

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

---

**TWENTY-THIRD DAY'S PROCEEDINGS**

**Thirty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, May 21, 2013

The Senate was called to order at 1:50 o'clock P.M. by Hon. John A. Alario Jr., President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

|               |          |           |
|---------------|----------|-----------|
| Mr. President | Johns    | Perry     |
| Appel         | Kostelka | Peterson  |
| Broome        | Martiny  | Riser     |
| Buffington    | Mills    | Smith, G. |
| Claitor       | Morrish  | Thompson  |
| Crowe         | Murray   | Walsworth |
| Dorsey-Colomb | Nevers   | Ward      |
| Guillory      | Peacock  | White     |
| Total - 24    |          |           |

**ABSENT**

|            |           |           |
|------------|-----------|-----------|
| Adley      | Cortez    | LaFleur   |
| Allain     | Donahue   | Long      |
| Amedee     | Erdey     | Morrell   |
| Brown      | Gallot    | Smith, J. |
| Chabert    | Heitmeier | Tarver    |
| Total - 15 |           |           |

The President of the Senate announced there were 24 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Robert L. Adams, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Mills, the reading of the Journal was dispensed with and the Journal of May 20, 2013, was adopted.

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

May 20, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 32—**

BY SENATORS CROWE, JOHNS, PETERSON AND GARY SMITH  
AN ACT

To enact Code of Criminal Procedure Arts. 871.2 and 875(F), relative to veterans convicted of a crime; to authorize a presentence inquiry of the veteran's status; to provide for presentence investigations of veterans; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 39—**

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 30:215(A), relative to nonexclusive geophysical permits; to provide certain terms, conditions, and requirements for certain nonexclusive geophysical permits; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 43—**

BY SENATORS WHITE, DORSEY-COLOMB, KOSTELKA, MILLS AND PERRY

AN ACT

To amend and reenact R.S. 14:54.3(A), relative to the crime of manufacture and possession of a bomb; to provide relative to the definition of manufacture and possession of a bomb; to provide relative to licensing and regulation of explosives; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 72—**

BY SENATORS THOMPSON AND GUILLORY AND REPRESENTATIVES ADAMS, BARROW, BERTHELOT, BILLIOT, BROADWATER, BROWN, HENRY BURNS, CHANEY, COX, CROMER, EDWARDS, GREENE, GUINN, HILL, HODGES, HOFFMANN, HONORE, HOWARD, HUNTER, KATRINA JACKSON, JEFFERSON, LOPINTO, ORTEGO, PYLANT, RITCHIE, SMITH AND THOMPSON

AN ACT

To amend and reenact R.S. 14:103(A)(7) and (8) and (B)(2), and to enact R.S. 14:103(C), relative to the crime of disturbing the peace; to provide relative to disturbing the peace at funerals; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 122—**

BY SENATOR WARD

A RESOLUTION

To commend and congratulate the Little Rock Baptist Church in Slaughter on its one hundred fiftieth Anniversary.

The resolution was read by title and placed on the Calendar for a second reading.

**Introduction of  
Senate Concurrent Resolutions**

**SENATE CONCURRENT RESOLUTION NO. 106—**

BY SENATORS JOHNS AND LAFLEUR AND REPRESENTATIVE LEBAS  
A CONCURRENT RESOLUTION

To commend United States Air Force Master Sergeant Vinence M. Robinson upon her retirement from active duty after a distinguished, twenty-five year career of service to her country.

The resolution was read by title and placed on the Calendar for a second reading.

May 21, 2013

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 118— BY SENATOR PEACOCK

A RESOLUTION

To urge and request the Louisiana State Law Institute, in consultation with the director of the Louisiana Mineral Law Institute, to study and make recommendations for regulation on unsolicited offers for the transfer, sale, and lease of mineral rights.

On motion of Senator Peacock the resolution was read by title and adopted.

SENATE RESOLUTION NO. 119—

BY SENATOR BROOME

A RESOLUTION

To commend Willie F. Hawkins for his forty-two years of dedicated public service and wish him well in his retirement.

On motion of Senator Broome the resolution was read by title and adopted.

SENATE RESOLUTION NO. 120—

BY SENATOR HEITMEIER

A RESOLUTION

To commend the Louisiana Hospital Association for its efforts to reduce smoking in hospitals and the community through its hospital workplace wellness initiative, Smart Choices, Better Health Hospital Campaign, and to encourage the Louisiana Hospital Association to continue leading by example by building on this initiative and by submitting in the form of a report, recommendations on further ways to decrease tobacco use in Louisiana to the Senate Health and Welfare Committee on or before January 15, 2014.

On motion of Senator Heitmeier the resolution was read by title and adopted.

SENATE RESOLUTION NO. 121—

BY SENATOR MORRELL

A RESOLUTION

To urge and request the legislative auditor to review certain crime data and statistics for the city of New Orleans.

The resolution was read by title and referred by the President to the Committee on Judiciary B.

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 100—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To establish a task force to study the tax collection processes in other energy producing states and make recommendations regarding procedures relative to the deduction and withholding of oil and gas proceeds of out-of-state entities and individuals.

The resolution was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATORS WHITE, BROOME, DORSEY-COLOMB AND WARD

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to protect certain hospitals from the negative financial consequences of the closure of Earl K. Long Medical Center by adequately compensating those hospitals for their increased burden of providing care to the poor and uninsured residents of the greater Baton Rouge region.

The resolution was read by title and referred by the President to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 103—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To commend and congratulate the St. Louis Catholic High School boys soccer team on winning their fourth consecutive state championship.

The concurrent resolution was read by title. Senator Johns moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their counts for Resolution 103.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators who were absent for Resolution 103.

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 104—

BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana Varsity Sports Women's Team and Men's Team on their participation and success in the 2013 Boston Marathon.

The concurrent resolution was read by title. Senator Claitor moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their counts for Resolution 104.

NAYS

Total - 0

ABSENT

Allain Chabert Smith, J.
Amedee LaFleur
Brown Long
Total - 7

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 20, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HB NO. 73 HB NO. 442 HB NO. 424

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 73—

BY REPRESENTATIVES RICHARD, ARMES, BARROW, BERTHELOT, WESLEY BISHOP, BROWN, TIM BURNS, CHAMPAGNE, DIXON, EDWARDS, FOIL, GISCLAIR, GUILLORY, HARRISON, HOWARD, HUNTER, KATRINA JACKSON, JEFFERSON, JONES, JAY MORRIS, NORTON, RITCHIE, SCHEXNAYDER, ST. GERMAIN, ALFRED WILLIAMS, AND PATRICK WILLIAMS AN ACT

To amend and reenact R.S. 39:1489 and to enact Subpart G of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1493.11, and 1498(A)(10), relative to professional, personal, and consulting services procurement; to require a reduction in the dollar amount of certain professional, personal, and consulting service contracts; to provide for the submission of periodic reports; to provide for exceptions; to provide for certain determinations before contract approval; to provide for an effective date; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 424—

BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 13:5304(O), R.S. 14:98(D)(1)(a), (E)(1)(a), and (K)(3)(a), and R.S. 32:667(A)(2) and (3), (B)(introductory paragraph), (D)(1), (H)(3), and (I)(1)(a) and (b) and to enact R.S. 14:98(D)(4) and (E)(5), relative to operating a vehicle while intoxicated; to provide relative to the eligibility for participation in a drug division probation program by persons convicted of a third or subsequent offense of operating a vehicle while intoxicated; to provide relative to the sentencing of persons convicted of a third or subsequent offense of operating a vehicle while intoxicated; to provide relative to driver's licenses; to extend the time period within which to request an administrative hearing regarding a driver's license suspension after an arrest for operating a vehicle while intoxicated; to provide with respect to installation of ignition interlock devices in motor vehicles owned by certain persons; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 442—

BY REPRESENTATIVE LOPINTO AN ACT

To amend and reenact R.S. 13:5304(B)(1)(a) and to enact Subpart 7 of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.61 and 574.62, to enact Code of Criminal Procedure Articles 903 through 903.3, and to repeal R.S. 13:5304(B)(10)(d) and (f), relative to sentencing of certain offenders convicted of certain violations of the Uniform Controlled Dangerous Substances Law; to authorize the development of a substance abuse probation program within the Department of Public Safety and Corrections; to authorize the Department of Public Safety and Corrections to enter into cooperative endeavors or contracts to provide for substance abuse treatment programs; to provide for eligibility for participation in the program; to provide for a court-ordered substance abuse evaluation to determine suitability for participation in the program; to provide for the suspension of certain criminal sentences and court-ordered participation in the program; to provide for rulemaking; to provide for the payment of certain costs by the defendant; to provide for alternative methods of payment of indigent defendants; to enact the Substance Abuse Conditional Release Act; to provide for substance abuse conditional release; to provide for parole supervision following completion of the substance abuse conditional release program; to provide for the duration of the substance abuse treatment program within the Department of Public Safety and Corrections; to provide for eligibility for substance abuse conditional release; to provide for an addiction disorder assessment and a mental health screening to determine suitability for the program; to provide for criteria for removal from participation in the program; to provide for the consequences of failure to complete the substance abuse probation program or the substance abuse conditional release program; to modify disqualification criteria for the drug division probation program; to provide with respect to eligibility criteria for participation in the drug division probation program; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 20, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR NO. 142

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVES HENSGENS AND CHAMPAGNE AND SENATOR PERRY A CONCURRENT RESOLUTION

To commend Caroline Poché and Kelsey Trahan of Vermilion Parish for winning the top two leadership roles in Louisiana's Junior Beta Club.

The resolution was read by title and placed on the Calendar for a second reading.

**House Bills and Joint Resolutions on Second Reading**

**HOUSE BILL NO. 102—**

BY REPRESENTATIVE HARRISON  
A JOINT RESOLUTION

Proposing to add Article III, Section 16(F) of the Constitution of Louisiana, relative to an appropriation bill; to prohibit an appropriation bill from affecting laws except when directly related to an expenditure; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Finance.

**HOUSE BILL NO. 726— (Substitute for House Bill No. 455 by Representative Leger)**

BY REPRESENTATIVE LEGER  
AN ACT

To enact R.S. 47:6016.1, relative to tax credits; to provide with respect to the Louisiana New Markets Jobs Act; to authorize a premium tax credit for investments in low-income community development; to provide for the amount of the tax credit; to provide for eligibility for and usage of the tax credit; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 727— (Substitute for House Bill No. 53 by Representative Seabaugh)**

BY REPRESENTATIVE SEABAUGH  
AN ACT

To amend and reenact R.S. 11:701(33)(a)(iv), (v)(aa), (vii), and (x), relative to membership in the Teachers' Retirement System of Louisiana; to prohibit membership by employees of certain employers hired on or after a certain date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Retirement.

**House Concurrent Resolutions on Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 90—**

BY REPRESENTATIVE SMITH  
A CONCURRENT RESOLUTION

To create a task force to study and evaluate the effectiveness of sexual health education programs used throughout the state and other states and to submit a written report of findings and recommendations to the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Education, and the Senate Committee on Education not later than sixty days prior to the beginning of the 2014 Regular Session of the Legislature of Louisiana.

The resolution was read by title and referred by the President to the Committee on Education.

**HOUSE CONCURRENT RESOLUTION NO. 91—**

BY REPRESENTATIVE SMITH  
A CONCURRENT RESOLUTION

To create the Task Force on Bullying Prevention in Public Schools to study the procedures and processes by which incidents of bullying are reported and investigated and to provide for submission of a written report of task force findings, conclusions, and recommendations to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2014 Regular Session of the Legislature of Louisiana.

The resolution was read by title and referred by the President to the Committee on Education.

**HOUSE CONCURRENT RESOLUTION NO. 107—**

BY REPRESENTATIVE JAY MORRIS  
A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to study and make recommendations relative to the feasibility of creating a central database for testaments and to report its findings and recommendations to the Louisiana Legislature no later than January 1, 2015.

The resolution was read by title and referred by the President to the Committee on Judiciary A.

**HOUSE CONCURRENT RESOLUTION NO. 109—**

BY REPRESENTATIVE BURFORD  
A CONCURRENT RESOLUTION

To urge and request that the United States Army Corps of Engineers maintain, through its dredging process, a minimum of a nine foot deep by two hundred foot wide channel to allow safe and reliable barge transportation on the J. Bennett Johnston Waterway on the Red River and to maintain such navigability on the Red River twenty-four hours per day, seven days per week, three hundred sixty-five days per year, as required by Section 101 of the River and Harbor Act of 1968, P.L. 90-483 and to urge and request that the United States Army Corps of Engineers operate all local and dam facilities on the Red River twenty-four hours per day, seven days per week, three hundred sixty-five days per year.

The resolution was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 111—**

BY REPRESENTATIVE JEFFERSON  
A CONCURRENT RESOLUTION

To authorize and request the Department of Public Safety and Corrections to study the feasibility and cost effectiveness of transferring elderly and infirm inmates to nursing home facilities and to report its findings to the Louisiana Legislature prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

The resolution was read by title and referred by the President to the Committee on Judiciary B.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**JUDICIARY A**

Senator Ben W. Nevers, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 21, 2013

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

**SENATE RESOLUTION NO. 111—**

BY SENATOR CLAITOR  
A RESOLUTION

To urge and request the Louisiana State Law Institute to perform a comprehensive study of Louisiana bail laws and procedures and to make recommendations as necessary for modernization of bail practices.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 32—**  
BY REPRESENTATIVES GREENE AND FOIL  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to review the child support guidelines, the laws governing the application of the guidelines to children with developmental disabilities, and the laws regarding custody and visitation for developmentally disabled adult children, and to report its findings and recommendations in the form of specific proposed legislation to the Louisiana Legislature no later than February 1, 2014.

Reported favorably.

**HOUSE BILL NO. 23—**  
BY REPRESENTATIVE BURFORD  
AN ACT

To amend and reenact R.S. 13:783(D)(7), relative to expenses of the clerks of court; to authorize an automobile expense allowance for the clerks of court for certain parishes; to require the purchase of automobile insurance for bodily injury and property damage; to allocate surplus funds to the expense allowance; to prohibit additional expenses from being paid by the state or local governing authority; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 278—**  
BY REPRESENTATIVE HODGES  
AN ACT

To amend and reenact Children's Code Article 1569(A)(1) and to enact Children's Code Article 603(1)(d), (26), and (27), relative to child abuse; to add coerced abortion to the definition of abuse; to define abortion; to define coerced abortion; to authorize a court to issue a temporary restraining order prohibiting activities associated with a coerced abortion; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 293—**  
BY REPRESENTATIVE FOIL  
AN ACT

To amend and reenact Code of Evidence Article 803(6) and to enact Code of Evidence Article 902(11), relative to evidence; to provide for the admissibility of certain records; to provide for requirements for admissibility; to provide for definitions; to provide for self-authenticated records; to provide for objections; to provide for procedures for the hearing of objections; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 295—**  
BY REPRESENTATIVE JOHNSON  
AN ACT

To enact R.S. 33:447.11, relative to the mayor's court of the town of Mansura; to authorize an increase in court costs for violations of municipal ordinances; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 404—**  
BY REPRESENTATIVE MILLER  
AN ACT

To enact Code of Criminal Procedure Article 404(D), relative to jury commissions; to provide for the functions of the jury commission in St. Charles Parish; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 469—**  
BY REPRESENTATIVES ADAMS, ANDERS, ARMES, ARNOLD, WESLEY BISHOP, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CHANEY, COX, DANAHAY, DIXON, DOVE, GAROFALO, GUILLORY, HARRISON, GIROD JACKSON, KATRINA JACKSON, LEOPOLD, LORUSSO, MONTOUCKET, MORENO, POPE, ST. GERMAIN, AND THIERRY

AN ACT

To amend and reenact R.S. 37:1735, relative to volunteer firemen; to state the public policy of Louisiana relative to volunteer firefighting; to provide with respect to immunity from liability for volunteer firemen; to provide exceptions; to provide definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 472—**  
BY REPRESENTATIVE JAY MORRIS  
AN ACT

To amend and reenact Code of Civil Procedure Articles 591(A)(5) and 592(A)(3)(b) through (d) and (E)(5) and to enact Code of Civil Procedure Article 592(A)(3)(e), relative to class actions; to provide relative to prerequisites required to maintain a class action; to provide for burden of proof to establish prerequisites; to prohibit courts from ordering class-wide trial on certain issues; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 513—**  
BY REPRESENTATIVE MORENO  
AN ACT

To enact R.S. 13:1595.3, relative to court costs and fees; to provide for additional court costs for certain filings in the Orleans Parish Juvenile Court; to provide for the use of additional funds; to establish a fee on filings in the Orleans Parish Juvenile Court; to provide for the remittance of the fee to be used for the maintenance of the Orleans Parish Juvenile Court facility; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 589—**  
BY REPRESENTATIVE ABRAMSON  
AN ACT

To amend and reenact Code of Civil Procedure Articles 966(E) and (F), 1732(1), and 1915(B) and to enact Code of Civil Procedure Article 966(G) and 4553(D), relative to civil procedure; to provide for submission of and objections to evidence for motions for summary judgment; to provide for limitations on jury trial threshold amounts; to provide for the effect of a partial summary judgment; to provide for notice of certain post-judgment proceedings; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
BEN W. NEVERS  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY B**

