $\frac{1}{2}$ | $\frac{1}{4}$ | 0 | 46 | Shaw |
| Shepherd | $\frac{1}{4}$ | a- a- 1 | 0 | 0 | 0 | 0 | a- | 1 | a° | $\frac{1}{4}$ | 0 | a- | 1 2 | a- | 1 2 | 36 | Shepherd |
| Smith | $\frac{1}{4}$ | $\frac{1}{4}$ $\frac{1}{4}$ 1 | 0 | 0 | 1 | 1 | a- | 1 | 0 | $\frac{1}{4}$ | 0 | a- 1 | $\frac{1}{2}$ | $\frac{1}{4}$ | $\frac{1}{2}$ | 58 | Smith |
| Thompson Walsworth | $\begin{array}{c} \frac{1}{4} \\ \frac{1}{4} \end{array}$ | a- $\frac{1}{4}$ 1 1 1 | 0 | 0 0 | 1 1 | 1 1 | $\frac{0}{\frac{1}{2}}$ | 1 1 | 0 0 | $\frac{\frac{1}{4}}{\frac{1}{4}}$ | 0 0 | 1 1 | $\frac{1}{2}$ $\frac{1}{2}$ | $\frac{1}{4}$ $\frac{1}{4}$ | $\frac{\frac{1}{2}}{\frac{1}{2}}$ | 65 72 | Thompson Walsworth |
| | \vdash | | 1 | | | _ | | | | | | _ | | | | | |
| With LABI | 38 | 31 35 36 | 16 | 4 | 23 | 20 | 30 | 24 | 7 | 36 | 0 | 34 | 38 | 32 | 25 | | LABI |
| Against LABI Absent | 0 1 | $\begin{bmatrix} 0 & 0 & 0 \\ 8 & 4 & 3 \end{bmatrix}$ | 18 4 | 28 6 | 13 3 | 17 1 | 1 7 | 13 1 | 26 5 | 0 2 | 33 5 | 0 4 | 0 | 0 6 | 12 1 | Agan Abse | nst LABI nt |

SENATE

| Party | Senators | 2008 Voting % |
|-------|------------------|------------------|
| (D) | Duplessis | 89 |
| (R) | Michot | 89 |
| (R) | Morrish | 86 |
| (R) | Donahue | 81 |
| (D) | Mount | 80 |
| (R) | Riser | 79 |
| (R) | Crowe | 77 |
| (D) | Gautreaux, Nick | 76 |
| (R) | Kostelka | 76 |
| (D) | Nevers | 72 |
| (R) | Walsworth | 72 |
| (R) | Long | 70 |
| (D) | Amedee | 68 |
| (R) | Cassidy | 68 |
| (D) | Dupre | 65 |
| (D) | Thompson | 65 |
| (D) | Jackson | 64 |
| (R) | Martiny | 63 |
| (D) | Cravins | 59 |
| (D) | McPherson | 59 |
| (R) | Adley | 58 |
| (R) | Cheek | 58 |
| (D) | Smith | 58 |
| (D) | LaFleur | 57 |
| (D) | Heitmeier | 56 |
| (D) | Broome | 54 |
| (D) | Gray | 54 |
| (R) | Quinn | 54 |
| (D) | Alario | 53 |
| (D) | Hebert | 53 |
| (D) | Chaisson | 51 |
| (D) | Dorsey | 49 |
| (R) | Shaw | 46 |
| (D) | Gautreaux, Butch | |
| (D) | Murray | 44 |
| (D) | Marionneaux | 42 |
| (R) | Erdey | 37 |
| (D) | Shepherd | 36 |