SIXTEENTH 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

Monday, April 11, 2011

The House of Representatives was called to order at 10:00 A.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 Foil Lopinto
Abramson Franklin Lorusso
Anders Gallot McVea
Armes Geymann Monica
Arnold Gisclair Montoucet
Aubert Greene Moreno
Badon, A. Guillory Morris
Badon, B. Guinn Norton
Baldone Hardy Nowlin
Barras Hurston Pearson
Barrow Hazel Ponti
Billiot Henderson Pope
Bishop Henry Pugh
Brossett Hill Richard
Burford Hines Richardson
Burns, H. Hoffmann Ritchie
Burns, T. Honore Robideaux
Burrell Howard Roy
Carmondy Hutter Schrodor
Carter Jackson G. Seabaugh
Champagne Jackson M. Simon
Chandler Johnson Smiley
Chaney Jones, R. Smith, G.
Connick Jones, S. Smith, J.
Cortez Katz Smith, P.
Cromer Kleckley St. Germain
Danahay LaBrauza Sitaes
Dixon LaFonta Talbot
Doerge Lambert Templet

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Norton.

Pledge of Allegiance

Rep. Thibaut 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. Brossett, the reading of the Journal was dispensed with.

On motion of Rep. Brossett, the Journal of April 7, 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. 22—
BY REPRESENTATIVE CHANDLER
A RESOLUTION
To express sincere and heartfelt condolences upon the death of former state representative Thomas "Bud" Brady.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 17—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION
To memorialize the United States Congress to defund and appropriate no future funding to Planned Parenthood.

Read by title.

On motion of Rep. Hoffmann, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVES EDWARDS, BOBBY BADON, BALDONE, GALLOT, GISCLAIR, HONORE, ROSSLIND JONES, LEBAS, LEGER, GARY SMITH, PATRICIA SMITH, AND THIBAUT
A CONCURRENT RESOLUTION
To proclaim the importance of the Louisiana Legislature enacting a congressional redistricting plan during the 2011 First Extraordinary Session of the Louisiana Legislature.

Read by title.

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

Ordered to the Senate.
HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE ARMES
A CONCURRENT RESOLUTION
To urge and request the United States Forest Service to allow the Louisiana Wildlife and Fisheries Commission to set hunting seasons and regulations within the Kisatchie National Forest.

Read by title.

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

Ordered to the Senate.

Speaker Pro Tempore Rodibaux in the Chair
Suspension of the Rules
On motion of Rep. Gallot, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage
The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

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.

Rep. Rosalind Jones sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Rosalind Jones to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 1
On page 9, delete lines 22 through 29 and on page 10 delete lines 1 through 7 and insert the following:

"(33) District 33 is composed of Precincts 1, 8, 10, 11, 21, 22, 31, 34, 35, 36, 37, 81, 84, 85, 87, 91, 92, 93, 94 and 96 of Claiborne Parish; Precincts 4-1, 4-2, 4-3, 4-4 and 5-2 of Lincoln Parish; Precincts 23, 24, 25, 26, 27, 28, 29, 30, 33, 35, 36, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 54 and 55 of Morehouse Parish; Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 60, 63, 65, 66, 67, 68, 69, 70, 72, 73, 74 and 79 of Ouachita Parish; Precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 33, 34 and 35 of Richland Parish; and Tensas Parish.

Rep. Rosalind Jones moved the adoption of the amendments.


By a vote of 18 yeas and 73 nays, the amendments were rejected.

Rep. Rosalind Jones sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS
Amendments proposed by Representative Rosalind Jones to Reengrossed Senate Bill No. 1 by Senator Chaisson

AMENDMENT NO. 2
On page 8, delete lines 20 through 29 and insert the following:

"(29) District 29 is composed of Precincts 1-1, 1-2, 1-3, 2-1, 2-2, 2-3, 3-1, 3-2, 3-3, 3-5, 4-4, 6-1, 6-2, 6-3, 6-4, 7-1, 7-2, 7-3, and 7-4 of Bienville Parish; Precincts 2-1, 2-2 and 3-3 of Grant Parish; Precincts 1-1, 1-2, 1-3, 2-1, 2-2, 3-1, 3-3, 6-2, 9-1, 10-1, 10-2, 10-3, 10-5, 11-1, 11-2, 11-3, 12-1, and 12-2 of Lincoln Parish; Precincts 1-1, 1-2, 1-3, 1-3A, 1-4, 1-4B, 1-5A, 1-6, 1-7, 1-8, 1-11, 1-12, 1-13, 1-14, 2-7, 2-7A, 2-8, 3-4, 3-7, 4-1, 4-2, 4-3, 4-4, 4-5, and 4-9 of Natchitoches Parish; Precincts C1, C2, C3, C4, C5, C6, C7, C8, C9, C10, C11, C12, C14, C15, C16, C18, C19, C24, C25, C28, C38, C39, C40, N1, N2, N3, S1, S4, S5, and S6 of Rapides Parish; and Red River Parish.