Senator Jean-Paul "JP" Morrell, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 21, 2013

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

**HOUSE BILL NO. 146—**  
BY REPRESENTATIVE ADAMS  
AN ACT

To amend and reenact R.S. 27:421(B), relative to the operation of video draw poker devices at qualified truck stop facilities; to provide for the continued operation of video draw poker devices during force majeure or noncommercial circumstances which prohibit or reduce requisite fuel sales; to provide for the continued operation of the same number of video draw poker devices during those circumstances; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 152—**  
BY REPRESENTATIVES HAZEL AND HONORE  
AN ACT

To amend and reenact R.S. 15:574.4(B)(1) and to enact R.S. 15:574.4(E) and Code of Criminal Procedure Article 878.1, relative to juvenile parole eligibility; to provide for parole eligibility for juveniles sentenced to life imprisonment without the possibility of parole for certain homicide offenses; to provide for conditions; to provide for a special sentencing hearing for juvenile offenders convicted of certain homicide offenses; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 262—**  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 40:1563.1(A)(17) and to enact R.S. 40:1563.1(A)(18) and (19), relative to the authority of fire marshals to conduct investigations and make arrests; to add failure to register as a convicted arsonist and violation of a fire marshal's orders to the list of offenses for which a fire marshal may conduct investigations and make arrests; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 360—**  
BY REPRESENTATIVE SHADOWN  
AN ACT

To enact R.S. 13:5554(CC), relative to the premium costs of group insurance for retired sheriffs and employees of Lincoln Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 561—**  
BY REPRESENTATIVES TIM BURNS, ADAMS, BADON, BERTHELOT, WESLEY BISHOP, BROADWATER, BROSSETT, BURFORD, CARTER, CROMER, GAROFALO, GISCLAIR, HENRY, HODGES, LEGER, LEOPOLD, LORUSSO, MACK, MILLER, MORENO, PEARSON, RITCHIE, SCHRODER, SIMON, ST. GERMAIN, TALBOT, THOMPSON, AND WILLMOTT AND SENATOR NEVERS  
AN ACT

To enact R.S. 13:5725 and to repeal R.S. 13:5724, relative to the coroner of St. Tammany Parish; to require the governing authority of St. Tammany Parish to collect certain tax revenues levied for purposes of the St. Tammany Parish coroner's office; to require all collected revenues to be deposited into a special account for designated use; to require the governing authority to establish an annual salary for the St. Tammany Parish coroner; to require the governing authority to establish the salaries of employees of the coroner's office; to provide for certain responsibilities of the governing authority relative to the use of the tax proceeds; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 722— (Substitute for House Bill No. 313 by Representative Honore)**  
BY REPRESENTATIVE HONORE  
AN ACT

To enact R.S. 15:85.4, relative to posting of criminal bonds; to provide for an additional fee to be assessed for criminal bonds posted in the city court of Baton Rouge; to provide for collection of fees by the constable of the Baton Rouge City Court; to provide for allocation of funds to the constable's fund; to provide for use of funds for the operational expenses of the constable's office; to provide for a refund of the fee in certain cases; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JEAN-PAUL "JP" MORRELL  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY C**

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 21, 2013

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

**HOUSE BILL NO. 98—**  
BY REPRESENTATIVES THOMPSON AND JIM MORRIS  
AN ACT

To amend and reenact R.S. 44:4.1(B)(26), to enact R.S. 40:1379.1.1, and to repeal R.S. 40:1379.1(G), relative to concealed handgun permits; to retain the authority of sheriffs to issue a concealed handgun permit for use within the boundaries of a parish; to authorize sheriffs to issue a concealed handgun permit pursuant to a reciprocity agreement entered into with a sheriff of a contiguous parish; to provide with respect to the validity of the permits; to provide for reciprocity between contiguous parishes; to provide for the qualifications for the issuance of such permit; to prohibit the release, dissemination, or publishing of information with respect to concealed handgun permit applications; to provide for exceptions; to provide for criminal penalties; to provide for the assessment of processing fees; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 189—**  
BY REPRESENTATIVE GAINES  
AN ACT

To amend and reenact R.S. 14:27(D)(2)(c)(i), relative to the attempt to commit theft; to amend the threshold amount of the taking relative to persons who attempt to commit the crime of theft; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 371—**  
BY REPRESENTATIVES LOPINTO AND HONORE  
AN ACT

To amend and reenact Code of Criminal Procedure Articles 716, 717, 718, 719(A), 720, 721, 722, 723, 724, 725, 725.1, and 728 and to enact Code of Criminal Procedure Article 729.7, relative to discovery in criminal cases; to amend provisions relative to the discovery of statements made by defendants to include statements by any codefendant; to provide for protection of the identity of certain witnesses; to provide relative to the disclosure of criminal records of defendants, codefendants, and witnesses; to amend provisions relative to the discovery of documents and

other tangible objects; to provide relative to the discovery of reports and results of examinations and tests and the form of disclosure for such information; to provide relative to the discovery of statements of conspirators; to provide relative to the discovery of confessions and statements of codefendants; to provide relative to the discovery of internal documents made by the state, the defendant, or agents of the state or defendant; to provide for prospective application; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 385—**  
BY REPRESENTATIVE HODGES  
AN ACT

To amend and reenact Code of Criminal Procedure Articles 930.4(B), (C), (D), and (E), and 930.8(A)(1), relative to post conviction relief; to provide for a time period to supplement an application for relief; to provide for the mandatory dismissal and denial of relief for certain repetitive applications; to require that the applicant demonstrate diligence in discovering post-conviction claims; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 423—**  
BY REPRESENTATIVE BILLIOT  
AN ACT

To enact R.S. 15:544.1, relative to petitions for injunctive relief or declaratory judgments regarding the registration and notification requirements of sex offenders; to provide for the procedure by which such petitions must be filed; to provide for the jurisdiction where such petitions must be filed; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 482—**  
BY REPRESENTATIVE STOKES  
AN ACT

To enact R.S. 24:518(D), relative to agency heads of certain auditees; to provide that disclaimer of opinion audit reports shall be evidence of malfeasance in office in certain cases; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT W. "BOB" KOSTELKA  
Chairman

**REPORT OF COMMITTEE ON  
REVENUE AND FISCAL AFFAIRS**

Senator Neil Riser, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 20, 2013

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**SENATE BILL NO. 211—**  
BY SENATOR LONG  
AN ACT

To enact R.S. 47:6039, relative to establishing an incentive program to assist and connect Louisiana farmers, livestock producers, and fisherman entering into the fishing industry and farming industry with experienced farmers and fishermen in the industry to promote sustainability of industries and to incentivize young people to enter these vital industries; to authorize the development and establishment of the Beginning Farmer and

Fisherman Income Tax Credit Act; to provide for an income tax credit to encourage owners of capital agricultural assets and commercial fishing vessels to sell or lease to Louisiana's qualified beginning farmers, livestock producers, and fisherman; to provide for the administration of the income tax credit; to provide for financing; to provide for definitions; to provide for certain requirements; to provide for an effective date and termination date of tax credit; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 75—**  
BY REPRESENTATIVE WESLEY BISHOP  
AN ACT

To amend and reenact R.S. 47:305.71, relative to sales and use tax exemptions; to provide for a state sales and use tax exemption for sales of certain property to the "St. Bernard Project, Inc."; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 256—**  
BY REPRESENTATIVE PATRICK WILLIAMS AND SENATOR JOHNS  
A JOINT RESOLUTION

Proposing to add Article VII, Section 25(B)(3) of the Constitution of Louisiana, relative to tax sales occurring in certain parishes; to provide for the redemption period for certain blighted or abandoned property sold at tax sale; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 369—**  
BY REPRESENTATIVE KLECKLEY AND SENATOR JOHNS  
AN ACT

To amend and reenact R.S. 47:1987(B)(2), relative to notices related to ad valorem property taxes; to require certain information to be included in such notices; to provide relative to the uniformity of such notices; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 418—**  
BY REPRESENTATIVE EDWARDS  
AN ACT

To amend and reenact R.S. 47:305.14(C), relative to sales and use tax; to provide with respect to the exemption for sales of tangible personal property and services at events sponsored by certain nonprofit organizations; to provide with regard to exemption certificates; to authorize reviews for compliance; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 629—**  
BY REPRESENTATIVES BROADWATER, BARRAS, BURFORD,  
GUILLORY, HAZEL, HOFFMANN, JAMES, STOKES, THOMPSON,  
WHITNEY, AND PATRICK WILLIAMS  
AN ACT

To amend and reenact R.S. 36:451(C) and R.S. 47:1603(A) and to enact R.S. 36:458(H) and R.S. 47:1676, 1676.1, and 1677, relative to collections by the Department of Revenue; to establish the office of debt recovery within the Department of Revenue to collect certain delinquent debts owed to or collected by the state; to provide for definitions; to provide for the administration of the collection of certain debts; to authorize the office to collect certain debt of political subdivisions under certain circumstances; to provide relative to the procedure for collection of certain debts; to provide for certain requirements and limitations; to authorize the collection of a fee; to provide for the establishment of an electronic debt registry; to provide relative to the information maintained in the registry; to authorize the promulgation of rules and regulations; to provide for the waiver of penalty for delinquent filing or delinquent

payment under certain circumstances; to authorize establishment of certain programs; to establish the Debt Recovery Fund as a special treasury fund; to provide for the deposit, use, and investment of the monies in the fund; to authorize the establishment and use of a financial institution data match system; to authorize the acquisition and use of certain information from a financial institution; to authorize the payment of certain fees for acquisition of data match request files; to provide for the confidentiality of certain information; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 630—**

BY REPRESENTATIVES LEGER, BROSSETT, BURFORD, HENRY BURNS, JEFFERSON, MORENO, AND PATRICK WILLIAMS AND SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:6019(A)(1)(a), (2)(a), and (3)(b)(i)(cc), (B)(1)(a), and (C), relative to tax credits for the rehabilitation of historic structures; to provide for income and corporation franchise tax credits for costs associated with the rehabilitation of historic structures; to provide for certain eligible municipalities and qualifications; to provide with respect to definitions; to provide for certain notifications and requirements; to extend the taxable periods in which the tax credit shall be applicable; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 631—**

BY REPRESENTATIVES WESLEY BISHOP AND ABRAMSON

AN ACT

To amend and reenact R.S. 47:299.2(1)(d), relative to the offset of individual income tax refunds against debt owed certain state agencies; to remove the exclusion of the city of New Orleans and the parish of Orleans from the definition of "agency"; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
NEIL RISER  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

**SENATE BILL NO. 37—**

BY SENATOR GARY SMITH AND REPRESENTATIVE SCHEXNAYDER  
AN ACT

To amend and reenact R.S. 47:246(E) and 287.86(B)(1), relative to income tax; to authorize a net operating loss deduction carry back for corporations of five taxable years if the loss is attributable to Hurricane Isaac; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 37 by Senator Gary Smith

AMENDMENT NO. 1

On page 3, delete lines 4 through 8, and insert the following:  
"Section 3. The provisions of this Act shall become effective if, as, and when the 113th Congress of the United States grants a similar benefit to taxpayers under federal income tax law. The secretary of the Department of Revenue shall provide written notification to the Louisiana State Law Institute if such a benefit is enacted."

On motion of Senator Donahue, the committee amendment was adopted. The amended bill was read by title, ordered reengrossed and passed to a third reading.

**SENATE BILL NO. 188—**

BY SENATOR MARTINY

AN ACT

To enact R.S. 13:50, relative to certain judicial salaries; to provide for salary increases for judges of the supreme court, courts of appeal, district courts, city courts, and parish courts as recommended by the Judicial Compensation Commission; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 188 by Senator Martiny

AMENDMENT NO. 1

On page 1, delete lines 9 and 10, and insert the following:  
**"Pursuant to the Judicial Compensation Commission's report dated January 9, 2013:"**

AMENDMENT NO. 2

On page 2, between lines 7 and 8, insert the following:  
"Section 2. The provisions of Section 1 of this Act shall only become effective in the event that any salary increases conform to the appropriation provided in House Bill No. 691 of the 2013 Regular Session of the Legislature."

AMENDMENT NO. 3

On page 2, delete line 8, and insert the following:  
"Section 3. The provisions of Sections 2 and 3 shall become effective upon signature by the governor or, if not"

On motion of Senator Donahue, the committee amendment was adopted. The amended bill was read by title, ordered reengrossed and passed to a third reading.

**SENATE BILL NO. 226—**

BY SENATOR ALARIO

AN ACT

To enact R.S. 39:100.22, relative to special treasury funds; to establish the Balanced Budget Support Fund as a special fund in the state treasury; to provide for the transfer, dedication, use, investment, and appropriation of the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 226 by Senator Alario

AMENDMENT NO. 1

On page 1, line 2, change "39:100.22," to "39:100.22 and to repeal Section 4 of Act 597 of the 2012 Regular Session,"

AMENDMENT NO. 2

On page 1, line 4, change "the fund;" to "certain funds in the state treasury;"

AMENDMENT NO. 3

On page 1, after line 17, insert the following:  
"Section 2. The state treasurer is hereby authorized and directed to transfer Eighty- Seven Million Three Hundred Twenty Thousand Eight Hundred Seven Dollars from the State General Fund (Direct) to the Coastal Protection and Restoration Fund to be comprised wholly of nonrecurring revenues recognized from prior year end surpluses.  
Section 3. Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer

Eighty-Seven Million Three Hundred Twenty Thousand Eight Hundred Seven Dollars from recurring revenues in the Coastal Protection and Restoration Fund into the State General Fund.

Section 4. Section 4 of Act 597 of the 2012 Regular Session is hereby repealed."

**AMENDMENT NO. 4**

On page 2, line 1, change "Section 2." to "Section 5."

On motion of Senator Donahue, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

**HOUSE BILL NO. 22—**

BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 11:2178(B)(1)(b)(ii) and (3)(b)(ii) and (C)(1)(c)(ii), (iii), and (iv)(aa) and (4)(b) and to repeal R.S. 11:231(C)(1)(d), relative to the Sheriffs' Pension and Relief Fund; to provide relative to the calculation of final average compensation; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 22 by Representative Danahay

**AMENDMENT NO. 1**

On page 1, line 2, after "2178" delete the remainder of the line and insert "(A), (B)(introductory paragraph), (1), and (3)(b), and (C)(1)(c)(i), (ii), (iii), and"

**AMENDMENT NO. 2**

On page 1, line 3, after "(iv)(aa)" change "and (4)(b)" to "and (4)" and after "R.S. 11:231" insert "(A)(6) and"

**AMENDMENT NO. 3**

On page 1, line 10, after "2178" delete the remainder of the line and insert "(A), (B)(introductory paragraph), (1), and (3)(b), and (C)(1)(c)(i), (ii), (iii), and (iv)(aa)"

**AMENDMENT NO. 4**

On page 1, at the beginning of line 11, change "and (4)(b)" to "and (4)"

**AMENDMENT NO. 5**

On page 1, delete lines 13 through 20 and delete pages 2 through 4 and on page 5 delete lines 1 through 23, and insert:

"A. For purposes of this Section, the term "final average compensation" shall mean:

(1) For any member whose first employment making him eligible for membership in the system began prior to July 1, 2006, the member's average salary for the thirty-six highest successive months of employment, or the highest thirty-six successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than thirty-six months, final average compensation shall be based on the average monthly salary received for the time employed. The earnings to be considered for the thirteenth through the twenty-fourth month shall not exceed one hundred twenty-five percent of the earnings of the first through the twelfth month. The earnings to be considered for the final twelve months shall not exceed one hundred twenty-five percent of the earnings of the thirteenth through the twenty-fourth month. Nothing in this Subsection, however, shall change the method of determining the amount of earned compensation received.

(2) For any member whose first employment making him eligible for membership in the system began on or after July 1, 2006, and prior to July 1, 2013, the member's average salary for the sixty

highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than sixty months, final average compensation shall be based on the average monthly salary received for the time employed.

(3) For any member whose first employment making him eligible for membership in the system began on or after July 1, 2013, final average compensation is defined as the member's average salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than sixty months, final average compensation shall be based on the average monthly salary received for the time employed. The earnings to be considered for the thirteenth through the twenty-fourth month shall not exceed one hundred fifteen percent of the earnings of the first through the twelfth month. The earnings to be considered for the twenty-fifth through the thirty-sixth month shall not exceed one hundred fifteen percent of the earnings of the thirteenth through the twenty-fourth month. The earnings for the thirty-seventh through the forty-eighth month shall not exceed one hundred fifteen percent of the earnings of the twenty-fifth through the thirty-sixth month. The earnings for the final twelve months shall not exceed one hundred fifteen percent of the earnings of the thirty-seventh through the forty-eighth month.

