

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

**FIFTEENTH 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

Monday, May 6, 2013

The Senate was called to order at 3:15 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	Crowe	Murray
Adley	Donahue	Nevers
Allain	Erdey	Perry
Amedee	Johns	Peterson
Appel	Kostelka	Riser
Broome	LaFleur	Smith, G.
Brown	Long	Tarver
Buffington	Martiny	Walsworth
Chabert	Mills	White
Claitor	Morrell	
Cortez	Morrish	
Total - 31		

**ABSENT**

Dorsey-Colomb	Heitmeier	Thompson
Gallot	Peacock	Ward
Guillory	Smith, J.	
Total - 8		

The President of the Senate announced there were 31 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Eric A. Williams, 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 Amedee, the reading of the Journal was dispensed with and the Journal of May 1, 2013, was adopted.

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 1, 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. 51—**  
BY SENATOR CROWE AND REPRESENTATIVE CROMER  
A CONCURRENT RESOLUTION

To commend Jon Mitchell, a Pearl River High School senior, upon being named Louisiana's 2013 High School Student of the Year.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 52—**  
BY SENATOR MILLS  
A CONCURRENT RESOLUTION

To commend the Louisiana Coalition for Violence Prevention upon its efforts as an independent, grassroots, multi-disciplinary coalition of behavioral health community members who are committed to the early detection of those at risk for interpersonal violence in order to prevent such violence and the terrible human tragedies that accompany such violence.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 54—**  
BY SENATOR MILLS AND REPRESENTATIVES TERRY LANDRY AND BARRAS  
A CONCURRENT RESOLUTION

To commend the city of New Iberia, Louisiana, for being nationally recognized as a 2013 historic rebound town by Cable News Network (CNN).

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 56—**  
BY SENATOR BROOME  
A CONCURRENT RESOLUTION

To commend and publicly acknowledge a series of reform accomplishments of the Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice (OJJ).

Reported without amendments.

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

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 84—**  
BY SENATOR ALLAIN  
A RESOLUTION

To direct the Louisiana State Law Institute, in consultation with the director of the Louisiana Mineral Law Institute, to study the feasibility and constitutionality of utilizing alternative dispute resolutions as a means of resolving "legacy" disputes and report its recommendations to the Senate on or before February 24, 2014.

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

**SENATE RESOLUTION NO. 85—**  
BY SENATOR MORRISH  
A RESOLUTION

To recognize Tuesday May 7, 2013, as Dental Hygiene Day, to commend the Louisiana Dental Hygienists' Association, and to celebrate one hundred years of the dental hygienists' profession.

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

**SENATE RESOLUTION NO. 86—**  
BY SENATOR HEITMEIER  
A RESOLUTION

To recognize Tuesday, May 7, 2013, as March of Dimes Day at the Louisiana State Capitol.

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

May 6, 2013

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 59— BY SENATOR DONAHUE

A CONCURRENT RESOLUTION

To direct the state health officer and the Department of Health and Hospitals, office of public health, to provide for certain limitations relative to actions or rules requiring modification of certain existing community water systems.

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

SENATE CONCURRENT RESOLUTION NO. 60— BY SENATOR LONG

A CONCURRENT RESOLUTION

To urge and request federal, state, and local governing authorities when contracting for coastal restoration and protection projects to give priority to Louisiana businesses.

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

SENATE CONCURRENT RESOLUTION NO. 61— 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 resolution was read by title and placed on the Calendar for a second reading.

SENATE CONCURRENT RESOLUTION NO. 62— BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To recognize and commend Ray Castle, Derek Carter, Brendan Jacob, and Caitlyn McKinley for providing volunteer emergency medical assistance to the victims of the recent Boston Marathon bombing.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 77— BY SENATOR RISER

A RESOLUTION

To designate May 2013, as "Breast Cancer Awareness Month".

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

SENATE RESOLUTION NO. 78— BY SENATOR LAFLEUR

A RESOLUTION

To commend Hélène Durand, Vice President of the Association France-Louisiane Franco-Americaine, on being a good will ambassador of the state of Louisiana.

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

SENATE RESOLUTION NO. 79—

BY SENATORS ADLEY, ALARIO, ALLAIN, AMEDEE, APPEL, BROOME, BROWN, BUFFINGTON, CHABERT, CLAITOR, CORTEZ, CROWE, DONAHUE, DORSEY-COLOMB, ERDEY, GAL LOT, 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 RESOLUTION

To commend the Blue Star Mothers and the Gold Star Mothers of Louisiana for their efforts in support and honor of armed forces

families everywhere and especially those families that have lost loved ones to conflicts around the world.

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

SENATE RESOLUTION NO. 80— BY SENATOR GUILLORY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Hadley J. Castille.

