

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

FOURTEENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, April 6, 2011

The House of Representatives was called to order at 1:00 P.M., by the Honorable Joel Robideaux, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Anders	Gisclair	Moreno
Armes	Greene	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Billiot	Henderson	Pugh
Bishop	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Ritchie
Burns, H.	Hoffmann	Robideaux
Carmody	Honore	Roy
Carter	Howard	Schroder
Champagne	Jackson G.	Seabaugh
Chandler	Johnson	Simon
Chaney	Jones, R.	Smiley
Connick	Jones, S.	Smith, G.
Cortez	Katz	Smith, J.
Danahay	LaBruzzo	Smith, P.
Dixon	Lambert	St. Germain
Doerge	Landry	Stiaes
Dove	LeBas	Talbot
Downs	Leger	Templet
Edwards	Ligi	Thibaut
Ellington	Little	Thierry
Fannin	Lopinto	White
Foil	Lorusso	Williams
Franklin	McVea	Willmott
Gallot	Monica	Wooton
Geymann	Montoucet	
Total - 92		

The Speaker Pro Tempore announced that there were 92 members present and a quorum.

Prayer

Prayer was offered by Rep. Fannin.

Pledge of Allegiance

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

On motion of Rep. Patricia Smith, the Journal of April 5, 2011, was adopted.

**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. 20—
BY REPRESENTATIVE AUBERT
A RESOLUTION**

To express the condolences of the House of Representatives upon the death of Mr. Burnell Irvin.

Read by title.

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

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
House and Governmental Affairs**

April 6, 2011

To the Speaker and Members of the House of Representatives:

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

House Bill No. 48, by Tucker
Reported favorably. (14-5) (Regular)

RICHARD "RICK" GALLOT, JR.
Chairman

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

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

**SENATE BILL NO. 19—
BY SENATOR MURRAY
AN ACT**

To amend and reenact R.S. 23:66(B), relative to provisions of Title 23 of the Louisiana Revised Statutes of 1950, which provides with respect to Labor and Workers' Compensation and which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify

applicability to one or more political subdivisions or local areas; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

Privileged Report of the Legislative Bureau

April 5, 2011

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 1
Reported without amendments.

Senate Bill No. 11
Reported without amendments.

Senate Bill No. 14
Reported without amendments.

Senate Bill No. 15
Reported without amendments.

Respectfully submitted,

JEAN DOERGE
Chairman

Suspension of the Rules

On motion of Rep. Smiley, the rules were suspended in order to take up bills reported by the Legislative Bureau at this time.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 1—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 24:35 and to repeal R.S. 24:35.1, relative to legislative redistricting; to provide for the redistricting of the Senate of the Legislature of Louisiana; to provide for effective dates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Smiley, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 11—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 18:2(5), 54, 423(D)(2), 574(A)(3), (D)(1), and (E)(1), and 1483(7)(d), relative to provisions of Title 18 (Louisiana Election Code) of the Louisiana Revised Statutes of 1950, which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; to adjust population categories to retain applicability; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Smiley, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 14—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 42:15(B), 66(J), and 261(C), relative to the provisions of Title 42 (Public Officers and Employees) of the Louisiana Revised Statutes of 1950, which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 14 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 2, change "and 261(C)," to "261(C), and 1123(20),"

AMENDMENT NO. 2

On page 1, line 8, change "and 261(C)" to "261(C), and 1123(20)"

AMENDMENT NO. 3

On page 2, after line 26, insert the following:

"§1123. Exceptions

This Part shall not preclude:

* * *

(20) An airport authority member or employee in an airport in any parish having a population of less than two hundred twenty-five

thousand persons, according to the most recent census, or an airport authority member or employee in an airport in any parish having a population of two hundred twenty-five thousand persons or more according to the most recent census if the airport over which such an airport authority has jurisdiction does not have scheduled air service, from using any of the services available at the airport over which he exercises jurisdiction or by which he is employed; provided the services are available to the member or employee subject to the same terms, conditions, and availability as to any other member of the public, whether such services are obtained directly from the airport or from a fixed-based operator. The provisions of this Paragraph shall not apply to the Louisiana Airport Authority.