B. Eligibility for disability benefits, procedures for application for disability benefits, procedures for the certification of continuing eligibility for disability benefits, the authority of the board of trustees to modify disability benefits, and procedures governing the restoration to active service of a formerly disabled employee are specifically described and provided for in R.S. 11:201 through R.S. 11:224. B- The board of trustees shall award disability benefits to eligible members who have been officially certified as disabled by the State Medical Disability Board. The disability benefit shall be as follows:

(1) Service related disability benefit. (a) The disability benefit for total disability from gainful employment due to an injury sustained while in the performance of official duties shall be a sum equal to forty-five percent of final average compensation.

(b)(i) For the purpose of this Subsection, for any member whose first employment making him eligible for membership in the system began prior to July 1, 2006, final average compensation is defined as the member's average salary for the thirty-six highest successive months of employment, or the highest thirty-six successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than thirty-six months, final average compensation shall be based on the average monthly salary received for the time employed.

(ii) For the purpose of this Subsection, for any member whose first employment making him eligible for membership in the system began on or after July 1, 2006, final average compensation is defined as the member's average salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than sixty months, final average compensation shall be based on the average monthly salary received for the time employed.

(c) A member who is classified as totally disabled for any employment shall be entitled to earn twenty-five percent of his disability benefit in a calendar year before being reclassified as partially disabled.

(3) Non-service related disability benefit.

(b)(i) For the purpose of this Subsection, for any member whose first employment making him eligible for membership in the system began prior to July 1, 2006, final compensation is defined as the member's average salary for the thirty-six highest successive months of employment, or the highest thirty-six successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than thirty-six months, final average compensation shall be based on the average monthly salary received for the time employed.

(ii) For the purpose of this Subsection, for any member whose first employment making him eligible for membership in the system

began on or after July 1, 2006, final average compensation is defined as the member's average salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred. If the member has been employed for a period of less than sixty months, final average compensation shall be based on the average monthly salary received for the time employed.

(iii) Upon approval for disability benefits, the member shall exercise a retirement option as provided for service retirement under the provisions of Subsection I of this Section and no change in the option selected shall be permitted after it has been filed with the board. The retirement option factors shall be the same as those utilized for regular retirement based on the age of the retiree and spouse had the retiree continued in active service until the normal retirement date.

C.(1) \* \* \*
\* \* \*

(c)(i) A member whose first employment making him eligible for membership in the system began on or before June 30, 2006, shall be paid a monthly sum equal to three and one-third percent of the member's average monthly salary for the thirty-six highest successive months of employment, or the highest thirty-six successive joined months of employment where interruption of service occurred, final average compensation multiplied by the number of years of creditable service in the fund.

(ii) A member whose first employment making him eligible for membership in the system began on or after July 1, 2006, but prior to January 1, 2012, shall be paid a monthly sum equal to three and one-third percent of the member's average monthly salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred, final average compensation multiplied by the number of years of creditable service in the fund.

(iii) A member whose first employment making him eligible for membership in the system began on or after January 1, 2012, shall be paid a monthly sum equal to three percent of the member's average monthly salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred, final average compensation multiplied by the number of years of creditable service in the fund.

(iv)(aa) Notwithstanding the provisions of Item (iii) of this Subparagraph, a member whose first employment making him eligible for membership in the system began on or after January 1, 2012, who retires with thirty or more years of creditable service or any member who in the performance of his official duties as a commissioned law enforcement officer suffers a violent act or accident during the pursuit, apprehension, or arrest of a criminal suspect and as a result becomes totally and permanently disabled or dies, shall be paid a monthly sum equal to three and one-third percent of the member's average monthly salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred, final average compensation multiplied by the number of years of creditable service in the fund.

(4)(a) For those members whose first employment making them eligible for membership in the system began prior to July 1, 2006, the retirement pension under this Subsection shall in no case exceed the average monthly salary for the thirty-six highest successive months of employment, or the highest thirty-six successive joined months of employment where interruption of service occurred.

(b) For those members whose first employment making them eligible for membership in the system began on or after July 1, 2006, the The retirement pension under this Subsection shall in no case exceed the average monthly salary for the sixty highest successive months of employment, or the highest sixty successive joined months of employment where interruption of service occurred member's final average compensation."

AMENDMENT NO. 6

On page 5, line 25, after "R.S. 11:231" insert "(A)(6) and" and change "is" to "are"

AMENDMENT NO. 7

On page 5, after line 25, insert the following:

"Section 3. This Act shall become effective on June 30, 2013; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2013, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Guillory, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 41—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:3362, 3376(A) and (B), 3377(A)(introductory paragraph), and 3382(A), relative to the board of trustees of the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide relative to membership of the board; to provide relative to terms of members; to provide relative to the powers of the board with respect to cost-of-living increases and disability benefits; to provide relative to elections to the board; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 42—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 11:3384(B) and (C), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for final average compensation; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 42 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "(C)" and before the comma ",", insert "and 3385.1(K)(7)(a) and (g)"

AMENDMENT NO. 2

On page 1, line 9, after "(C)" and before "are" insert "and 3385.1(K)(7)(a) and (g)"

AMENDMENT NO. 3

On page 2, line 6, change "three" to "three five"

AMENDMENT NO. 4

On page 2, between lines 15 and 16, insert:

"§3385.1. Deferred Retirement Option Plan

\* \* \*
\* \* \*

K. \* \* \*

(7) Upon termination of employment, the retiree shall receive an additional retirement benefit based solely on any additional service rendered since termination of participation in the Deferred Retirement Option Plan, using the normal method of computation of the benefits, subject to the following:

(a) If the member was first employed after December 31, 1967, and his period of additional service is less than forty-eight months his average compensation period at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be that used to calculate his original benefit. If his period of additional service is forty-eight or more months equal to or longer than his average compensation period at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be based on his compensation during the period of additional service.

\* \* \*

(g)(i) In no event shall the additional benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of any three highest consecutive years of compensation earned by a member electing to retire under the old system, or both during participation and after leaving the Deferred Retirement Option Plan.

(ii) In no event shall the additional benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of any four highest consecutive years of compensation earned by a member retiring under the new system with an average compensation period of four years, both during participation and after leaving the Deferred Retirement Option Plan.

(iii) For any member whose average compensation period is longer than four years, in no event shall the additional benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of the highest consecutive months of compensation for any period equal to the average compensation period applicable when the member entered the Deferred Retirement Option Plan, both during participation and after leaving the Deferred Retirement Option Plan.

\* \* \*

AMENDMENT NO. 5

On page 2, delete line 17, and at the beginning of line 18, delete "1", and insert: "Plan or participating in the Deferred Retirement Option Plan on a retroactive basis on or after July 1, 2013, and on or before June 30"

AMENDMENT NO. 6

On page 2, line 18 delete "final"

On motion of Senator Guillory, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 46—

BY REPRESENTATIVE PRICE

AN ACT

To enact R.S. 11:1145.2, relative to the Louisiana School Employees' Retirement System; to authorize a cost-of-living benefit adjustment for certain retirees and their beneficiaries; to provide for eligibility for, funding of, and limitations on the adjustment; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 50—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:3363(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide relative to assessments by the board of trustees; to repeal provisions relative to exemptions from such assessments; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 51—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:3384(B) and (C), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide relative to computation of benefits for certain members; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 51 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 2, after "(C)" and before the comma "," insert "and 3385.1(K)(7)(a) and (g)"

AMENDMENT NO. 2

On page 1, line 4, after "members;" insert "to provide for average compensation; to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 9, after "(C)" and before "are" insert "and 3385.1(K)(7)(a) and (g)"

AMENDMENT NO. 4

On page 2, between lines 16 and 17 insert:

"§3385.1. Deferred Retirement Option Plan

\* \* \*

K. \* \* \*

(7) Upon termination of employment, the retiree shall receive an additional retirement benefit based solely on any additional service rendered since termination of participation in the Deferred Retirement Option Plan, using the normal method of computation of the benefits, subject to the following:

(a) If the member was first employed after December 31, 1967, and his period of additional service is less than ~~forty-eight months~~ his average compensation period at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be that used to calculate his original benefit. If his period of additional service is ~~forty-eight or more months~~ equal to or longer than his average compensation period at the commencement of participation in the Deferred Retirement Option Plan, the average compensation figure used to calculate the additional benefit shall be based on his compensation during the period of additional service.

\* \* \*

(g)(i) In no event shall the additional benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of any three highest consecutive years of compensation earned by a member electing to retire under the old system, or both during participation and after leaving the Deferred Retirement Option Plan.

(ii) In no event shall the additional benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of any four highest consecutive years of compensation earned by a member retiring under the new system with an average compensation period of four years, both during participation and after leaving the Deferred Retirement Option Plan.

(iii) For any member whose average compensation period is longer than four years, in no event shall the additional benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average of the highest consecutive months of compensation for any period equal to the average compensation period applicable when the member entered the Deferred Retirement Option Plan, both during participation and after leaving the Deferred Retirement Option Plan.

\* \* \*

AMENDMENT NO. 5

On page 2, delete line 18, and at the beginning of line 19, delete "1" and insert: "Plan or participating in the Deferred Retirement Option Plan on a retroactive basis on or after July 1, 2013, and on or before June 30"

AMENDMENT NO. 6

On page 2, line 19, delete "final"

On motion of Senator Guillory, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 54—

BY REPRESENTATIVE JONES

AN ACT

To amend and reenact R.S. 11:2135, relative to ad valorem tax proceeds due to the Registrars of Voters Employees' Retirement System; to provide relative to collection procedures for past due

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remittals; to provide definitions; to provide relative to the authority of the treasurer; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 54 by Representative Jones

AMENDMENT NO. 1

On page 3, delete lines 18 through 21

AMENDMENT NO. 2

On page 3, line 22, change "(3)" to "(2)"

AMENDMENT NO. 3

On page 4, after line 2, insert the following:

"Section 2. This Act shall become effective on June 30, 2013; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2013, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Guillory, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 58—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 11:2213(11)(f) and to enact R.S. 11:2213(11)(g), relative to the Municipal Police Employees' Retirement System; to provide relative to membership in the system; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 58 by Representative Foil

AMENDMENT NO. 1

On page 1, line 4, after "system;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, line 19, after "date." change "Such legal investigators" to "Such a legal investigator"

AMENDMENT NO. 3

On page 2, delete lines 1 and 2, and insert "service after February 26, 2000, shall retain membership or retiree status only to the extent of his deferred vested benefit attributable to service credit earned prior to the break in service."

AMENDMENT NO. 4

On page 2, after line 7, insert:

"Section 3. This Act shall become effective on June 30, 2013; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2013, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Guillory, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 153—

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact Subpart W of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.63, relative to state individual income taxes; to provide for a checkoff on individual state income tax returns for

cancer; to expand Louisiana prostate cancer checkoff to allow use of donated funds for efforts to fight all forms of cancer; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 174—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 13:782(A) and to repeal R.S. 13:782(K), relative to clerks of districts courts; to provide for an increase in annual compensation for clerks of district courts; to require annual certification training; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 320—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 27:247 and 270(A)(3)(a), relative to the casino support services contract; to provide for the funding of such contract; to establish the Casino Support Services Fund as a special treasury fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 332—

BY REPRESENTATIVE GAROFALO

AN ACT

To amend and reenact R.S. 13:2590(A)(1) through (21) and (25) and to enact R.S. 13:2590(A)(32), relative to justice of the peace court costs; to provide for an increase in court costs collected by a justice of the peace for certain filings and services in civil matters; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 504—

BY REPRESENTATIVE MORENO

AN ACT

To enact R.S. 13:2500.4, relative to court costs; to provide for additional court costs in the New Orleans Municipal Court; to authorize the clerk of the municipal court of New Orleans to collect certain fees for certain copies and retrieval of files; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 532—

BY REPRESENTATIVES KLECKLEY, ADAMS, ARMES, BARROW, BERTHELOT, BILLIOT, WESLEY BISHOP, BROSSETT, BROWN, BURRELL, CARMODY, CARTER, CHANEY, COX, CROMER, DIXON, DOVE, GUILLORY, HARRISON, HOFFMANN, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, LEGER, LORUSSO, MONTOU CET, MORENO, ORTEGO, PYLANT, REYNOLDS, SMITH, ST. GERMAIN, THIBAUT, THIERRY, ALFRED WILLIAMS, AND PATRICK WILLIAMS  
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.13 of the Constitution of Louisiana, to provide relative to health care funding; to provide for a hospital stabilization formula; to provide for a hospital assessment; to create the Hospital Stabilization Fund as a treasury fund; to provide for deposit, use, and investment of the fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 533—
BY REPRESENTATIVES KLECKLEY AND LEGER
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.14 of the Constitution of Louisiana, to provide relative to health care funding; to create the Louisiana Medical Assistance Trust Fund as a treasury fund; to provide for accounts within the Louisiana Medical Assistance Trust Fund; to provide for deposit, use, and investment of the fund; to provide for a base rate for certain Medicaid Program provider funding; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 540—
BY REPRESENTATIVE JONES
AN ACT

To amend and reenact R.S. 17:421.6(C), 421.8(A), and 421.9(G), relative to salary adjustments for certain school personnel; to modify certain provisions of law relative to limitations on salary adjustments for school teachers, counselors, and psychologists; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 540 by Representative Jones

AMENDMENT NO. 1
On page 1, line 15, change "may" to "may."

AMENDMENT NO. 2
On page 1, line 16, change "required to" to "required to."

AMENDMENT NO. 3
On page 2, line 16, change "may but shall not be required to" to "may, but shall not be required to."

AMENDMENT NO. 4
On page 2, line 26, change "may" to "may."

AMENDMENT NO. 5
On page 2, line 27, change "required to" to "required to."

On motion of Senator Donahue, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 678—
BY REPRESENTATIVE FANNIN
AN ACT

To appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2012-2013; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 678 by Representative Fannin

AMENDMENT NO. 1
On page 1, between lines 22 and 23, insert the following:

"DEPARTMENT OF HEALTH AND HOSPITALS

09-306 MEDICAL VENDOR PAYMENTS

Payable out of the State General Fund (Direct) to the Payments to Private Providers Program due to reduction in the Federal Medical Assistance Percentage (FMAP) \$ 94,125,511"

On motion of Senator Donahue, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules to recommit a bill.

HOUSE BILL NO. 636—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 30:2483(E), 2484, and 2485, to enact R.S. 30:2454(32), and to repeal R.S. 30:2486 and 2487, relative to the Oil Spill Contingency Fund; to provide for the fees levied to supply monies to such fund; to provide relative to uses for the fund; to remove limitations on the fund; and to provide for related matters.

Senator Adley moved to recommit the bill from the Committee on Finance to the Committee on Revenue and Fiscal Affairs.

Without objection, so ordered.

Rules Suspended

Senator Walsworth asked for and obtained a suspension of the rules to recall Senate Concurrent Resolution No. 97 from the Committee on Judiciary C.

SENATE CONCURRENT RESOLUTION NO. 97—
BY SENATOR WALSWORTH
A CONCURRENT RESOLUTION

To urge and request that the Louisiana State Law Institute study and make recommendations relative to the issue of whether the Code of Criminal Procedure should contain responsive verdicts for the crime of aggravated incest.

The resolution was read by title. Senator Walsworth moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Yeas and Nays.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names of senators and their counts for Absent.

May 21, 2013

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

SENATE BILL NO. 81— BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 37:2175.2(A)(1), relative to home improvement contracting; to provide for terms and conditions relative to required registration; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 81 by Senator Peacock

AMENDMENT NO. 1

On page 1, line 2, after "reenact" change "R.S. 37:2175.2(A)(1)" to "R.S. 37:2175.5(A)(2)"

AMENDMENT NO. 2

On page 1, line 3, after "provide for" and before "relative" change "terms and conditions" to "exceptions"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." change "R.S. 37:2175.2(A)(1)" to "R.S. 37:2175.5(A)(2)"

AMENDMENT NO. 4

On page 1, delete lines 7 through 16 in their entirety and on page 2, delete line 1 in its entirety and insert the following:

§2175.5. Home improvement contracting; exceptions
A. The following persons are excepted from the provisions of this Part:

\* \* \*

(2)(a) A homeowner who physically performs the home improvement work on his personal residence.

(b) An individual who physically performs home improvement work on other property owned by him when the home improvement work has a value of less than seven thousand five hundred dollars.

Senator Peacock moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Allain, Appel, Broome, Buffington, Chabert, Claitor, Cortez, Crowe, Donahue, Dorsey-Colomb, Erdey, Gallot, Guillory, Heitmeier, Johns, Kostelka, Martiny, Mills, Morrell, Morrish, Murray, Nevers, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Ward, White.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent. Lists names: Amedee, Brown, LaFleur, Long, Walsworth. Total - 5.

The Chair declared the Senate concurred in the amendments proposed by the House.