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

SENATE RESOLUTION NO. 81— BY SENATOR GUILLORY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Lawrence Zachaire Sr.

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

SENATE RESOLUTION NO. 82— BY SENATOR AMEDEE

A RESOLUTION

To recognize and commend the accomplishments of the staff of the Louisiana Workforce Commission Employment Security Board of Review.

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

SENATE RESOLUTION NO. 83—

BY 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 RESOLUTION

To commend the members of the armed forces of the United States and to recognize their tremendous service and the great sacrifices they make on behalf of their homeland.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 58— BY SENATOR CROWE

A CONCURRENT RESOLUTION

To commend St. Tammany Parish Fire District No. 1 Fire Chief Larry Hess for his 48-year career in fire protection upon his retirement in September 2013.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, YEAS, and names of senators (Crowe, Donahue, Dorsey-Colomb, Erdey, Guillory, Heitmeier, Johns, Morrell, Morrish, Murray, Nevers, Perry, Peterson, Riser).

Buffington Chabert Claitor Cortez Total - 33	Kostelka Long Martiny Mills	Smith, G. Tarver Walsworth White
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NAYS

Total - 0

ABSENT

Gallot LaFleur Total - 6	Peacock Smith, J.	Thompson Ward
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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 6, 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. 645	HB NO. 131	HB NO. 148
HB NO. 167	HB NO. 279	HB NO. 351
HB NO. 361	HB NO. 451	HB NO. 493
HB NO. 494	HB NO. 500	HB NO. 589
HB NO. 591	HB NO. 189	HB NO. 221
HB NO. 349	HB NO. 292	HB NO. 364
HB NO. 471	HB NO. 145	HB NO. 321
HB NO. 287	HB NO. 288	HB NO. 410
HB NO. 504	HB NO. 554	

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

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

**HOUSE BILL NO. 131—**  
BY REPRESENTATIVE JAMES  
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(3)(b) and (4)(b)(introductory paragraph) of the Constitution of Louisiana, to provide for consideration of certain legislative instruments during regular sessions; to provide relative to subject matter restrictions for regular sessions; 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. 145—**  
BY REPRESENTATIVE JAY MORRIS  
AN ACT

To amend and reenact R.S. 15:542.1.3(B)(2)(a) and to enact R.S. 15:542.1.3(B)(2)(c), relative to sex offender registration and notification; to provide relative to sex offenders convicted pursuant to the laws of another state; to provide for the duration of sex offender registration and notification for such offenders; to provide for the frequency of in-person registration renewals for such offenders; to provide for determinations made by the bureau with regard to such offenders; and to provide for related matters.

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

**HOUSE BILL NO. 148—**  
BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 22:1283, relative to motorcycle liability insurance; to extend the time period in which a policyholder may provide proof of appropriate license endorsements; to extend the time in which an initial applicant for motorcycle liability insurance may provide proof of appropriate license endorsements; and to provide for related matters.

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

**HOUSE BILL NO. 167—**  
BY REPRESENTATIVE CHAMPAGNE  
AN ACT

To amend and reenact R.S. 15:587.2(B), relative to criminal history information; to provide relative to the type of information provided to an institution of postsecondary education requesting criminal history information for an applicant or prospective employee; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 221—**  
BY REPRESENTATIVE CONNICK  
AN ACT

To enact R.S. 42:66(O), relative to dual officeholding and dual employment; to allow a member of the faculty or staff of a public higher education institution to also hold certain appointive office or employment in the government of the United States; and to provide for related matters.

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

**HOUSE BILL NO. 279—**  
BY REPRESENTATIVE HENRY  
AN ACT

To amend and reenact R.S. 15:1352(A), relative to the definition of racketeering activity; to add enumerated crimes to the definition of "racketeering activity"; and to provide for related matters.

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

May 6, 2013

**HOUSE BILL NO. 287—**  
BY REPRESENTATIVE DANAHAY  
AN ACT

To amend and reenact R.S. 40:1498(D), relative to Calcasieu Parish; to provide relative to fire protection districts within Calcasieu Parish; to increase the maximum per diem for board members; and to provide for related matters.

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

**HOUSE BILL NO. 288—**  
BY REPRESENTATIVE LEBAS  
AN ACT

To enact R.S. 40:1496(B)(5)(c), relative to the Ward 5 Fire Protection District of the Parish of Evangeline; to provide for membership on its board of commissioners; and to provide for related matters.

