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
Barbas  Hazel  Pugh
Billiot  Henderson  Richard
Bishop  Henry  Richardson
Brossett  Hill  Ritchie
Burns, H.  Hines  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.
Dunahay  LaBruzio  Smith, P.
Dixon  Lambert  St. Germain
Doerge  Landry  Stiaes
Dove  LeBas  Talbot
Downs  Leger  Thibaut
Edwards  Ligi  Thierry
Ellington  Little  White
Fannin  Lopinto  Williams
Foil  Lorusso  Wooton
Franklin  McVea  Wootton
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


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 CLAUTOR
AN ACT
To amend and reenact R.S. 43:140(5), 142(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 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 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 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 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 provide for related matters.

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.
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