SENATE BILL NO. 136— BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 32:1252(8) and (23) through (70), to enact R.S. 32:1252(71), 1261(A)(1)(x), 1262(B)(8), and 1283, and to repeal R.S. 32:1254(D)(6), relative to motor vehicles; to provide for definitions; to provide relative to manufacturers and dealers; to provide relative to sales and service satisfaction surveys and unauthorized acts; to prohibit certain rebate charge backs; to provide for choice of laws with regards to a vehicle protection product warranty; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 136 by Senator Chabert

AMENDMENT NO. 1

On page 2, line 3, change "trailers" to "trailer"

AMENDMENT NO. 2

On page 2, line 7, change "and that possesses" to "that possesses the"

AMENDMENT NO. 3

On page 3, line 1, change "said" to "the"

AMENDMENT NO. 4

On page 3, lines 14-15, following "under" and before ", who sells" change "Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950" to "this Chapter"

AMENDMENT NO. 5

On page 7, lines 12-13, following "under" and before ", who sells" change "Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950" to "this Chapter"

AMENDMENT NO. 6

On page 8, line 12-13, following "under" and before ", who sells" change "Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950" to "this Chapter"

AMENDMENT NO. 7

On page 9, line 28, change "Chapter" to "Section"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Reengrossed Senate Bill No. 136 by Senator Chabert

AMENDMENT NO. 1

On page 1, line 3, after "1261(A)(1)(x)," and before "and to" change "1262(B)(8), and 1283," to "and 1262(B)(8)."

AMENDMENT NO. 2

On page 1, line 6, after "backs;" delete the remainder of the line and on line 7, delete "regards to a vehicle protection product warranty;"

AMENDMENT NO. 3

On page 1, line 10, after "1261(A)(1)(x)," and before "are" change "1262(B)(8), and 1283" to "and 1262(B)(8)"

AMENDMENT NO. 4

On page 15, delete lines 10 through 14 in their entirety

Senator Chabert moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:  
YEAS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Erdey     | Peacock   |
| Adley         | Gallot    | Perry     |
| Allain        | Heitmeier | Peterson  |
| Appel         | Johns     | Riser     |
| Broome        | Kostelka  | Smith, G. |
| Buffington    | Martiny   | Smith, J. |
| Chabert       | Mills     | Tarver    |
| Claitor       | Morrell   | Thompson  |
| Cortez        | Morrish   | Walsworth |
| Crowe         | Murray    | Ward      |
| Dorsey-Colomb | Nevers    | White     |

Total - 33

NAYS

Total - 0

ABSENT

|        |          |         |
|--------|----------|---------|
| Amedee | Donahue  | LaFleur |
| Brown  | Guillory | Long    |

Total - 6

The Chair declared the Senate concurred in the amendments proposed by the House.

**SENATE BILL NO. 147—**  
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 32:300.5(A), the introductory paragraph of R.S. 32:300.5(B), R.S. 32:407(A)(2)(a), and R.S. 32:408(A)(1), relative to driver distractions; to prohibit social networking while operating a motor vehicle; to provide for penalties; to provide for knowledge of driver distractions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 147 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 2, after "of" delete "R.S. 32:"

AMENDMENT NO. 2

On page 1, line 3, before "407(A)" delete "R.S. 32:"

AMENDMENT NO. 3

On page 1, line 3, following "and" delete "R.S. 32:"

AMENDMENT NO. 4

On page 1, line 7, following "of" delete "R.S. 32:"

AMENDMENT NO. 5

On page 1, line 7, following "5(B)," delete "R.S."

AMENDMENT NO. 6

On page 1, line 8, before "407(A)(2)(a)" delete "32:"

AMENDMENT NO. 7

On page 1, line 8, following "and" and before "408(A)(1)" delete "R.S. 32:"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Gisclair to Reengrossed Senate Bill No. 147 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 4, after "motor vehicle;" insert "to provide for exclusions from certain definitions;"

AMENDMENT NO. 2

On page 2, line 11, after "devices," and before "or" insert "**two-way radio transmitters or receivers used by licensees of the Federal Communication Commission in the Amateur Radio Service,**"

Senator Erdey moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Gallot    | Perry     |
| Adley         | Guillory  | Peterson  |
| Allain        | Heitmeier | Riser     |
| Appel         | Johns     | Smith, G. |
| Broome        | Kostelka  | Smith, J. |
| Buffington    | Martiny   | Tarver    |
| Chabert       | Mills     | Thompson  |
| Cortez        | Morrell   | Walsworth |
| Crowe         | Morrish   | Ward      |
| Donahue       | Murray    | White     |
| Dorsey-Colomb | Nevers    |           |
| Erdey         | Peacock   |           |

Total - 34

NAYS

Claitor  
Total - 1

ABSENT

|        |         |
|--------|---------|
| Amedee | LaFleur |
| Brown  | Long    |

Total - 4

The Chair declared the Senate concurred in the amendments proposed by the House.

**SENATE BILL NO. 161—**  
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(v), relative to public contracts; to provide an annual limit on work performed by a public entity to restore or rehabilitate a levee which is not maintained with federal funds, including mitigation on public lands owned by the state or a political subdivision; to provide that the annual limit includes labor, materials, and equipment, which is not publicly bid; to extend the termination date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 161 by Senator Chabert

AMENDMENT NO. 1

On page 1, line 17, change "which" to "that"

May 21, 2013

AMENDMENT NO. 2

On page 2, line 12, change "3" to "2"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dove to Engrossed Senate Bill No. 161 by Senator Chabert

AMENDMENT NO. 1

On page 2, line 4, change "Dealers" to "Distributors"

Senator Chabert moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Allain, Appel, Broome, Buffington, Chabert, Claitor, Cortez, Crowe, Donahue, Dorsey-Colomb, Erdey, Gallot, Guillory, Heitmeier, Johns, Kostelka, Martiny, Mills, Morrell, Morrish, Murray, Nevers, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward. Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Amedee, Brown, Total - 5, LaFleur, Long, White

The Chair declared the Senate concurred in the amendments proposed by the House.

SENATE BILL NO. 190— BY SENATOR GALLOT

AN ACT

To amend and reenact R.S. 6:325, 767, and 768, relative to banks and mutual associations; to provide for the access and transfer of the contents of a safety deposit box by a bank or association to a succession representative, heir, or legatee; to provide for access and transfer of the contents of certain accounts of a bank or association to a succession representative, heir, or legatee; to provide for procedure, terms, and conditions; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 190 by Senator Gallot

AMENDMENT NO. 1

On page 2, line 18, change "establishing the appointment of" to "issued by a court of competent jurisdiction, appointing"

AMENDMENT NO. 2

On page 2, line 22, change "of" to "appointing"

AMENDMENT NO. 3

On page 3, line 2, following "subsequent" insert "court"

AMENDMENT NO. 4

On page 3, line 2, following "order" insert ", issued by a court of competent jurisdiction."

AMENDMENT NO. 5

On page 3, line 4, following "subsequent" insert "court"

AMENDMENT NO. 6

On page 3, line 4, following "order" insert ", issued by a court of competent jurisdiction."

AMENDMENT NO. 8

On page 5, line 4, change "establishing the appointment of" to "issued by a court of competent jurisdiction, appointing"

AMENDMENT NO. 9

On page 5, line 19, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 10

On page 5, line 19, following "order" and before "specifically" insert ", issued by a court of competent jurisdiction."

AMENDMENT NO. 11

On page 5, line 21, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 12

On page 7, line 3, following "administration" delete "establishing the"

AMENDMENT NO. 13

On page 7, line 4, delete "appointment of" and insert ", issued by a court of competent jurisdiction, appointing"

AMENDMENT NO. 14

On page 7, line 14, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 15

On page 7, line 14, following "order" and before "specifically" insert ", issued by a court of competent jurisdiction."

AMENDMENT NO. 16

On page 7, line 16, following "subsequent" and before "order" insert "court"

AMENDMENT NO. 17

On page 7, line 25, following "possession" insert ", issued by a court of competent jurisdiction."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Katrina Jackson to Reengrossed Senate Bill No. 190 by Senator Gallot

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 6:325," and before "767" insert "653.4, 664(A)," and after "banks" and before "and" insert a comma "," and "credit unions,"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, after "bank" and before "or" insert a comma "," and "credit union,"

AMENDMENT NO. 3

On page 1, line 5, after "bank" and before "or" insert a comma "," and "credit union,"

AMENDMENT NO. 4

On page 1, line 9, after "R.S. 6:325," and before "767" insert "653.4, 664(A),"

AMENDMENT NO. 5

On page 4, between lines 4 and 5, insert the following:
"§653.4. Death of member or account owner; access and transfer of accounts, shares and property to succession representative, heirs, legatees, and legal representative

A. For all purposes, credit union may conduct business in accordance with its bylaws, membership agreements, and other relevant contract terms concerning a deceased person member or depositor until it receives written notice specifically addressed to it of the person's death of the member or depositor that identifies therein the accounts, shares, all accrued interest or dividends, safe deposit boxes and their contents, and any other property, either on deposit or otherwise in the credit union's possession, that are standing in the deceased's name of the deceased member or depositor or in which the deceased member or depositor has an interest.

B. (1) Except as provided in R.S. 6:664, a credit union may transfer property standing in a deceased's name or in which a deceased has an interest to succession representatives, surviving spouse, heirs, or legatees of the deceased, as the case may be, upon receiving proof of proper authority and after obtaining a receipt therefor. If a judgment places the property into possession of a person sui juris, a credit union may transfer the property to that person's legal representative upon additionally receiving proof of authority of the legal representative. In addition to the provisions of R.S. 6:664, upon receipt of letters testamentary, letters of administration, or letters of independent administration, issued by a court of competent jurisdiction, appointing any authorized succession representative, a credit union may grant access to or allow the transfer of contents of a safety deposit box or money or other property titled in the name of its deceased member or depositor to the succession representative.

(2) The credit union may continue to follow the direction of the authorized succession representative related to the safety deposit box or money or other property of its deceased member or depositor, unless and until the credit union receives a subsequent order issued by a court of competent jurisdiction specifically naming and directing the credit union to cease following the direction of the succession representative, or the credit union receives a subsequent order issued by a court of competent jurisdiction limiting or terminating the authority of or replacing the succession representative.

(3) A judgment of possession issued by a court of competent jurisdiction recognizing and putting the legatees or heirs in possession of the estate of its deceased member or depositor shall constitute full and proper authority for the credit union holding a safety deposit box or money or other property titled in the name of the deceased member or depositor to transfer those assets to the legatees or heirs entitled to such property under the judgment of possession.

C. Letters issued to succession representative(s) by a court of competent jurisdiction, letters issued to the legal representative of persons sui juris by a court of competent jurisdiction, and a judgment rendered by a court of competent jurisdiction recognizing and putting in possession the surviving spouse, the heirs, and/or the legatees of the deceased constitutes proper authority to transfer property in accordance with this Section. Conclusive proof to a credit union of the letters testamentary, letters of administration, letters of independent administration of the succession representative or judgment of possession issued by a court of competent jurisdiction and of the jurisdiction of the court rendering same shall result from copies thereof, duly certified when rendered by a court of this state, or certified according to the Acts of Congress when rendered by a court of any possession or dependency of the United States, or certified according to the law of the place with the genuineness of the certification attested by a consular agent of the United States when rendered by a court of any foreign country.

D. A receipt obtained by the credit union for the property transferred may be in any form, but must be signed, as the case may be, by the succession representative(s) accompanied by a certified copy of the letters or by the surviving spouse, heirs, and/or legatees accompanied by a certified copy of the judgment recognizing and placing them into possession of the said property and, when a

judgment places the property into possession of a person sui juris, the receipt must be signed in his stead by his legal representative and additionally accompanied by a certified copy of the letters of tutorship or curatorship.

E. Transfers made and receipted for in accordance herewith with the provisions of this Section shall constitute full protection to a credit union as to any heir, legatee, surviving spouse, creditor, those who are sui juris or other person having rights or claims to the transferred funds or property, claims related to such activity or transaction and the credit union shall have no liability to the state of Louisiana for any taxes due thereon.

§664. Money deposited in a multiple party account

A. When In addition to the provisions of R.S. 6:534.4, when a deposit in a share account is made in any credit union under the names of two or more members payable to any one of such members, that share account or any part of it or any interest or dividend on it may be paid to any one of such members, whether the other member or members be living or not, and the receipt or acquittance of the member paid is a full release and discharge of the credit union as to any heir, legatee, creditor, or other person having rights or claims to funds of such deceased member for any payment made; nor shall any credit union paying any such member in accordance with the provisions of this Section thereby be liable for any estate, inheritance, or succession taxes that may be due this state. However, a credit union which has received notice addressed to it in writing of the death of any such account owner shall thereafter report payments made out of the account to the secretary of the Department of Revenue within fifteen days after payment is made.

Senator Gallot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Erdey, Peacock, Adley, Gallot, Perry, Allain, Guillory, Peterson, Amedee, Heitmeier, Riser, Broome, Johns, Smith, G., Buffington, Kostelka, Smith, J., Chabert, Martiny, Tarver, Claitor, Mills, Thompson, Cortez, Morrell, Walsworth, Crowe, Morrish, Ward, Donahue, Murray, White, Dorsey-Colomb, Nevers.

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Absent. Includes Appel, LaFleur, Brown, Long.

Total - 4

The Chair declared the Senate concurred in the amendments proposed by the House.

SENATE BILL NO. 237— BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 33:9039.68(B), relative to the general powers of the BioDistrict New Orleans board; to provide a method by which the board may reduce or exclude lands from its original district; to require legislative approval of any territorial changes to the BioDistrict boundaries; to authorize the creation of economic development projects within the original

boundaries of the downtown development district and the BioDistrict New Orleans; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 237 by Senator Peterson

AMENDMENT NO. 1

On page 3, line 12, after "New Orleans" and before "may exercise" insert "and the BioDistrict New Orleans"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 237 by Senator Peterson

AMENDMENT NO. 1

On page 2, line 2, change "which" to "that"

AMENDMENT NO. 2

On page 2, line 28, change "which" to "that"

AMENDMENT NO. 3

On page 3, line 9, change "which" to "that"

Senator Peterson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Allain, Amedee, Appel, Broome, Buffington, Chabert, Claitor, Cortez, Crowe, Donahue, Dorsey-Colomb, Total - 37; Erdey, Gallot, Guillory, Heitmeier, Johns, Kostelka, LaFleur, Martiny, Mills, Morrell, Morrish, Murray, Nevers; Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White

NAYS

Total - 0

ABSENT

Table with 2 columns: Brown, Total - 2; Long

The Chair declared the Senate concurred in the amendments proposed by the House.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 35— BY SENATORS BROWN AND GARY SMITH A CONCURRENT RESOLUTION

To direct the allocation of federal funds received by the state as the result of damage sustained from Hurricane Isaac so that the monies are apportioned among the various parishes in which

damage was sustained based upon the amount of damage within each parish compared to the total amount of damage to the state.

On motion of Senator Murray the resolution was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

Called from the Calendar

Senator Mills asked that Senate Bill No. 200 be called from the Calendar for reconsideration.

SENATE BILL NO. 200— BY SENATOR MILLS

AN ACT

To enact R.S. 30:23.1, relative to permits for solution mined cavern wells; to provide for the prohibition of certain permits on state owned water bottoms; to provide terms, conditions, and requirements; and to provide for related matters.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mills to Engrossed Senate Bill No. 200 by Senator Mills

AMENDMENT NO. 1

On page 1, at the end of line 14, insert: "Also, the permitting and locating of solution-mined caverns is a matter of statewide public safety, significance and importance in which public entities and persons throughout the state are interested. The expansion or creation of solution-mined caverns in an area where the salt stock underlying a state owned water bottom has structurally failed if that failure was man made is a matter of potential endangerment to the lives and property of Louisiana residents. The state shall take actions pursuant to its police power to protect the public safety and health of its residents and economy."

AMENDMENT NO. 2

On page 2, between lines 5 and 6, insert:

"E. The provisions of this Section shall apply only in parishes that are within the coastal zone boundary as defined in R.S. 49:214.24, and have a population of one hundred thousand or less, and are located west of the Atchafalaya River.

F. The provisions of this Section shall terminate and be of no force and effect on August 1, 2018."

On motion of Senator Mills, the amendments were adopted.

The bill was read by title. Senator Mills moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Allain, Appel, Broome, Cortez, Crowe, Dorsey-Colomb, Total - 17; Johns, LaFleur, Mills, Morrell, Morrish, Nevers; Peacock, Perry, Peterson, Thompson, Ward

NAYS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Erdey     | Smith, G. |
| Adley         | Gallot    | Smith, J. |
| Amedee        | Heitmeier | Tarver    |
| Buffington    | Kostelka  | Walswirth |
| Chabert       | Martiny   | White     |
| Claitor       | Murray    |           |
| Donahue       | Riser     |           |
| Total - 19    |           |           |

ABSENT

|           |          |      |
|-----------|----------|------|
| Brown     | Guillory | Long |
| Total - 3 |          |      |

The Chair declared the amended bill failed to pass.

Called from the Calendar

Senator Chabert asked that Senate Bill No. 167 be called from the Calendar.