* * *

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 15—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 43:140(5), 142(B), 171(B), 200(5), and 201(C), relative to provisions of Title 43 (Public Printing and Advertisements) of the Louisiana Revised Statutes of 1950, which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Smiley, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Privileged Report of the Committee on Enrollment

April 6, 2011

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. 15—
BY REPRESENTATIVE BISHOP

A CONCURRENT RESOLUTION

To urge and request the Southern University Board of Supervisors to name the administration building at Southern University at New Orleans in honor of former chancellor Dr. Emmett W. Bashful.

Respectfully submitted,

JEAN DOERGE
Chair

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

Privileged Report of the Committee on Enrollment

April 6, 2011

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. 9—

BY REPRESENTATIVE ANDERS AND SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 3:3021, relative to provisions of Title 3 (Agriculture and Forestry) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

HOUSE BILL NO. 10—

BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 25:752, 767(A), and 1253(A)(1)(r), relative to provisions of Title 25 (Libraries, Museums, and other Scientific and Cultural Facilities) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

HOUSE BILL NO. 11—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 38:90.1(7), 345(A), 1770(B)(1), 2216(L)(2), 2225.4, 2233.1(A), and 2251(F) and to repeal R.S. 38:2212(A)(1)(d)(ii), relative to provisions in Title 38 (Public Contracts, Works and Improvements) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; to repeal provisions that are outdated or obsolete; and to provide for related matters.

HOUSE BILL NO. 13—

BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 49:149.5(C) and 214.5.8(E), relative to provisions in Title 49 (State Administration) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas based upon population classifications; and to provide for related matters.

HOUSE BILL NO. 14—

BY REPRESENTATIVES HUTTER AND DOWNS
AN ACT

To amend and reenact R.S. 2:135.2 and 347, relative to provisions of Title 2 (Aeronautics) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

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HOUSE BILL NO. 15—

BY REPRESENTATIVES HUTTER AND DOWNS
AN ACT

To amend and reenact R.S. 32:294(A), 391(C), 393(F)(1), 398(K)(1)(b), 412(A)(1), (2), (5), (6), (B)(1), (2), (7)(e)(i)(aa), (dd)(I), (e)(ii)(aa), and (dd)(I), 429(A)(2), 1252(7)(b)(i) and (ii), and 1733(A), relative to provisions of Title 32 (Motor Vehicles and Traffic Regulations) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; to adjust population categories to retain applicability; and to provide for related matters.

HOUSE BILL NO. 17—

BY REPRESENTATIVES HUTTER AND DOWNS
AN ACT

To amend and reenact R.S. 48:512(C), 1309.2(A)(2), and 2106(A), relative to provisions of Title 48 (Roads, Bridges and Ferries) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

HOUSE BILL NO. 22—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact Code of Criminal Procedure Articles 161(B), 211.6(A), 324(B) and (C), 336(B)(introductory paragraph), and 404.1(A), relative to provisions of the Code of Criminal Procedure which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

HOUSE BILL NO. 23—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 14:90(B), relative to provisions of Title 14 (Louisiana Criminal Code) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to adjust population categories to retain applicability; and to provide for related matters.

HOUSE BILL NO. 25—

BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 27:93(A)(5)(introductory paragraph), 203, and 205(26), relative to provisions of Title 27 (Louisiana Gaming Control Law) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population classifications; to specify applicability to one or more political subdivisions or local areas; and to provide for related matters.

HOUSE BILL NO. 27—

BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 33:423.21, relative to Title 33 (Municipalities and Parishes) of the Louisiana Revised Statutes of 1950 which are limited in applicability to certain political subdivisions or local areas based upon population category; to specify applicability to Independence of a provision relative to the authority of the police chief to take certain personnel actions; and to provide for related matters.

Respectfully submitted,

JEAN DOERGE
Chair

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.

Adjournment

On motion of Rep. Billiot, at 1:30 P.M., the House agreed to adjourn until Thursday, April 7, 2011, at 10:00 A.M.

The Speaker Pro Tempore of the House declared the House adjourned until 10:00 A.M., Thursday, April 7, 2011.

ALFRED W. SPEER
Clerk of the House