

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

SECOND DAY'S PROCEEDINGS

**Organizational Session of the 69th Legislature
Since Admission to Statehood**

**Seventh Organizational Session Since
Adoption of the Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, January 15, 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	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, E.	Morris
Arnold	Guillory, M.	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	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	LaBruzzo	St. Germain
Dixon	LaFonta	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell

Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton
Franklin	McVea	
Gallot	Mills	
Total - 103		

ABSENT

Lambert
Total - 1

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

Prayer

Prayer was offered by Dr. Ken Ward.

Pledge of Allegiance

Rep. Abramson 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. Lorusso, the reading of the Journal was dispensed with.

On motion of Rep. Ponti, the Journal of January 14, 2008, 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. 1—
BY REPRESENTATIVE TUCKER

A RESOLUTION

To amend and readopt House Rules 3.5, 6.1(A), 6.4(A), 6.6(N), 6.7(B)(6), and 6.26(B) and (C), to adopt House Rules 6.4(F) and 6.26(D), and to repeal House Rules 6.6(G) and (I)(11) and 6.7(A)(4) of the Rules of Order of the House of Representatives to provide relative to the composition of the House Committee on Appropriations; to establish standing subcommittees of the House Committee on Appropriations to consider various portions of the executive budget; to abolish the House Committee on Environment and to transfer its responsibilities to the House Committee on Natural Resources; to provide relative to the advisory jurisdiction of the House Executive Committee and to provide for subcommittees of the House Executive Committee; to provide that one of the subcommittees shall be responsible for House personnel; to abolish the House Legislative Services Council.

Read by title.

On motion of Rep. Gallot, the rules were suspended in order to consider the adoption of the resolution.

Speaker Pro Tempore Peterson in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Michael Jackson to Original House Resolution No. 1 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, change "6.4(A)," to "6.4,"

AMENDMENT NO. 2

On page 1, line 3, delete "Rules 6.4(F) and" and insert "Rule"

Page 2 HOUSE

2nd Day's Proceedings - January 15, 2008

AMENDMENT NO. 3

On page 1, line 14, change "6.4(A)," to "6.4,"

AMENDMENT NO. 4

On page 1, line 15, delete "Rules" and insert "Rule"

AMENDMENT NO. 5

On page 1, line 16, delete "6.4(F) and"

AMENDMENT NO. 6

On page 4, delete lines 3 through 12 and insert the following:

"Rule 6.4. Committee on Appropriations; subcommittees

A. Appropriations. The Committee on Appropriations shall be composed of ~~nineteen~~ twenty-five members, of whom ~~twelve~~ thirteen shall be appointed by the Speaker and ~~seven~~ twelve shall be elected, both as provided herein. Of the ~~twelve~~ thirteen appointed members, one member shall be a resident of each of the Public Service Commission districts respectively, and ~~seven~~ eight members shall be appointed from the state at large. Of the ~~seven~~ twelve elected members, one member shall be a resident of each of the congressional districts respectively and one member shall be a resident of each of the Public Service Commission districts respectively.

B. The ~~seven~~ twelve elected members shall be elected in the following manner:

(1) The election shall be held after the general election for members of the House of Representatives from among the members-elect.

(2) Each member-elect shall be eligible to be a candidate from the congressional district or Public Service Commission district within which the member-elect resides at the time the election is held. No member-elect may be a candidate from both a congressional district and a Public Service Commission district.

(3) Within five days after the promulgation of the official returns of each general election for members of the House of Representatives, the Clerk shall transmit to each member-elect a notice of candidacy form and a letter outlining the procedure for the election of members of the committee.

(4) Each member-elect who wishes to be a candidate for membership on the committee shall sign and date the notice of candidacy and shall return it to the Clerk within ten days after the notice of candidacy was transmitted by the Clerk.

(5) Within three days after the final day for the receipt of the notice of candidacy, the Clerk shall transmit to each member-elect the written ballot listing the candidates from the congressional district and Public Service Commission district within which the member-elect resides.

(6) The ballots shall be prepared separately by congressional districts and by Public Service Commission districts and shall list the name and address of each member-elect who has declared himself to be a candidate from the respective districts. The ballot shall contain the name of the member-elect to whom it is to be transmitted.

(7) Each member-elect shall mark ~~the~~ each ballot with his choice for one of the candidates, shall sign and date the ~~ballot~~ ballots, and shall return the ~~ballot~~ ballots to the Clerk within fifteen days after the ~~ballot was~~ ballots were transmitted by the Clerk.