SENATE BILL NO. 167—  
BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 36:802.5, and R.S. 56:578.2(A)(1) and (E), 578.4, 578.7, and 578.10, to enact R.S. 36:209(Y), and to repeal R.S. 36:610(E), relative to the Louisiana Seafood Promotion and Marketing Board; to transfer the board to the Department of Culture, Recreation and Tourism; to provide certain terms, conditions, and requirements; to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 167 by Senator Chabert

AMENDMENT NO. 1

On page 1, line 6, following "requirements;" and before "to" insert "and"

AMENDMENT NO. 2

On page 3, line 29, following "include" delete the remainder of the line

AMENDMENT NO. 3

On page 4, delete lines 1 and 2, and insert "sale by food service establishments, as defined by R.S.40:5.5(E), that prepare and serve food only for on-premises or off-premises consumption."

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Chabert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chabert to Engrossed Senate Bill No. 167 by Senator Chabert

AMENDMENT NO. 1

On page 1, line 2, after "and R.S." delete the remainder of the line and insert the following: "56:10(B)(1)(a)(ii), (b)(i) and (ii), (e), (3) and (D), 421(E) and (F), 494(E) and (F), 578.1, 578.2(A)(1) and (4), (B), (D)(2), (E) and (F)(3), 578.3(9), 578.4, 578.7, and 578.9,"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "578.10,"

AMENDMENT NO. 3

On page 1, line 3, after "36:610(E)" insert "and R.S. 56:578.5, 578.6, 578.8, and 578.12"

AMENDMENT NO. 4

On page 2, line 8, after "Section 2." delete the remainder of the line and insert the following: "R.S. 56:10(B)(1)(a)(ii), (b)(i) and (ii), (e), (3) and (D), 421(E) and (F), 494(E) and (F), 578.1, 578.2(A)(1) and (4), (B), (D)(2), (E) and (F)(3), 578.3(9), 578.4, 578.7, and 578.9 are hereby"

AMENDMENT NO. 5

On page 2, between lines 9 and 10, insert the following:  
"§10. Annual report to governor; estimate of proposed expenditures; particular funds; warrants; vouchers; surplus funds

|             |   |   |   |
|-------------|---|---|---|
|             | * | * | * |
| B.(1)(a)(i) | * | * | * |

(ii) Pay annually into the ~~Seafood Promotion and Marketing Fund, into a special account entitled~~ **fund created in the state treasury and designated as** the "Oyster Development ~~Account Fund~~", the additional fee of five cents for each oyster tag sold pursuant to R.S. 56:449 and paid into the treasury by the commission. All expenditures and allocation of ~~funds monies~~ from this ~~account fund~~ shall be administered ~~jointly~~ by the ~~Louisiana Seafood Promotion and Marketing Board and the Louisiana Oyster Task Force. The task force may contract with the Louisiana Seafood Promotion and Marketing Board to promote the Louisiana oyster industry.~~

(b)(i) Pay annually into the ~~Seafood Promotion and Marketing Fund, into a special account entitled~~ **fund created in the state treasury and designated as** the "Shrimp Marketing and Promotion ~~Account Fund~~", an amount equal to the fees collected pursuant to R.S. 56:305(G) and paid into the treasury by the commission. All expenditures and allocation of ~~funds monies~~ from this ~~account fund~~ shall be administered ~~jointly~~ by the ~~Louisiana Seafood Promotion and Marketing Board and the Louisiana Shrimp Task Force~~ to be used for the development of markets for shrimp and creation of marketing strategies for the development and market expansion for shrimp harvested from Louisiana waters. **The task force may contract with the Louisiana Seafood Promotion and Marketing Board to promote the Louisiana shrimp industry.**

(ii) Pay annually into the Conservation Fund, into a special account entitled the "Shrimp Trade Petition Account", an amount equal to the fees collected pursuant to R.S. 56:305(H) and 506.1. Subject to annual appropriation by the legislature, the monies in the fund shall be used exclusively for the purposes of promotion and protection of domestic wild-caught shrimp. For purposes of this Item, promotion and protection of domestic wild-caught shrimp shall include expenses related to the petition filed by the Southern Shrimp Alliance in December 2003 for the imposition of antidumping duties pursuant to Section 731 of the Tariff Act of 1930, as amended. All expenditures and allocation of funds from this account shall be administered ~~jointly~~ by the ~~Louisiana Seafood Promotion and Marketing Board and the Louisiana Shrimp Task Force~~. The monies in this account shall be invested by the state treasurer in the same manner as monies in the state general fund and all returns on such investment shall be deposited to the account. All unexpended and unencumbered monies remaining in this account at the end of the fiscal year shall remain in the account.

(e) Pay annually into the ~~Seafood Promotion and Marketing Fund, into a special account titled~~ **fund created in the state treasury and designated as** the "Crab Promotion and Marketing ~~Account Fund~~", an amount equal to the fees specified for deposit in R.S. 56:305(B)(2) and (C)(1), 306(B)(6), and 306.1(B)(7). All expenditures and allocations of ~~funds monies~~ from this ~~account fund~~ shall be administered ~~jointly~~ by the ~~Louisiana Seafood Promotion and Marketing Board and the Crab Task Force. The task force may~~

contract with the Louisiana Seafood Promotion and Marketing Board to promote the Louisiana crab industry.

(3) The monies in the Seafood Promotion and Marketing Fund shall be used by the Seafood Promotion and Marketing Board to implement the duties and functions of that board relating to the promotion and marketing of seafood as provided in R.S. 56:578.3 in the amounts appropriated each year to the ~~Department of Wildlife and Fisheries~~ Department of Culture, Recreation and Tourism by the legislature for the use by the board.

D. All unexpended and unencumbered monies in the Louisiana Seafood Promotion and Marketing Fund, the Oyster Development Fund, the Shrimp Marketing and Promotion Fund, the Crab Marketing and Promotion Fund, the Louisiana Duck License, Stamp, and Print Fund, the Louisiana Wild Turkey Fund, and the Conservation Fund at the end of the fiscal year shall remain in the respective funds. The monies in the funds shall be invested by the treasurer in the same manner as monies in the state general fund. All interest earned on monies invested by the treasurer shall be deposited in the respective funds. The state treasurer shall prepare and submit to the department on a quarterly basis a printed report showing the amount of money contained in the funds from all sources.

§421. Oyster Task Force

E. The task force is hereby charged with responsibility to do the following:

(1) Monitor the water quality and management requirements of the state's molluscan shellfish propagating areas.

(2) Coordinate efforts to increase oyster production and salability.

(3) Study the decline in molluscan shellfish salability, the degradation of water quality which could adversely affect consumer health, and the reasons for such declines and degradations, and make recommendations to resolve such problems.

(4) Make recommendations with respect to issues pertaining to the oyster industry and oyster production to the various state agencies charged with responsibility for differing elements of the oyster industry in this state, including the Department of Wildlife and Fisheries, the Department of Natural Resources, and the Coastal Protection and Restoration Authority Board, the Coastal Protection and Restoration Authority, the Department of Health and Hospitals, the governor's executive assistant for coastal activities, and the legislature.

(5) Employ such personnel as necessary.

(6) Develop markets and marketing strategies for the development of new and expanded markets for Louisiana oysters.

(7) Represent the interests of the Louisiana oyster industry before federal and state administrative and legislative bodies on issues of importance to the Louisiana oyster industry.

(8) Contract for legal services to represent the interests of the Louisiana oyster industry in judicial, administrative, and legislative proceedings.

(9) Administer the funds in the Oyster Development Fund.

(10) Perform any acts deemed necessary and proper to carry out its duties and responsibilities.

F. The activities of the Oyster Task Force shall be funded through the Oyster Development ~~Account of the Seafood Promotion and Marketing Fund~~ as provided in R.S. 56:10(B)(1)(a)(ii).

§494. Louisiana Shrimp Task Force

E. The task force is hereby charged with responsibility to do the following:

(1) Coordinate efforts to increase shrimp production and marketability.

(2) Provide for the study of the decline in shrimp marketability and market price, provide for the study of the impacts of imported shrimp on the domestic market, assist in the development of a state shrimp inspection program, assist in the development of a Louisiana shrimp certification and branding program, and make recommendations to the Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries, the Department of Natural

Resources, the Department of Agriculture and Forestry, and the Department of Health and Hospitals for implementation of policies to help enhance the domestic shrimp industry.

(3) Make recommendations with respect to issues pertaining to the shrimp industry and shrimp production to the various state agencies charged with responsibility for differing elements of the shrimp industry in this state, including the Department of Wildlife and Fisheries, the Department of Natural Resources, and the Office of Coastal Protection and Restoration, the Department of Health and Hospitals, the Department of Agriculture and Forestry, and the legislature.

(4) Develop markets and marketing strategies for the development and expansion of markets for shrimp harvested from Louisiana waters.

(5) Administer the funds in the Shrimp Marketing and Promotion Fund and the "Shrimp Trade Petition Account", which funds shall be used to create new markets for shrimp and promote the sale of shrimp harvested from Louisiana waters.

(6) Represent the interests of the Louisiana shrimp industry before federal and state administrative and legislative bodies on issues of importance to the Louisiana shrimp industry.

(7) Contract for legal services to represent the interests of the Louisiana shrimp industry in judicial, administrative, and legislative proceedings.

(8) Perform any acts deemed necessary and proper to carry out its duties and responsibilities.

F. The activities of the Shrimp Task Force shall be funded through the Shrimp Marketing and Promotion ~~Account of the Seafood Promotion and Marketing Fund~~ (R.S. 56:10(B)(1)(b)(i)) and the "Shrimp Trade Petition Account" (R.S. 56:10(B)(1)(b)(ii)).

§578.1. Purposes

Recognizing that the commercial fishing industry in Louisiana has reached an ebb economically, creating an environment which has or could place, not only commercial fishermen, but also wholesale and retail dealers in dire economic straits, which situation could have an extreme economic impact on the state economy as a whole if nothing is done to alleviate the situation, and recognizing that there exist barriers and impediments to the economic well-being of the commercial fishery industry in Louisiana and recognizing that among these barriers and impediments, the virtual void in this state of any cohesive, coordinated and comprehensive seafood promotion and marketing effort and ~~stratagem stratagem~~ has a significant negative impact on the seafood industry, the Legislature of Louisiana does hereby establish the Louisiana Seafood Promotion and Marketing Board in an effort to aid the industry in two vital aspects--product promotion and marketing development.

AMENDMENT NO. 6

On page 2, line 16, after "by the" and before "governor" insert "lieutenant"

AMENDMENT NO. 7

On page 2, delete lines 22 through 26, and insert the following:

"(4) The names of each of the thirteen members appointed by the lieutenant governor shall be submitted to the Senate for confirmation.

B. At its first regular meeting in the third quarter of each state fiscal year, the board shall elect for a one year term a chairman and vice chairman, who shall also be the chairman-elect, and a secretary-treasurer, whose duties shall be those customarily exercised by such officers or specifically designated by the board. No member shall be elected as an officer until such member has served at least one year on the board. No member elected chairman shall serve consecutive terms and no member may serve as chairman more than two terms. No chairman shall serve as vice chairman in the term following his term as chairman. The board may establish rules and regulations for its own ~~government~~ governance and the administration of the affairs of the board. The board may disqualify any appointed member for cause, including excessive absences from board meetings. A vacancy occurring on the board for any reason shall be filled in the same manner as the original appointment was made. However, members

appointed to fill the vacancies shall only serve for the unexpired term of their predecessors.

D. \* \* \*  
\* \* \*

(2) At the end of each state fiscal year, the board shall submit to the House Committee on ~~Natural Resources and Environment Commerce~~ and the Senate Committee on ~~Natural Resources Commerce, Consumer Protection, and International Affairs~~ a report that describes the accomplishments and contributions of the board toward achieving the mission of promoting Louisiana seafood, and shall include in such report the budget of the board for that fiscal year and for the following fiscal year. The annual management and programmatic analysis report submitted to the legislature in accordance with R.S. 36:8 shall satisfy this requirement.

E. The board may employ a director and assistant director who shall be appointed by the board, subject to the approval of the secretary of the Department of Wildlife and Fisheries. The director and assistant director shall be in the unclassified service. The secretary may employ such other personnel for the board as he deems necessary and appropriate. The lieutenant governor may appoint an executive director from a list of nominees submitted by the board. The executive director shall serve at the pleasure of the lieutenant governor and shall receive such salary fixed by the lieutenant governor. The executive director shall serve as the executive and administrative staff of the board and shall discharge all operational, maintenance, administrative, and executive functions of the board, subject to the control, jurisdiction, and supervision of the secretary of the Department of Culture, Recreation and Tourism. The executive director may employ such other personnel for the board as he deems necessary and appropriate, including an assistant director who may be in the unclassified service, subject to approval by the secretary of the Department of Culture, Recreation and Tourism.

F. \* \* \*

(3) At the first regularly scheduled meeting of the board after January 1, 2013, the board shall adopt rules and bylaws which shall be submitted no later than thirty days after their adoption to the House Committee on ~~Natural Resources and Environment Commerce~~ and the Senate Committee on ~~Natural Resources Commerce, Consumer Protection, and International Affairs~~ for approval by the committees. The rules and bylaws shall not go into effect until the committees approve of such rules and bylaws.

§578.3. Powers, duties, and functions

The board shall have the following powers, duties, and functions:

\* \* \*

(9) To consider and to recommend to the legislature a mechanism whereby the Louisiana Seafood Promotion and Marketing ~~Council~~ **Board** shall be funded, including rules and regulations pertinent thereto. "

**AMENDMENT NO. 8**

On page 3, between lines 20 and 21, insert the following:

"§578.9. Approval of regulations

Any regulations promulgated as provided herein shall be submitted to and approved by the ~~respective legislative standing committees on natural resources~~ **House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs.**"

**AMENDMENT NO. 9**

On page 3, delete lines 21 through 29, and on page 4, delete lines 1 and 2.

**AMENDMENT NO. 10**

On page 4, line 3, after "R.S. 36:610(E)" delete "is" and insert "and R.S. 56:578.5, 578.6, 578.8, and 578.12 are"

**AMENDMENT NO. 11**

On page 4, between lines 3 and 4, insert the following:

"Section 4. All rules and regulations adopted or permits, licenses, registrations, variances, or orders issued by the Louisiana Seafood Promotion and Marketing Board prior to the effective date of this Act, shall continue in full force and effect as rules and

regulations of the agency within the Department of Culture, Recreation and Tourism until and after the effective date of this Act, unless otherwise revoked, repealed, amended, modified, or terminated in accordance with the law.

Section 5. Any legal proceeding, as defined in R.S. 36:924, to which any agency or office, the statutory provisions for which are amended or repealed by the provisions of this Act, is a party and which is filed, initiated, or otherwise pending before any court on the effective date of this Act and all documents involved in or affected by said legal proceeding, shall retain their effectiveness and shall be continued in the name of the former agency. All further legal proceedings and documents in the continuance, disposition, and enforcement of said legal proceedings shall be in the name of the original party agency, and the Department of Culture, Recreation and Tourism shall be substituted for the original party agency without the necessity for amendment or any document to substitute the name of the department or the name or title of any subdivision or section of the department. For purposes of this Section, "document" shall be defined as provided in R.S. 36:924.

Section 6. All employees heretofore engaged in the performance of functions of the Louisiana Seafood Promotion and Marketing Board, to the extent the secretary of such department deems necessary to carry out the functions formerly performed, shall insofar as practicable and necessary continue to perform the duties heretofore performed, subject to applicable state civil service laws, rules, and regulations.

Section 7. This Act is in no way and is to no extent intended to, nor shall it be construed in any manner which will impair the contractual or other obligations of any agency, office, or department, or of the state of Louisiana, the provisions for which are enacted, amended, or repealed by this Act. It is hereby specifically provided that all obligations of any such agency, office, or department hereafter shall be deemed to be obligations of the Department of Culture, Recreation and Tourism, to the same extent as if originally made by it. In like manner and in order to prevent any violation of the provisions, terms, or conditions of any gift, donation, deed, will, trust, or other instrument or disposition by which property of any kind has been vested in any such agency, office, or department, or division from the purposes for which such property was thus vested in any agency, office, or department, it is hereby specifically provided that such instrument or disposition hereafter shall be deemed to have been vested in the Department of Culture, Recreation and Tourism and its secretary shall be the successor in every way to each such agency, including all of the obligations and debts of each such agency."

**AMENDMENT NO. 12**

On page 4, delete lines 4 through 8, and insert the following:

"Section 8. This Act shall become effective on July 1, 2013. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval, or July 1, 2013, whichever last occurs."

On motion of Senator Chabert, the amendments were adopted.

The bill was read by title. Senator Chabert moved the final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Gallot    | Perry     |
| Adley         | Heitmeier | Peterson  |
| Allain        | Johns     | Riser     |
| Appel         | Kostelka  | Smith, G. |
| Broome        | LaFleur   | Smith, J. |
| Buffington    | Martiny   | Tarver    |
| Chabert       | Mills     | Thompson  |
| Claitor       | Morrell   | Walsworth |
| Cortez        | Morrish   | Ward      |
| Donahue       | Murray    | White     |

May 21, 2013

Dorsey-Colomb
Erdey
Total - 34

Nevers
Peacock

NAYS

Amedee
Total - 1

ABSENT

Brown
Crowe
Total - 4

Guillory
Long

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Chabert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 21, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HCR NO. 143 HCR NO. 144 HCR NO. 146
HCR NO. 147

Respectfully submitted, ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Adley asked for and obtained a suspension of the rules to read House Concurrent Resolutions a first and second time.

