

Regular Session, 2010

SENATE BILL NO. 101

BY SENATORS B. GAUTREAUX, ADLEY, CHABERT, DUPLESSIS, N. GAUTREAUX, LAFLEUR AND QUINN AND REPRESENTATIVES CHANDLER, ELLINGTON, GISCLAIR, ST. GERMAIN AND THIBAUT

LEGIS POWERS/FUNCTIONS. Provides with respect to the election of the president and president pro tempore of the Senate and the speaker and speaker pro tempore of the House of Representatives. (See Act)

1 AN ACT
2 To amend and reenact R.S. 24:501 and 505, and to enact R.S. 44:4(44), relative to the
3 offices of the speaker and speaker pro tempore of the House of Representatives and
4 the president and president pro tempore of the Senate; to provide for the election of
5 the speaker and speaker pro tempore of the House of Representatives and the
6 president and president pro tempore of the Senate by confidential ballot; to provide
7 relative to certain public records; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 24:501 and 505 are hereby amended and reenacted to read as
10 follows:

11 §501. Speaker of the House of Representatives; speaker pro tempore
12 The speaker of the House of Representatives and the speaker pro tempore of
13 the House of Representatives shall be elected ~~viva voce~~ **by confidential ballot** from
14 among the membership of the house by the membership of the house in accordance
15 with such rules of the House of Representatives governing the election of the speaker
16 and speaker pro tempore as were in force at the adjournment of the immediately
17 preceding regular session of the legislature.

* * *

§505. President of the Senate; president pro tempore

The president of the Senate and the president pro tempore of the Senate shall be elected **by confidential ballot** from among the membership of the Senate by the membership thereof in accordance with the rules of the Senate governing the election of the president and president pro tempore.

Section 2. R.S. 44:4(44) is hereby enacted to read as follows:

§4. Applicability

This Chapter shall not apply:

* * *

(44) To the ballots cast by members of the legislature pursuant to the provisions of R.S. 24:501 and 505 and in accordance with the rules of order of the respective houses of the legislature and the Joint Rules of Order of the Senate and House of Representatives.

Section 3. This Act shall become effective only if the proposed constitutional amendment to be submitted to the electors of the state at the statewide election to be held on November 2, 2010, that originated as Senate Bill ___ of the 2010 Regular Session of the Legislature is approved by the electorate, and shall become effective at the same time as the proposed constitutional amendment.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

B. Gautreaux

SB No. 101

Present law provides that the speaker of the House of Representatives and the speaker pro tempore of the House of Representatives are to be elected viva voce (by voice) from among the membership of the house by the membership of the house in accordance with the rules of order of the House of Representatives governing the election of these officers as were in force at the adjournment of the immediately preceding regular session of the legislature.

Present law provides that the president of the Senate and the president pro tempore of the Senate are to be elected from among the membership of the Senate by the Senate members in accordance with the rules of order of the Senate governing the election of these officers.

Proposed law provides that the speaker and speaker pro tempore of the House of Representatives and the president and president pro tempore of the Senate are to be elected by confidential ballot.

Proposed law provides that the ballots cast by members of the legislature pursuant to the provisions of present law and in accordance with the rules of order of the respective houses of the legislature and joint rules of order are not subject to present law relative to public records.

Proposed law provides that this Act shall become effective only if the proposed constitutional amendment that originated as Senate Bill ____ of the 2010 Regular Session of the Legislature is approved by the electorate.

Proposed law otherwise retains present law.

(Amends R.S. 24:501 and 505; adds R.S. 44:4(44))