(8) No ballot received by the Clerk after five o'clock p.m. on the fifteenth day after the date on which the ballots were transmitted

shall be counted, but the day and time received shall be marked on each ballot received after such time, and the ballot shall be marked "Invalid". However, prior to five o'clock p.m. on the fifteenth day after the date on which the ballots were transmitted, a member-elect may withdraw his ballot or change his vote upon his written request.

(9) Ballots which are not signed or on which the signature is not the normal customary signature of the member-elect shall be void.

(10) Each candidate who receives a majority of the votes cast by the members-elect voting in his or her congressional district or Public Service Commission district, as applicable, shall be elected to the committee.

(11) If no candidate receives a majority of the votes cast in a congressional district or Public Service Commission district, as applicable, the Clerk shall conduct a run-off election between the two candidates who receive the highest number of votes. The run-off election shall be conducted in the same manner as the original election.

(12) The candidate receiving the highest number of votes in the run-off election shall be elected to the committee.

(13) If the run-off election results in a tie vote, the two candidates shall cast lots under the supervision of the Clerk to determine which candidate shall be elected to the committee.

(14) On or before the twentieth day after the date on which the ballots were transmitted, the Clerk shall open and tabulate the vote by congressional district and by Public Service Commission district. Prior to the tabulation, the Clerk shall hold all ballots unopened and shall not disclose the contents to any person until the day when the ballots are opened and tabulated. No ballot shall be deemed invalid if inadvertently opened in processing.

(15) The tabulation of the results of the election in each congressional district and in each Public Service Commission district shall indicate by name the candidate for whom each member-elect voted and the name of each member-elect who did not vote or whose ballots were invalid because not signed by the member-elect in accord with Subparagraph (9) hereof. The Clerk shall sign each of the tabulation sheets.

(16) The Clerk shall promulgate the returns of the elections within three days after the date on which the ballots were opened and the votes tabulated. Promulgation shall be accomplished by transmitting a copy of the tabulation sheets to each member-elect. The vote in each election as tabulated by the Clerk shall be recorded in the Journal.

(17) The notices of candidacy returned by the members-elect and the ballots cast by the members-elect shall be public record.

C. Vacancies in the membership of the Committee on Appropriations ~~Committee~~ shall be filled in the manner of the original appointment or election as the case may be.

D. Any elected member of the committee may be removed by a majority of those members who reside in the congressional district or the Public Service Commission district from which the member was originally elected.

(1) Removal shall be accomplished by delivery to the Speaker of an affidavit signed by a majority of those members who reside in a congressional district or a Public Service Commission District expressing their intent to remove an elected member.

(2) Upon receipt of the affidavit, the Speaker shall declare a vacancy in the membership of the committee and direct the Clerk to conduct an election to fill the vacant position.

E. For the transmittal of the notice of candidacy forms and the ballots required by this Rule, the Clerk shall utilize a method of transmittal which provides for notice of receipt and shall preserve the records of the transmittals and the notices of receipt for a minimum of six months following the promulgation of the returns of the election."

AMENDMENT NO. 7

On page 7, after line 27, insert the following:

"BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is hereby directed to conduct elections to fill the newly created elected positions from the Public Service Commission districts to the Committee on Appropriations as provided in this Resolution."

Rep. Michael Jackson moved the adoption of the amendments.

Rep. Tucker objected.

By a vote of 19 yeas and 83 nays, the amendments were rejected.

Rep. Tucker moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Monica
Abramson	Gisclair	Montoucet
Anders	Greene	Morrell
Armes	Guillory, E.	Morris
Arnold	Guillory, M.	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Peterson
Barras	Henderson	Ponti
Barrow	Henry	Pope
Billiot	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Honey	Richmond
Burrell	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	LaBruzzo	St. Germain
Dixon	LaFonta	Talbot
Doerge	LeBas	Templet
Dove	Leger	Trahan
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	Marchand	Wooton
Franklin	McVea	
Gallot	Mills	
Total - 103		

NAYS

Total - 0

ABSENT

Lambert
Total - 1

The resolution was adopted.

Speaker Tucker in the Chair

Leave of Absence

Rep. Lambert - 1/2 day

Adjournment

On motion of Rep. Trahan, at 3:30 P.M., the House agreed to adjourn until Wednesday, January 16, 2008, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Wednesday, January 16, 2008.

ALFRED W. SPEER
Clerk of the House