HOUSE CONCURRENT RESOLUTION NO. 143—
BY REPRESENTATIVES HAZEL, ANDERS, ARNOLD, BARRAS, BERTHELOT, CARMODY, CHANEY, FANNIN, GUINN, HOWARD, KATRINA JACKSON, JOHNSON, JONES, MONTUCET, JAY MORRIS, ORTEGO, PONTI, PUGH, REYNOLDS, RICHARD, RITCHIE, ROBIDEAUX, SEABAUGH, SHADOIN, AND ST. GERMAIN AND SENATORS BUFFINGTON, CORTEZ, GUILLORY, JOHNS, KOSTELKA, LONG, MARTINY, MILLS, NEVERS, PEACOCK, RISER, GARY SMITH, THOMPSON, AND WALSWORTH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to give "qualified mortgage" status to all balloon loans held in portfolio by a bank and to urge and request the Consumer Financial Protection Bureau to expand the definition of "rural" for balloon loan qualified mortgages.

The resolution was read by title and placed on the Calendar for a second reading.

HOUSE CONCURRENT RESOLUTION NO. 144—
BY REPRESENTATIVE BROSSETT

A CONCURRENT RESOLUTION

To urge and request the United States Department of Housing and Urban Development to release funds to assist the homeowners who were affected by Hurricane Katrina.

The resolution was read by title and placed on the Calendar for a second reading.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE KLECKLEY AND SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, HEITMEIER, JOHNS, KOSTELKA, LAFLEUR, LONG, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE

A CONCURRENT RESOLUTION

To commend Dr. William L. Jenkins for his outstanding accomplishments and singular contributions to Louisiana State University and the Louisiana State University System and to express gratitude to him for his exemplary term of dedicated and highly productive public service.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Peacock
Adley Gallot Perry
Allain Guillory Peterson
Amedee Heitmeier Risser
Appel Johns Smith, G.
Broome Kostelka Smith, J.
Buffington LaFleur Tarver
Chabert Martiny Thompson
Claitor Mills Walsworth
Cortez Morrell Ward
Crowe Morrish White
Donahue Murray
Dorsey-Colomb Nevers
Total - 37

NAYS

Total - 0

ABSENT

Brown Long
Total - 2

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE GREENE

A CONCURRENT RESOLUTION

To commend the Catholic High School baseball team upon winning the 2013 Class 5A state championship.

The resolution was read by title and placed on the Calendar for a second reading.

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 198—
BY REPRESENTATIVE JAY MORRIS
AN ACT

To amend and reenact R.S. 22:550.17(C), relative to captive insurers; to allow the commissioner of insurance to grant reinsurance credits to captive insurers under certain conditions; and to provide for related matters.

On motion of Senator Walsworth, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 5—

BY REPRESENTATIVES JIM MORRIS, ADAMS, HENRY BURNS, TIM BURNS, CARMODY, DOVE, GAROFALO, GEYMANN, GREENE, GUINN, HARRISON, HAVARD, HODGES, HOFFMANN, LAMBERT, LORUSSO, MACK, POPE, PYLANT, SEABAUGH, TALBOT, AND THOMPSON

AN ACT

To enact Part V of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1821 through 1824, relative to the regulation of firearms; to prohibit the enforcement of any federal law in the state of Louisiana which attempts to either ban the ownership or possession of certain types of firearms, or impose registration requirements for such firearms; to provide for criminal penalties; and to provide for related matters.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 5 by Representative Jim Morris (#2134)

AMENDMENT NO. 1

On page 2, line 5, change "January 1, 2013" to "April 30, 1812"

Senator Claitor moved the adoption of the amendments.

Senator Ward objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Claitor Morrish
Amedee Johns Smith, G.
Broome Martiny Tarver
Chabert Morrell
Total - 11

NAYS

Adley Guillory Riser
Allain Heitmeier Smith, J.
Buffington Kostelka Thompson
Cortez LaFleur Walsworth
Crowe Mills Ward
Dorsey-Colomb Murray White
Erdey Nevers
Gallot Perry
Total - 22

ABSENT

Appel Donahue Peacock
Brown Long Peterson
Total - 6

The Chair declared the amendments were rejected.

Explanation of Vote

Senator Gary Smith stated he intended to vote nay on Amendment #2134 by Senator Claitor to House Bill No. 5, and asked that the Official Journal so state.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 5 by Representative Jim Morris

AMENDMENT NO. 1

On page 2, line 5, change "January 1, 2013" to "April 30, 1812"

AMENDMENT NO. 2

On page 2, line 21, after "shall be" delete the remainder of the line, delete lines 22 and 23, and insert: "charged pursuant to R.S. 14:113."

Senator Claitor moved the adoption of the amendments.

Senator Ward objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Heitmeier Peterson
Broome Martiny Tarver
Chabert Morrell
Claitor Murray
Total - 10

NAYS

Adley Gallot Perry
Allain Guillory Riser
Amedee Johns Smith, G.
Buffington Kostelka Smith, J.
Cortez LaFleur Thompson
Crowe Mills Walsworth
Dorsey-Colomb Morrish Ward
Erdey Nevers White
Total - 24

ABSENT

Appel Donahue Peacock
Brown Long
Total - 5

The Chair declared the amendments were rejected.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Reengrossed House Bill No. 5 by Representative Jim Morris

AMENDMENT NO. 1

On page 1, line 3, change "1824" to "1825"

AMENDMENT NO. 2

On page 1, line 6, between "penalties;" and "and" insert "to provide for enforcement by the attorney general;"

AMENDMENT NO. 3

On page 1, line 10, change "1824" to "1825"

AMENDMENT NO. 4

On page 2, after line 23, add the following:

"§1825. Enforcement by attorney general

The attorney general shall represent the state in any judicial proceeding instituted, maintained, defended, or prosecuted resulting from the implementation of this Part funded with the existing funds available to the attorney general. Notwithstanding any provision of law to the contrary, the attorney general may not appoint, designate, or contract with private legal counsel to provide such legal services."

May 21, 2013

On motion of Senator Morrell, the amendments were adopted.

Senator Murray moved to place the amended bill on the Involuntary Calendar.

Senator Ward objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Morrish
Amedee Heitmeier Murray
Broome Martiny Peacock
Claitor Morrell Peterson
Total - 12

NAYS

Adley Guillory Smith, G.
Allain Johns Smith, J.
Buffington Kostelka Tarver
Chabert LaFleur Thompson
Cortez Mills Walsworth
Crowe Nevers Ward
Erdey Perry White
Gallot Riser
Total - 23

ABSENT

Appel Donahue
Brown Long
Total - 4

The Chair declared the Senate refused to place the amended bill on the Involuntary Calendar.

Floor Amendments

Senator Adley proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 5 by Representative Jim Morris

AMENDMENT NO. 1

On page 1, between lines 10 and 11, insert the following:

"PART V. LOUISIANA PRESERVATION OF INDIVIDUAL GUN RIGHTS OF CITIZENS ACT"

On motion of Senator Adley, the amendments were adopted.

On motion of Senator Ward, the amended bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 6—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact R.S. 14:95.2(C)(1), relative to the crime of carrying a firearm or dangerous weapon on school property; to provide with respect to the carrying of a firearm or dangerous weapon by a law enforcement officer; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed House Bill No. 6 by Representative Schroder

AMENDMENT NO. 1

On page 1, delete line 12, and insert:

"(1) A federal law enforcement officer or a Louisiana commissioned state; or local Post Certified law enforcement officer who is authorized to carry a firearm in the performance of"

On motion of Senator Martiny, the amendments were adopted.

The bill was read by title. Senator Riser moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dorsey-Colomb Peacock
Adley Erdey Perry
Allain Gallot Riser
Amedee Guillory Smith, G.
Appel Johns Smith, J.
Broome Kostelka Tarver
Buffington LaFleur Thompson
Chabert Martiny Walsworth
Claitor Mills Ward
Cortez Morrell White
Crowe Morrish
Donahue Nevers
Total - 34

NAYS

Murray Peterson
Total - 2

ABSENT

Brown Heitmeier Long
Total - 3

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Riser moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 8—

BY REPRESENTATIVES THOMPSON, KLECKLEY, ADAMS, BARRAS, BERTHELOT, STUART BISHOP, BROADWATER, BROWN, BURFORD, HENRY BURNS, TIM BURNS, CONNICK, CROMER, DOVE, GAROFALO, GISCLAIR, GREENE, GUINN, HAVARD, HENSGENS, HODGES, HOLLIS, HOWARD, IVEY, NANCY LANDRY, LORUSSO, MACK, JAY MORRIS, JIM MORRIS, ORTEGO, PEARSON, POPE, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SEABAUGH, SIMON, STOKES, TALBOT, THIBAUT, AND WHITNEY

AN ACT

To enact R.S. 40:1379.3(A)(3), relative to concealed handgun permits; to prohibit the release, dissemination, or publishing of information with respect to concealed handgun permit applications; to provide for exceptions; to provide for criminal penalties; and to provide for related matters.

Floor Amendments

Senator Riser proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Riser to Reengrossed House Bill No. 8 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 12, after "information" insert: "or unless a recipient of a concealed handgun permit is charged with a felony offense involving the use of a handgun"

AMENDMENT NO. 2

On page 2, line 4, change "It" to the following: "Absent a valid court order requiring the release of information or unless a recipient of a concealed handgun permit is charged with a felony offense involving the use of a handgun, it"

On motion of Senator Riser, the amendments were adopted.

**Floor Amendments**

Senator Claitor proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 8 by Representative Thompson

AMENDMENT NO. 1

On page 2, line 9, after "Section." delete the remainder of the line, delete lines 10 and 11, and insert: "Any person who violates the provisions of this Subparagraph shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both."

Senator Claitor moved the adoption of the amendments.

Senator Riser objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |          |
|---------------|-----------|----------|
| Broome        | Heitmeier | Peterson |
| Claitor       | Morrell   |          |
| Dorsey-Colomb | Murray    |          |
| Total - 7     |           |          |

NAYS

|               |          |           |
|---------------|----------|-----------|
| Mr. President | Erdey    | Riser     |
| Adley         | Gallot   | Smith, G. |
| Allain        | Guillory | Smith, J. |
| Amedee        | Johns    | Tarver    |
| Appel         | Kostelka | Thompson  |
| Buffington    | Martiny  | Walsworth |
| Chabert       | Mills    | Ward      |
| Cortez        | Nevers   | White     |
| Crowe         | Peacock  |           |
| Donahue       | Perry    |           |
| Total - 28    |          |           |

ABSENT

|           |         |
|-----------|---------|
| Brown     | Long    |
| LaFleur   | Morrish |
| Total - 4 |         |

The Chair declared the amendments were rejected.

The bill was read by title. Senator Riser moved the final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |               |           |
|---------------|---------------|-----------|
| Mr. President | Donahue       | Nevers    |
| Adley         | Dorsey-Colomb | Peacock   |
| Allain        | Erdey         | Perry     |
| Amedee        | Gallot        | Riser     |
| Appel         | Guillory      | Smith, G. |
| Broome        | Johns         | Smith, J. |
| Buffington    | Kostelka      | Tarver    |

|            |         |           |
|------------|---------|-----------|
| Chabert    | LaFleur | Thompson  |
| Claitor    | Martiny | Walsworth |
| Cortez     | Mills   | Ward      |
| Crowe      | Morrish | White     |
| Total - 33 |         |           |

NAYS

|           |          |
|-----------|----------|
| Murray    | Peterson |
| Total - 2 |          |

ABSENT

|           |         |
|-----------|---------|
| Brown     | Long    |
| Heitmeier | Morrell |
| Total - 4 |         |

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Riser moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 261—**

BY REPRESENTATIVES HAZEL AND ABRAMSON  
AN ACT

To amend and reenact R.S. 14:82(C)(4) and (5), 83(B)(2) and (3), 83.1(B)(2) and (3), 83.2(B)(2) and (3), 84(B)(2) and (3), 85(B)(2) and (3), 86(B)(1)(b) and (c), 89(B)(2) and (3), 104(B)(2) and (3), 105(B)(2) and (3), and 282(B)(2) and (3), relative to certain offenses concerning prostitution; to amend the criminal penalties for certain offenses concerning prostitution when the offense involves a person under a certain age; to provide that the term of imprisonment for such offenses shall be at hard labor; and to provide for related matters.

The bill was read by title. Senator Perry moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |               |           |
|---------------|---------------|-----------|
| Mr. President | Dorsey-Colomb | Murray    |
| Adley         | Erdey         | Nevers    |
| Allain        | Gallot        | Peacock   |
| Amedee        | Guillory      | Perry     |
| Appel         | Heitmeier     | Riser     |
| Broome        | Johns         | Smith, G. |
| Buffington    | Kostelka      | Smith, J. |
| Chabert       | LaFleur       | Tarver    |
| Claitor       | Martiny       | Thompson  |
| Cortez        | Mills         | Walsworth |
| Crowe         | Morrell       | Ward      |
| Donahue       | Morrish       | White     |
| Total - 36    |               |           |

NAYS

Total - 0

ABSENT

|           |      |          |
|-----------|------|----------|
| Brown     | Long | Peterson |
| Total - 3 |      |          |

The Chair declared the bill was passed and ordered it returned to the House. Senator Perry moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 265—**

BY REPRESENTATIVE IVEY  
AN ACT

To enact R.S. 40:1379.3(V), relative to concealed handgun permits; to provide for the issuance of a lifetime concealed handgun permit; to provide for criteria for the issuance of the permit; to provide for revocation of the permit; to require prepayment of fees; to provide for applicability; to provide for suspension of the permit under certain conditions; to provide for the

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educational training requirements for the issuance of a lifetime concealed handgun permit; and to provide for related matters.

The bill was read by title. Senator Riser moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |               |           |
|---------------|---------------|-----------|
| Mr. President | Dorsey-Colomb | Peacock   |
| Adley         | Erdey         | Perry     |
| Allain        | Gallot        | Riser     |
| Amedee        | Guillory      | Smith, G. |
| Appel         | Heitmeier     | Smith, J. |
| Broome        | Johns         | Tarver    |
| Buffington    | Kostelka      | Thompson  |
| Chabert       | LaFleur       | Walsworth |
| Claitor       | Martiny       | Ward      |
| Cortez        | Mills         | White     |
| Crowe         | Morrish       |           |
| Donahue       | Nevers        |           |
| Total - 34    |               |           |

**NAYS**

|           |        |          |
|-----------|--------|----------|
| Morrell   | Murray | Peterson |
| Total - 3 |        |          |

**ABSENT**

|           |      |
|-----------|------|
| Brown     | Long |
| Total - 2 |      |

The Chair declared the bill was passed and ordered it returned to the House. Senator Riser moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 717— (Substitute for House Bill No. 21 by Representative Henry Burns)**

BY REPRESENTATIVES HENRY BURNS, BADON, BROADWATER, BROWN, CARMODY, GREENE, HOFFMANN, IVEY, JONES, MORENO, JAY MORRIS, RICHARD, SCHRODER, SEABAUGH, THIBAUT, AND WHITNEY

**AN ACT**

To amend and reenact R.S. 28:54(B) and R.S. 40:1379.3(C)(13) and to enact R.S. 13:752 and 753 and R.S. 28:57, relative to firearms; to require clerks of court to provide certain information to the Louisiana Supreme Court; to provide for mandatory reporting of convictions of certain offenses and judicial determinations which would prohibit persons from possessing, shipping, transporting, or receiving firearms pursuant to state and federal law; to provide relative to permits to carry a concealed weapon; to provide procedures by which such information shall be reported to the Louisiana Supreme Court and to the National Instant Criminal Background Check System database; to provide procedures by which certain persons may file a civil petition seeking adjudicated restoration of certain rights relative to the possession and carrying of certain firearms; to provide procedures by which such petitions shall be filed, heard, recorded, and reported to the Louisiana Supreme Court and to the National Instant Criminal Background Check System; to provide for the effects of judgments in such proceedings; and to provide for related matters.

On motion of Senator Murray, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 119—**

BY REPRESENTATIVE LORUSSO

**AN ACT**

To amend and reenact R.S. 40:539(C)(8), relative to employees of the Housing Authority of New Orleans; to provide that employees of the Housing Authority of New Orleans shall not be in the state civil service; and to provide for related matters.