AMENDMENT NO. 2
On page 9, delete lines 5 through 28 and insert the following:

"(31) District 31 is composed of Precincts 1-4A, 1-9, 1-9A, 1-10, 1-10A, 1-10B, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-7A, 2-8, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10, 3-11, 3-12, 3-13, 3-14, 3-15, 3-16, 3-17, 3-18, 3-19, 3-20, 3-21, 3-22, 3-23, 3-24, 3-25, 3-26, 3-27, 3-28, and 3-29 of Rapides Parish; and Sabine Parish.

Rep. Rosalind Jones moved the adoption of the amendments.


By a vote of 11 yeas and 38 nays, the amendments were rejected.
(32) District 32 is composed of Precincts 1-1, 1-2, 2-2A, 2-3A, and 6-2A of Avoyelles Parish; Caldwell Parish; Catahoula Parish; Precincts 1-3 (Part) that portion northwest of US Highway 65, 3-1, 3-2, 3-3, 4-1, 4-2, 4-3, 4-4, 4-5, 5-2, 5-3, 5-4, 5-5, 5-6, and 5-7 of Concordia Parish; Franklin Parish; La Salle Parish; Precincts 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, and 55 of Ouachita Parish; Precincts N23, N24, and N25 of Rapides Parish; Precincts 1 of Richland Parish and Precincts 1-1, 2-1, 3-2, 3-3, 4-1, 4-2, 4-3, 5-1, 5-2, 5-3, 6-1, 6-2, 6-3, 7-1, and 7-4 of West Feliciana Parish.

(33) District 33 is composed of Precincts 1, 5, 7, 8, 10, 11, 21, 31, 34, 35, 38, 51, 56, 62, 75, 77, and 78 of Claiborne Parish; Precincts 4-1, 4-2, 4-3, 4-4, 4-5, and 5-2 of Lincoln Parish; Precincts 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, and 2-9 of Natchitoches Parish; Precincts 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 44A, 49, 50, and 76 of Ouachita Parish; Union Parish; and West Carroll Parish.

AMENDMENT NO. 3

On page 10, delete lines 8 through 21 and insert the following:

"(35) District 35 is composed of Precincts 1-1, 1-2, 1-3, 2-2, 2-3, 3-1, 4-1, 4-2, 5-1, 6-1, 6-2, 6-3, 7-1, 7-2, 7-3, 8-1, 8-2, 8-3, 9-1, 9-2, 9-3, and 10-1 of Grant Parish; Jackson Parish; Precincts 3-2, 3-4, 3-5, 5-1, 5-2, 6-1, 6-2, 6-3, 6-4, 6-5, 7-1, 7-2, 8-1, 8-2, 8-3, 9-2, 9-3, and 10-4 of Lincoln Parish; Precincts 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, and 2-9 of Natchitoches Parish; Precincts 31, 32, 33, 34, 35, 36, 37, 38, 40, 45, 46, 47, 48, 51, 52, 53, 59, 61, 62, 64, 71, 75, 77, and 78 of Ouachita Parish; and Winn Parish.

(36) District 36 is composed of Precincts 3-4, 4-1, 4-2, 4-3, 5-1, 5-2, and 5-3 of Bienville Parish; Precincts 2-1, 2-17A, 2-18A, 2-18B, 2-18C, 2-21A, 2-21B, 2-21C, 2-21D, 2-22A, 2-22B, 3-1, 3-2, 3-3, 3-4, 4-1A, 4-2, 4-3A, 4-3B, 4-3C, 4-4A, 4-4B, 4-5A, 4-6, 4-7, 4-9, 4-11A, 4-11B, and 4-11C of Bossier Parish; Precincts 3, 22, 31, 34, 35, 36, 37, 41, and 42 of Claiborne Parish; and Webster Parish."

Rep. Rosalind Jones moved the adoption of the amendments.


By a vote of 18 yeas and 74 nays, the amendments were rejected.

Rep. Tucker moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Armes
Arnold
Badon, B.
Barras
Billiot
Burford
Burns, H.
Carmody
Carter
Champagne
Chandler
Chaney
Connick

Foil
Geymann
Greene
Guillory
Guinn
Henry
Hill
Hines
Hoffmann
Howard
Johnson
Jones, S.
Katz
Kleckley
LaBruzio
Landry

Montoucet
Moreno
Morris
Norton
Pearson
PONTI
Pope
Pugh
Richardson
Richie
Robideaux
Schrader
Seabaugh
Simon
Smiley
Smith, G.

Cortez
Cromer
Danahay
Doerge
Dove
Edwards
Ellington
Fannin

LeBas
Leger
Ligi
Little
Lopinto
Lorusso
McVeA
Monica

Smith, J.
St. Germain
Talbot
Templet
Thibaut
White
Willmott

NAYS

Aubert
Badon, A.
Baldone
Barrow
Bishop
Brossett
Burrell
Dixon
Downs
Franklin

Gallot
Gisclair
Hardy
Harrison
Hazel
Henderson
Honore
Hutter
Jackson M.
Jones, R.

LaFonta
Nowlin
Richard
Roy
Smith, P.
Sitaes
Thierry
Wooton

The Chair declared the above bill was finally passed.

Rep. Tucker moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Consent to Correct a Vote Record

Rep. Ritchie requested the House consent to correct his vote on final passage of Senate Bill No. 1 from nay to yea, which consent was unanimously granted.

Speaker Tucker in the Chair

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.

Rep. Greene moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Armes
Arnold
Aubert

Fannin
Franklin
Gisclair
Lorusso
McVeA

Loraso
Monica
Montoucet
Moreno
Morris
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.
Rep. Greene moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Armes
Arnold
Aubert

Foil
Franklin
Gallot
Geymann
Gisclair
Greene

Lorusso
McVea
Monica
Montoucet
Moreno
Morris

NYAS

Total - 96

NAYS

Total - 0

ABSENT

Burns, T.
Burns, T.

LeBas
Lopinto

Williams

Total - 7

The Chair declared the above bill was finally passed.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

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.
Rep. Greene moved the final passage of the bill.

ROLL CALL
The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Anders
Armes
Arnold
Aubert

Foil
Franklin
Gallot
Geymann
Gisclair
Greene

Lorusso
McVea
Monica
Montoucet
Moreno
Morris
The Chair declared the above bill was finally passed.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Ponti, the rules were suspended to permit the Committee on Labor and Industrial Relations to meet on Monday, April 11, 2011, upon recess of the House, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

 Senate Bill No. 19

Recess

On motion of Rep. Ponti, the Speaker declared the House at recess until 2:45 P.M.

After Recess

Speaker Tucker called the House to order at until 2:45 P.M.

ROLL CALL

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

PRESENT

Mr. Speaker
Franklin
Morris
Anders
Geymann
Norton
Aubert
Gisclair
Nowlin
Badon, A.
Greene
Pearson
Badon, B.
Guillory
Pugh
Baldone
Hardy
Richard
Barras
Harrison
Hazel
Barrow
Henderson
Burns, H.
Hoffmann
Burns, T.
Honore
Burrell
Howard
Caroddy
Hutter
Champagne
Jackson M.
Chandler
Johnson
Connick
Jones, R.
Cortez
Katz
Cromer
Kleckley
Dunaway
LaBrazzo
Dixon
LaFonta
Doerge
Landry
Dove
LeBas
Downs
Leger
Edwards
Ligi
Ellington
Little
Fannin
Lopinto
Total - 101

NAYS

Total - 0

ABSENT

Lambert
Williams
Total - 2

The Speaker announced that there were 76 members present and a quorum.

House Business Resumed

Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

Message from the Senate

HOUSE BILLS

April 11, 2011

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

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate
Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Labor and Industrial Relations
April 11, 2011

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

Senate Bill No. 19, by Murray
Reported favorably. (7-0) (Regular)

ERICH E. PONTI
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Committee on Enrollment
April 11, 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. 1—
BY REPRESENTATIVE TUCKER
AN ACT
To enact R.S. 24:35.2 and to repeal R.S. 24:35.5, relative to redistricting; to provide for the election districts for the House of Representatives of the Legislature of Louisiana; to provide for effectiveness; 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.

Privileged Report of the Committee on Enrollment
April 11, 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 Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 21—
BY REPRESENTATIVE TIM BURNS
A RESOLUTION
To commend and congratulate Ryan Magrath on obtaining the rank of Eagle Scout with Boy Scout Troop 111 in Mandeville, Louisiana.

Respectfully submitted,
JEAN DOERGE
Chair

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

Suspension of the Rules

On motion of Rep. Gallot, the rules were suspended to permit the Committee on House and Governmental Affairs to meet on Tuesday, April 12, 2011.

Adjournment

On motion of Rep. Brossett, at 2:50 P.M., the House agreed to adjourn until Tuesday, April 12, 2011, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Tuesday, April 12, 2011.

ALFRED W. SPEER
Clerk of the House