The bill was read by title. Senator Murray moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Erdey     | Peacock   |
| Adley         | Gallot    | Perry     |
| Allain        | Guillory  | Peterson  |
| Amedee        | Heitmeier | Riser     |
| Appel         | Johns     | Smith, G. |
| Broome        | Kostelka  | Smith, J. |
| Buffington    | LaFleur   | Tarver    |
| Chabert       | Martiny   | Thompson  |
| Claitor       | Mills     | Walsworth |
| Cortez        | Morrell   | Ward      |
| Crowe         | Morrish   | White     |
| Donahue       | Murray    |           |
| Dorsey-Colomb | Nevers    |           |
| Total - 37    |           |           |

**NAYS**

Total - 0

**ABSENT**

|           |      |
|-----------|------|
| Brown     | Long |
| Total - 2 |      |

The Chair declared the bill was passed and ordered it returned to the House. Senator Murray moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 156—**

BY REPRESENTATIVES SCHEXNAYDER, TIM BURNS, CARTER, HARRISON, HENSGENS, NANCY LANDRY, LEGER, LORUSSO, MILLER, NORTON, AND PUGH

**AN ACT**

To amend and reenact R.S. 3:3712(D)(4), R.S. 17:17.1(C)(1) and 17.5(D)(1), R.S. 28:911(6) and (8), and 919(D)(1) and (2) and (E), R.S. 39:15.3(B)(1), R.S. 40:1058.3(Section heading), 1235(A)(2)(c) and (3), 1235.1(A)(2) and (B)(1), and 1300.104(B)(introductory paragraph) and (1), R.S. 49:1301 and 1304(B), R.S. 56:632(B) and 633(F) and to repeal Section 2 of Act No. 701 of the 2010 Regular Session of the Legislature, Chapter 3-E of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:299, R.S. 11:108, R.S. 17:17.3(C)(5), 17.4(C)(2), 17.5(D)(2), and 1519.13, R.S. 28:4(B)(12), 911(9), and 918, R.S. 36:4(B)(14), 259(D)(2), (M), and (R), 459(D), 610(B)(9) and (G)(1), 629(M), and 919.10, R.S. 39:15.4 through 15.6, Subpart P-4 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.111 through 100.117, and Part XI-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:332.1, R.S. 40:1058.3(C)(4), 1235(A)(4), 1300.103(2), and 1300.105, Chapter 46 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2611 through 2613, and R.S. 56:333.2 and 632.8, relative to boards, commissions, authorities, districts, and like entities; to provide relative to the functional organization of state government by abolishing certain boards, commissions, councils, authorities, and like entities; to transfer certain powers, functions, and duties; to remove references to certain abolished entities; to remove references to, provisions for, and the powers, functions, and duties of the Academic Advisory Council, Ambulance Standards Committee, Commission on Men's Health and Wellness, Emergency Medical Services for Children Advisory Council, Funding Review Panel, Human Services Interagency Council, Louisiana Bio-Fuel Panel, Louisiana Council on Obesity Prevention and Management, Louisiana Information Technology Advisory Board, Louisiana Postsecondary Education Information Technology Council, Louisiana Sustainable Local Food Policy

Council, Louisiana Technology Advisory Group, Methadone Maintenance Program Needs Assessment Task Force, Mullet Task Force, Post Employment Benefits Trust Fund Board of Trustees, Reptile and Amphibian Task Force, State Buildings and Land Highest and Best Use Advisory Group, and Uniform Grading Scale Task Force; to provide relative to provisions of law that require certain information regarding boards, commissions, and like entities to be filed with the commissioner of administration; to provide relative to the duties of the commissioner of administration relative to such provisions; to provide for the content of such information; to provide deadlines; to provide for the evaluation of boards, commissions, and like entities that fail to comply with such deadlines; and to provide for related matters.

The bill was read by title. Senator Amedee moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |               |           |
|---------------|---------------|-----------|
| Mr. President | Dorsey-Colomb | Murray    |
| Adley         | Erdey         | Nevers    |
| Allain        | Gallot        | Peacock   |
| Amedee        | Guillory      | Perry     |
| Appel         | Heitmeier     | Riser     |
| Broome        | Johns         | Smith, G. |
| Buffington    | Kostelka      | Smith, J. |
| Chabert       | LaFleur       | Tarver    |
| Claitor       | Martiny       | Thompson  |
| Cortez        | Mills         | Walsworth |
| Crowe         | Morrell       | Ward      |
| Donahue       | Morrish       | White     |
| Total - 36    |               |           |

**NAYS**

Peterson  
Total - 1

**ABSENT**

Brown Long  
Total - 2

The Chair declared the bill was passed and ordered it returned to the House. Senator Amedee moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Thompson asked for and obtained a suspension of the rules to revert to the Morning Hour.

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 21, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 76—  
BY SENATOR WALSWORTH  
A CONCURRENT RESOLUTION**

To urge and request the Department of Education and the Department of Children and Family Services to determine the feasibility of

developing an operational plan for the transfer of the Child Care Development Fund to the Department of Education.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

May 21, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to **House Bill No. 127** by Representative Lorusso, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 123—**

BY SENATOR HEITMEIER

**A RESOLUTION**

To declare the month of September 2013 as "Pain Awareness Month" in Louisiana.

The resolution was read by title and placed on the Calendar for a second reading.

**Introduction of  
Senate Concurrent Resolutions**

Senator Heitmeier asked for and obtained a suspension of the rules to read Senate Concurrent Resolutions a first and second time.

**SENATE CONCURRENT RESOLUTION NO. 107—**

BY SENATOR NEVERS

**A CONCURRENT RESOLUTION**

To create and establish the Unfunded Mandates Study Commission to study the impact of unfunded state mandates in the state of Louisiana and the potential effects upon state, parish, and municipal budgets of removing present exceptions to Louisiana's constitutional ban on unfunded mandates.

The resolution was read by title and placed on the Calendar for a second reading.

**SENATE CONCURRENT RESOLUTION NO. 108—**

BY SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To authorize and direct the Department of Health and Hospitals to submit a request to the Centers for Medicare and Medicaid Services to extend Louisiana's Section 1115a demonstration waiver (Project No. 11-W-00252/6) for the Greater New Orleans Community Health Connection and to authorize and direct the governor and the secretary of the Department of Health and Hospitals to identify a source or sources for the matching of non-federal funds required under the extended waiver.

The resolution was read by title and referred by the President to the Committee on Health and Welfare.

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Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 21, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HB NO. 290 HB NO. 382 HB NO. 421

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 290—

BY REPRESENTATIVE LEGER A JOINT RESOLUTION

Proposing to amend Article VI, Section 26(E) of the Constitution of Louisiana, relative to parish ad valorem taxes; to authorize the governing authority of Orleans Parish to levy annually an additional ad valorem tax for fire protection and an additional ad valorem tax for police protection; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 382—

BY REPRESENTATIVE BERTHELOT AN ACT

To enact R.S. 36:409(C)(6) and Part II-C of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1558.1 through 1558.7, relative to volunteer firefighters; to create the Volunteer Firefighters' Tuition Reimbursement Fund; to provide for the creation of the Volunteer Firefighters' Tuition Reimbursement Board within the Department of Public Safety and Corrections and to provide for the board's membership; to provide for definitions; to provide for eligibility of applicants; to provide for rules and regulations; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 421—

BY REPRESENTATIVE PONTI AN ACT

To amend and reenact R.S. 37:2156(C)(3), relative to contractor license renewal fees; to provide for an additional fee; to provide for an option to not participate; to provide for dedication and allocation of the fee; to provide for distribution to accredited public university or community college schools of construction management or construction technology; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Amedee, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 21, 2013

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 6—

BY SENATOR ALLAIN AN ACT

To amend and reenact R.S. 14:62.4(A), relative to the crime of unauthorized entry of a place of business; to provide relative to the definition of the crime of unauthorized entry of a place of business; and to provide for related matters.

SENATE BILL NO. 8—

BY SENATOR GALLOT AND REPRESENTATIVES ADAMS, ARMES, WESLEY BISHOP, BROWN, BURRELL, CHANEY, COX, GAINES, GISCLAIR, GUILLORY, HAZEL, HILL, HOFFMANN, HONORE, HOWARD, HUNTER, KATRINA JACKSON, JEFFERSON, JIM MORRIS, NORTON, POPE, PYLANT, RICHARD, SMITH, ST. GERMAIN AND PATRICK WILLIAMS AN ACT

To amend and reenact R.S. 15:708(A)(2), relative to prisons and prisoners; to provide that a criminal sheriff may set a prisoner to work upon any church or other religious building; and to provide for related matters.

SENATE BILL NO. 201—

BY SENATORS MILLS, ALARIO, ALLAIN, AMEDEE, APPEL, CHABERT, CORTEZ, DORSEY-COLOMB, GUILLORY, LAFLEUR, LONG, MURRAY, NEVERS, PEACOCK, PERRY, TARVER, WALSWORTH AND WARD AND REPRESENTATIVES GISCLAIR, HODGES, HONORE, HOWARD, LEBAS AND NORTON AN ACT

To enact R.S. 32:412(L) and R.S. 40:1321(L), relative to "I'm a Cajun" on a driver's license and identification card; to provide for the exhibition of the designation "I'm a Cajun" on a driver's license and identification card; to authorize collection of a fee for the "I'm a Cajun" designation; to provide for the disbursement of fees collected to the Council for the Development of French in Louisiana; and to provide for related matters.

SENATE BILL NO. 229—

BY SENATORS BROOME, ADLEY, ALARIO, AMEDEE, APPEL, BUFFINGTON, CLAITOR, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GALLOT, GUILLORY, KOSTELKA, LONG, MARTINY, MILLS, MORRELL, MURRAY, NEVERS, PEACOCK, RISER, TARVER, THOMPSON, WALSWORTH AND WARD AND REPRESENTATIVES ARNOLD, BARROW, BERTHELOT, WESLEY BISHOP, BROADWATER, BROWN, HENRY BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, DIXON, FOIL, HOLLIS, HONORE, IVEY, KATRINA JACKSON, JEFFERSON, NANCY LANDRY, LEGER, MILLER, NORTON, PIERRE, RICHARD, RITCHIE, SMITH, ST. GERMAIN AND ALFRED WILLIAMS AN ACT

To amend and reenact R.S. 17:3801(A)(1), 3802(C)(4), 3803(B)(1)(d), (h), (i), and (E)(1), and 3804(B), R.S. 39:99(C)(2) and (D)(1)(b), R.S. 46:2691(C)(2) and R.S. 49:308.4(C) and 329(A) and to enact R.S. 17:3801.1, relative to certain Louisiana education funds; to provide that the Louisiana Education Quality Trust Fund shall be known as the "Kevin P. Reilly, Sr. Louisiana Education Quality Trust Fund"; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 250—**

BY SENATORS MORRELL, BROOME, DORSEY-COLOMB, KOSTELKA AND PETERSON AND REPRESENTATIVES BROSSETT, BARROW, DANAHAY, HAZEL, RITCHIE, STOKES, THIBAUT, WHITNEY, PATRICK WILLIAMS AND WILLMOTT

AN ACT

To enact Subpart KK of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.181, relative to donations of refunds; to provide for such donations to the Louisiana Coalition Against Domestic Violence, Inc.; to provide for the administration and disbursement of donated monies; and to provide for related matters.

Respectfully submitted,  
"JODY" AMEDEE  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Amedee, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 21, 2013

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 22—**

BY SENATORS LONG AND THOMPSON

A CONCURRENT RESOLUTION

To urge and request the Louisiana High School Athletic Association to establish and sanction the competitive sport of tournament bass fishing.

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To authorize and provide for a comprehensive study and evaluation of Louisiana's levee districts and other water resource boards.

**SENATE CONCURRENT RESOLUTION NO. 92—**

BY SENATOR GUILLORY

A CONCURRENT RESOLUTION

To commend the Westminster Christian Academy Crusaders for Life on being the first student-led, pro-life group on campus.

**SENATE CONCURRENT RESOLUTION NO. 94—**

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To declare October 1, 2013, as World Peace Day in the state of Louisiana.

Respectfully submitted,  
"JODY" AMEDEE  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Message to the Governor**

**SIGNED SENATE BILLS**

May 21, 2013

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 23—**

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 32:1252(7) and 1270.10(A) and (B), relative to motorcycles and all-terrain vehicles; to provide for the area of responsibility for motorcycles and all-terrain vehicles; to notify certain existing motorcycle and all-terrain dealerships of any proposed new motorcycle or all-terrain vehicle dealerships or the relocation of a dealership; and to provide for related matters.

**SENATE BILL NO. 53—**

BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 22:1573(L), relative to continuing education requirements for title insurance producers; to provide for required hours of instruction for license renewal; and to provide for related matters.

**SENATE BILL NO. 77—**

BY SENATORS CROWE AND GALLOT

AN ACT

To amend and reenact R.S. 34:3493(A)(1), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to provide relative to the powers and duties of the authority; to provide relative to the jurisdiction of the authority; and to provide for related matters.

**SENATE BILL NO. 120—**

BY SENATORS WALSWORTH AND THOMPSON AND REPRESENTATIVE JAY MORRIS

AN ACT

To amend and reenact R.S. 22:550.17(C), relative to captive insurers; to allow the commissioner of insurance to grant reinsurance credits to captive insurers under certain conditions; and to provide for related matters.

**SENATE BILL NO. 151—**

BY SENATOR GUILLORY AND REPRESENTATIVES GISCLAIR, GUINN, HONORE, HOWARD, LEBAS, MACK, NORTON AND RICHARD

AN ACT

To designate a portion of LA 741 in St. Landry Parish as the "Hadley J. Castille-Pecanaire Highway".

**SENATE BILL NO. 168—**

BY SENATORS THOMPSON, ALLAIN, GALLOT, LONG AND RISER

AN ACT

To amend and reenact the heading of Chapter 10-A and the heading of Part I of Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950, and R.S. 3:1381(1), 1382(A) and (B), 1407, 1430.13(A) and (D), the introductory paragraph of 1431, (1), (3), (4), and (17) through (30), 1433(A)(1)(b) and (f), the introductory paragraph of (3), (4), (5), and (7), 1434(1), (2), (4) and (5), 1435(1) through (4), and (6) through (8), the introductory paragraph of 1436 (1), (2)(a) and (5)(c), 1437(A), 1438, 1440, 1441, 1443, 1444(1), (2), (4), (5) and (8), 1445(A)(1) and (3), and (B)(2) and (3), 1446(A), the introductory paragraph of (B), and (B)(1), the introductory paragraph of 1449(A), (A)(1) and (2), and (B), and R.S. 36:629(H), to enact R.S. 3:1431(31) and 1446(B)(5), and to repeal R.S. 3:1421, 1432, 1444(11) and Part II of Chapter 11 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:1551 and 1552, and R.S. 36:629(C)(6), relative to the merger of the Feed, Fertilizer, and Agricultural Liming Commission and the Seed Commission; to create and provide

May 21, 2013

for the membership of the Agricultural Chemistry and Seed Commission; to repeal the Seed Commission; to provide for definitions; to correct internal references; to provide relative to civil penalties and procedures for imposition of penalties; to repeal a duplicate provision related to the disposition of funds; to repeal the prohibition against relabeling seeds more than one time; to repeal bond requirements for agents of nurserymen; to provide for technical corrections; and to provide for related matters.

SENATE BILL NO. 187—

BY SENATORS THOMPSON, CORTEZ, DORSEY-COLOMB, GALLOT, GUILLORY, JOHNS, LONG, MILLS, NEVERS, WALSWORTH AND WARD AND REPRESENTATIVES ANDERS, BARROW, DANAHAY, HAZEL, HENSGENS, HOWARD, LEGER, MONTOUCET, PIERRE, PUGH, PYLANT, RITCHIE, THIBAUT, THIERRY, ALFRED WILLIAMS AND PATRICK WILLIAMS

AN ACT

To amend and reenact R.S. 40:1013(C), to enact R.S. 40:1004(C), and to repeal R.S. 40:1003(6)(e), 1005(A)(5) and (26), relative to veterinarians and the Prescription Monitoring Program; to provide for a veterinarian exception to the Prescription Monitoring Program; to remove the veterinarian exception for "dispenser"; to remove certain members from the Prescription Monitoring Program Advisory Council; to repeal certain provisions with respect to the levying and collecting of fees to veterinarians by the Louisiana Board of Pharmacy; and to provide for related matters.

SENATE BILL NO. 217—

BY SENATOR GARY SMITH AND REPRESENTATIVE MILLER

AN ACT

To amend and reenact R.S. 32:1521(A), relative to the transportation of hazardous materials; to provide additional routes on which certain carriers are prohibited from transporting hazardous materials; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
GLENN A. KOEPP  
Secretary of the Senate

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

May 21, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 18—

BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 33:130.312(H), relative to the Sulphur Industrial Development District; to provide with respect to meetings of the board of commissioners; and to provide for related matters.

HOUSE BILL NO. 36—

BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 11:2174.2, relative to the Sheriffs' Pension and Relief Fund; to provide relative to the transfer of service credit into the system; and to provide for related matters.

HOUSE BILL NO. 76—

BY REPRESENTATIVE HOFFMANN  
AN ACT

To amend and reenact R.S. 37:3415.10(D), relative to real estate appraisal management companies; to extend the sunset provision

for licensing application assessments; and to provide for related matters.

HOUSE BILL NO. 96—

BY REPRESENTATIVE BROADWATER  
AN ACT

To amend and reenact R.S. 33:3817(C)(1), relative to waterworks districts; to provide relative to the appointment of a fiscal agent for such districts; to provide for the term of a fiscal agent; and to provide for related matters.

HOUSE BILL NO. 99—

BY REPRESENTATIVE SCHEXNAYDER  
AN ACT

To repeal Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, and to repeal provisions relative to the Garyville Timbermill Museum.

HOUSE BILL NO. 112—

BY REPRESENTATIVES HILL AND DANAHAY  
AN ACT

To enact R.S. 33:447.11, relative to mayor's courts; to provide for additional court costs for violations of municipal ordinances and traffic violations in the mayor's courts in the municipalities of DeQuincy, Iowa, Vinton, and Westlake; to provide for the allocation of additional funds; and to provide for related matters.

HOUSE BILL NO. 114—

BY REPRESENTATIVES KATRINA JACKSON AND PONTI  
AN ACT

To amend and reenact R.S. 49:317 and to repeal R.S. 6:124.1(C) and R.S. 39:1220(A)(4), relative to the acceptance of public funds by certain financial institutions; to repeal requirement of ratings under the federal Community Reinvestment Act; and to provide for related matters.

HOUSE BILL NO. 140—

BY REPRESENTATIVE GISCLAIR  
AN ACT

To enact R.S. 33:4574(F)(8), relative to the Lafourche Parish Tourist Commission; to provide for changes to the tourist commission's board of directors; and to provide for related matters.

HOUSE BILL NO. 142—

BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 56:332(K), relative to methods of taking crabs; to exempt certain traps from the requirement for escape rings; and to provide for related matters.

HOUSE BILL NO. 171—

BY REPRESENTATIVE CHANEY AND SENATORS THOMPSON AND WALSWORTH  
AN ACT

To designate certain portions of Louisiana highways to honor public service of Louisiana citizens; to designate a portion of Louisiana Highway 17 as "West Carroll Veterans Memorial Highway"; to designate a portion of Louisiana Highway 80 as the "Thomas M. Alexander Memorial Highway"; and to designate Louisiana Highway 94 as the "Donald C. Cleveland Memorial Highway".

HOUSE BILL NO. 186—

BY REPRESENTATIVE HENRY BURNS  
AN ACT

To amend and reenact R.S. 32:1521(E)(3), relative to the transportation of hazardous materials; to provide for a route designation change for the transportation of hazardous material on Interstate 49; and to provide for related matters.

HOUSE BILL NO. 227—

BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 22:1460(B)(2)(introductory paragraph) and (h), (3), and (E) and to repeal R.S. 22:1460(D)(3), relative to the Property Insurance Association of Louisiana; to change

membership requirements; to change requirements of operation; and to provide for related matters.

**HOUSE BILL NO. 236—**

BY REPRESENTATIVES LEOPOLD, BILLIOT, CHANEY, CONNICK, GAROFALO, GISCLAIR, GUINN, HARRISON, JAMES, JONES, AND SCHEXNAYDER

AN ACT

To amend and reenact R.S. 40:6(A) and R.S. 56:424(E) and 433(C), (G), and (J), to enact R.S. 40:6(H) and LAC 51:IX.3.335(B), and to repeal R.S. 56:433(D), relative to violations of oyster harvesting laws; to increase the penalties for harvesting from closed waters; to increase the penalties for harvesting in violation of the health time restrictions; to repeal the prohibition removal from the natural reefs of oysters for steamed oysters; and to provide for related matter.

**HOUSE BILL NO. 246—**

BY REPRESENTATIVE GISCLAIR

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state properties in Lafourche Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 272—**

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 37:711.20(A) and to enact R.S. 37:711.13(D) and 711.20(C), relative to the Louisiana Professional Geoscience Practice Act; to provide for license application fees; to provide for license renewal fees; and to provide for related matters.

**HOUSE BILL NO. 274—**

BY REPRESENTATIVE TALBOT

AN ACT

To amend and reenact R.S. 47:2132(A), relative to ad valorem property tax; to provide with respect to refunds of taxes erroneously paid; to provide for the time period in which a homestead exemption may be claimed under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 298—**

BY REPRESENTATIVES CHANEY AND HOFFMANN

AN ACT

To enact R.S. 24:972(A)(24) and (25), relative to the Louisiana Commission on Civic Education; to provide for additional members of the commission; and to provide for related matters.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 23:1629(A) and to enact R.S. 23:1599, relative to unemployment compensation; to provide with respect to notice requirements; to waive the requirement that certain notices be sent by certified mail; to shorten notice time period for appeals; and to provide for related matters.

**HOUSE BILL NO. 345—**

BY REPRESENTATIVE GAROFALO

AN ACT

To amend and reenact R.S. 56:433.1(E), relative to harvest of oysters from the state seed grounds; to extend the oyster seed ground vessel permit program for three years; and to provide for related matters.

**HOUSE BILL NO. 378—**

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 56:302.1(C)(2)(c) and 302.9(C)(2) and to enact R.S. 56:10(B)(1)(f) and 302.1(C)(2)(b), relative to charter boat fishing license fees; to increase nonresident charter boat guide license fee; to increase the charter passenger fishing trip license fee; to dedicate the funds received through the increased fees; and to provide for related matters.

**HOUSE BILL NO. 386—**

BY REPRESENTATIVES LEOPOLD AND HODGES

AN ACT

To amend and reenact R.S. 48:274.2, relative to advertisement placement on certain ferries, rights-of-way, and other assets of the department; to provide for the sponsorship of signs on state-owned assets; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 389—**

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 33:9091.9(F)(1) and (3)(c) and to repeal R.S. 33:9091.9(F)(3)(b), relative to Orleans Parish; to provide relative to the Twinbrook Security District; to provide relative to the parcel fee imposed within the district; to change the amount and expiration date of the parcel fee; to provide relative to the renewal of the parcel fee; to provide relative to the parcel fee being imposed on the effective date of this Act; and to provide for related matters.

**HOUSE BILL NO. 396—**

BY REPRESENTATIVE TERRY LANDRY

AN ACT

To amend and reenact R.S. 32:232(2)(a), (3)(c), and (4) and to enact R.S. 32:232(5), relative to traffic control signals; to provide for vehicular traffic regulations under certain conditions; and to provide for related matters.

**HOUSE BILL NO. 419—**

BY REPRESENTATIVE JOHNSON AND SENATOR WARD

AN ACT

To name the bridge located on U.S. 190 in Pointe Coupee Parish as the "Nickie Gene Voinche Memorial Bridge"; and to provide for related matters.

**HOUSE BILL NO. 486—**

BY REPRESENTATIVES REYNOLDS, ADAMS, ARMES, BADON, BARROW, BERTHELOT, WESLEY BISHOP, BROSETT, HENRY BURNS, BURRELL, CARMODY, CARTER, COX, DOVE, EDWARDS, FANNIN, GISCLAIR, HARRIS, HAZEL, HILL, HOLLIS, HONORE, HOWARD, HUNTER, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JONES, KLECKLEY, LEBAS, LORUSSO, MONTOUCKET, MORENO, POPE, PRICE, PYLANT, RICHARD, RITCHIE, SCHEXNAYDER, SEABAUGH, SHADON, AND TALBOT

AN ACT

To designate a portion of Interstate 20 in Webster Parish as the "Sergeant Joshua Tomlinson Interchange".

**HOUSE BILL NO. 491—**

BY REPRESENTATIVE PYLANT AND SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 32:387(C)(2) and to enact R.S. 32:387(B)(6), relative to special permits to overwidth vehicles; to provide special permits to vehicles transporting hay due to a disaster or emergency; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 566—**

BY REPRESENTATIVE DIXON

AN ACT

To amend and reenact R.S. 23:1665 and to enact R.S. 23:1665.1, 1665.2, and 1665.3, relative to unemployment compensation; to provide for reciprocal arrangements between federal and state agencies; to provide for a reciprocal overpayment recovery arrangement; to provide definitions; to provide with respect to duties and responsibilities of requesting and recovering states; to provide for recovery of combined wage claims; and to provide for related matters.

**HOUSE BILL NO. 603—**

BY REPRESENTATIVE ABRAMSON

AN ACT

To amend and reenact R.S. 33:9091.11(E)(introductory paragraph) and (F)(introductory paragraph), (3)(c), and (4) and to repeal R.S. 33:9091.11(F)(3)(b), relative to Orleans Parish; to provide relative to the Hurstville Security and Neighborhood Improvement District; to provide relative to the parcel fee

imposed within the district; to change the expiration date of the parcel fee; to provide relative to the renewal of the parcel fee; to prohibit the imposition of the fee on certain parcels; to provide relative to the parcel fee being imposed on the effective date of this Act; and to provide for related matters.

**HOUSE BILL NO. 718— (Substitute for House Bill No. 79 by Representative Hensgens)**

BY REPRESENTATIVES HENSGENS, COX, HUNTER, JEFFERSON, PRICE, REYNOLDS, RICHARD, SMITH, AND ST. GERMAIN  
AN ACT

To amend and reenact R.S. 17:416.16 and to enact R.S. 17:3996(B)(33), relative to school crisis management and response plans; to provide relative to the preparation, content, rehearsal, review, revision, approval, and provision of copies of such plans; to provide relative to training; to provide relative to rules and regulations with respect to public and nonpublic schools; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

May 21, 2013

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 9—**

BY REPRESENTATIVES GUINN, GISCLAIR, AND ST. GERMAIN  
A CONCURRENT RESOLUTION

To amend the Department of Transportation and Development rules LAC 70:I.1501(C), 1515(D), (G), (H), (I), and (J), 1519(B), (C), and (D), 1521(A)(2) and (a)(introductory paragraph), (4), and (5), (B)(1), (4), and (5), and (E), 1529(C), 1531(B), (C), (D), and (E), 1533(E), 1535(B), and 1541(B), to enact LAC 70:I.1501(E), and to repeal LAC 70:I.1515(K) and 1531(F), which provide for requirements for access connection permits; to provide for access connection permit conditions and requirements; to provide for permit reapplication and modifications to existing commercial access connections; to provide for access connection design requirements; to provide for related matters; and to direct the Office of the State Register to print the amendments and enactments in the Louisiana Administrative Code.

**HOUSE CONCURRENT RESOLUTION NO. 12—**

BY REPRESENTATIVE SMITH  
A CONCURRENT RESOLUTION

To express the intent of the legislature regarding Act No. 181 of the 2012 Regular Session of the Legislature.

**HOUSE CONCURRENT RESOLUTION NO. 15—**

BY REPRESENTATIVE HENRY BURNS AND SENATORS ALLAIN, BUFFINGTON, CLAITOR, GUILLORY, HEITMEIER, MILLS, AND THOMPSON  
A CONCURRENT RESOLUTION

To authorize and request the Department of Health and Hospitals to study the most effective means by which to reduce the rate of suicide in Louisiana and to report its findings to the legislative committees on health and welfare.

**HOUSE CONCURRENT RESOLUTION NO. 17—**

BY REPRESENTATIVE HENRY BURNS AND SENATOR THOMPSON  
A CONCURRENT RESOLUTION

To recognize July 2013 as "Swimming Pool Safety Month" in honor of Aubrie and Angel Castine-Smith.

**HOUSE CONCURRENT RESOLUTION NO. 18—**

BY REPRESENTATIVE ABRAMSON  
A CONCURRENT RESOLUTION

To establish and request the Title Insurance Committee to study land title search periods provided by R.S. 22:512(17)(b)(vi)(gg), relative to the required search periods of mortgage and conveyance records for the issuance of policies of title insurance in the state of Louisiana, to develop recommendations to facilitate adequate safeguards for the issuance of policies of title insurance, while ensuring that the process is efficient and does not cause unnecessary expense or delay, and to report its findings to the legislature no later than February 1, 2014.

**HOUSE CONCURRENT RESOLUTION NO. 23—**

BY REPRESENTATIVE PUGH  
A CONCURRENT RESOLUTION

To urge and request the government of the United States of America to immediately take all appropriate steps to assist in the unification of Ireland.

**HOUSE CONCURRENT RESOLUTION NO. 67—**

BY REPRESENTATIVES LORUSSO, ADAMS, ARNOLD, BADON, BARROW, BERTHELOT, WESLEY BISHOP, BROWN, HENRY BURNS, TIM BURNS, CARTER, COX, CROMER, DIXON, GAROFALO, GISCLAIR, GUINN, HARRISON, HILL, HODGES, HOFFMANN, HONORE, HOWARD, IVEY, KATRINA JACKSON, JONES, NANCY LANDRY, TERRY LANDRY, LEBAS, LEOPOLD, MACK, MILLER, MORENO, JAY MORRIS, JIM MORRIS, NORTON, PYLANT, RICHARD, SCHEXNAYDER, SCHRODER, SEABAUGH, ST. GERMAIN, THOMPSON, AND WILLMOTT  
A CONCURRENT RESOLUTION

To direct the Department of Public Safety and Corrections to imprint "Battle of New Orleans Bicentennial 1815-2015" on the license plates for private passenger motor vehicles and to issue such plates not later than January 2, 2014, through December 31, 2015, or until the Department of Public Safety and Corrections depletes its inventory of plates.

**HOUSE CONCURRENT RESOLUTION NO. 127—**

BY REPRESENTATIVE SIMON  
A CONCURRENT RESOLUTION

To commend the Louisiana Statewide Oral Health Coalition, and to recognize the coalition as the leading voice on issues relating to oral health in this state.

**HOUSE CONCURRENT RESOLUTION NO. 134—**

BY REPRESENTATIVES KATRINA JACKSON, BADON, BARROW, WESLEY BISHOP, BROSETT, BURRELL, COX, DIXON, FRANKLIN, GAINES, HONORE, HUNTER, GIROD JACKSON, JAMES, JEFFERSON, TERRY LANDRY, NORTON, PIERRE, PRICE, SMITH, THIERRY, ALFRED WILLIAMS, AND PATRICK WILLIAMS AND SENATORS BROOME, BROWN, DORSEY-COLOMB, GALLOT, GUILLORY, MORRELL, MURRAY, PETERSON, AND TARVER  
A CONCURRENT RESOLUTION

To commend Christopher R. Quintyne upon his graduation from Southern University Law Center, from Southern University Agricultural and Mechanical College, and for his dedication to the Louisiana Legislative Black Caucus.

**HOUSE CONCURRENT RESOLUTION NO. 135—**

BY REPRESENTATIVE BARRAS  
A CONCURRENT RESOLUTION

To commend the Epiphany Day School of New Iberia, Louisiana, upon receipt of the 2013 Louisiana Culture Award.

**HOUSE CONCURRENT RESOLUTION NO. 136—**

BY REPRESENTATIVE BARRAS  
A CONCURRENT RESOLUTION

To commend the Main Street of New Iberia, Louisiana, upon receipt of a 2013 Louisiana Culture Award.

**HOUSE CONCURRENT RESOLUTION NO. 137—**

BY REPRESENTATIVE BARRAS

**A CONCURRENT RESOLUTION**

To commend The Shadows-on-the-Teche of New Iberia, Louisiana, upon receipt of the 2013 Louisiana Culture Award.

**HOUSE CONCURRENT RESOLUTION NO. 138—**

BY REPRESENTATIVE DOVE AND SENATOR THOMPSON

**A CONCURRENT RESOLUTION**

To recognize Wednesday, May 22, 2013, as Louisiana Society of Professional Surveyors Day at the state capitol.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**ATTENDANCE ROLL CALL**

**PRESENT**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Erdey     | Peacock   |
| Adley         | Gallot    | Perry     |
| Allain        | Guillory  | Peterson  |
| Amedee        | Heitmeier | Riser     |
| Appel         | Johns     | Smith, G. |
| Broome        | Kostelka  | Smith, J. |
| Buffington    | LaFleur   | Tarver    |
| Chabert       | Martiny   | Thompson  |
| Claitor       | Mills     | Walsworth |
| Cortez        | Morrell   | Ward      |
| Crowe         | Morrish   | White     |
| Donahue       | Murray    |           |
| Dorsey-Colomb | Nevers    |           |
| Total - 37    |           |           |

**ABSENT**

|           |      |
|-----------|------|
| Brown     | Long |
| Total - 2 |      |

**Leaves of Absence**

The following leaves of absence were asked for and granted:

|       |       |      |       |
|-------|-------|------|-------|
| Brown | 1 Day | Long | 1 Day |
|-------|-------|------|-------|

**Announcements**

The following committee meetings for May 22, 2013, were announced:

|                          |            |              |
|--------------------------|------------|--------------|
| Commerce                 | 10:30 A.M. | Room E       |
| Education                | 1:00 P.M.  | Hainkel Room |
| Health and Welfare       | 9:30 A.M.  | Hainkel Room |
| Insurance                | 9:00 A.M.  | Room C       |
| Local and Mun. Affairs   | 1:00 P.M.  | Room F       |
| Natural Resources        | 1:00 P.M.  | Room C       |
| Senate and Gov't Affairs | 9:30 A.M.  | Room F       |
| Transportation           | 1:00 P.M.  | Room E       |

**Adjournment**

On motion of Senator Thompson, at 4:45 o'clock P.M. the Senate adjourned until Wednesday, May 22, 2013, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Wednesday, May 22, 2013.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk