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

**HOUSE BILL NO. 292—**  
BY REPRESENTATIVES JEFFERSON AND SHADOIN  
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Lincoln Parish from Louisiana Tech University to the city of Ruston; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions of such transfer; to provide 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. 321—**  
BY REPRESENTATIVES HUVAL AND ABRAMSON  
AN ACT

To enact Code of Civil Procedure Articles 1553, 1571(A)(3), and 4872(C) and Chapter 8 of Title V of Book II of the Code of Civil Procedure, to be comprised of Articles 1815 through 1838, relative to expedited jury trials; to provide for the procedures for expedited jury trials; to provide for pretrial conferences; to provide for special assignment by court rule; to provide that motions of summary judgment be filed prior to trial; to provide for the number of jurors; to provide that a cash deposit for all costs associated with jury costs be timely made; to provide for the service, swearing, and examination of jurors; to provide for the selection of a foreperson; to provide for challenges for cause; to provide for peremptory challenges; to provide for a time limit for an expedited trial jury; to provide for expert witnesses, their fees, and the presentation of their evidence; to provide for the admittance of exhibits; to provide for charges to the jury; to provide for the use of juror notes; to authorize jurors to take evidence into the jury room; to provide for the number of jurors needed for the court to render a verdict; to provide for general verdicts; to provide for verdict forms and interrogatories; to provide for post-verdict relief; to provide for appeals; to prohibit transfer of certain actions to district court; and to provide for related matters.

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

**HOUSE BILL NO. 349—**  
BY REPRESENTATIVE PRICE  
AN ACT

To amend and reenact R.S. 14:110(B)(1), relative to the crime of simple escape; to provide relative to simple escape by a participant in a work release program; to provide for sentencing for the crime of simple escape by participants in a work release program; and to provide for related matters.

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

**HOUSE BILL NO. 351—**  
BY REPRESENTATIVES LEOPOLD AND WESLEY BISHOP AND  
SENATOR MORRELL  
AN ACT

To amend and reenact R.S. 48:229(B), relative to the highway priority construction program; to provide relative to priorities for bridges within the proposed program of construction for highways; and to provide for related matters.

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

**HOUSE BILL NO. 361—**  
BY REPRESENTATIVE RITCHIE  
AN ACT

To amend and reenact R.S. 14:323(C)(4), relative to prohibited uses of tracking devices; to provide relative to the crime prohibiting certain uses of tracking devices; to amend the exception for parents of a minor child; to require the consent of both parents of the minor child in certain situations in order for the exception to apply; and to provide for related matters.

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

**HOUSE BILL NO. 364—**  
BY REPRESENTATIVE BERTHELOT  
AN ACT

To amend and reenact R.S. 32:1308 and to enact R.S. 14:72.6, relative to forgery of a motor vehicle inspection certificate; to provide relative to false certificates of motor vehicle inspection; to create the crime of forgery of a motor vehicle inspection certificate; to provide for the elements of the offense; to provide for criminal penalties; and to provide for related matters.

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

**HOUSE BILL NO. 410—**  
BY REPRESENTATIVES TALBOT AND FANNIN  
AN ACT

To amend and reenact R.S. 23:1371.2, relative to workers' compensation; to provide for the submission deadlines to the Workers' Compensation Second Injury Fund; to extend the sunset date of the fund; and to provide for related matters.

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

**HOUSE BILL NO. 451—**  
BY REPRESENTATIVES BARROW, BADON, BROSSETT, BROWN, CARTER, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JONES, NANCY LANDRY, MORENO, PRICE, SMITH, ST. GERMAIN, ALFRED WILLIAMS, AND WILLMOTT AND SENATOR BROOME  
AN ACT

To amend and reenact R.S. 40:2022, relative to duties of licensed hospitals; to provide for legislative intent relative to the health of newborns; to require hospitals to offer the pertussis vaccine to parents of newborns; to provide for exceptions; to require provision of certain health care information under specified conditions; to provide for construction of provisions; and to provide for related matters.

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

**HOUSE BILL NO. 471—**  
BY REPRESENTATIVE IVEY  
AN ACT

To amend and reenact R.S. 15:1204.2(B)(8)(a) and (c), relative to the duties of the Louisiana Commission on Law Enforcement and the Administration of Criminal Justice; to provide with respect to an annual report containing criminal statistics; to provide for the distribution of such reports; and to provide for related matters.

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

**HOUSE BILL NO. 493—**

BY REPRESENTATIVES ST. GERMAIN, ADAMS, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, WESLEY BISHOP, BROWN, HENRY BURNS, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, DIXON, DOVE, EDWARDS, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GUINN, HARRISON, HAZEL, HENRY, HENSGENS, HODGES, HONORE, HOWARD, HUNTER, JEFFERSON, JOHNSON, JONES, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LORUSSO, MONTUCET, MORENO, JIM MORRIS, ORTEGO, PIERRE, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SIMON, SMITH, THIBAUT, WHITNEY, AND WILLMOTT AND SENATOR WARD

## AN ACT

To enact R.S. 30:3(16) and (17) and 4(M), relative to injection wells and mined caverns; to provide for solution mining injection wells and solution mined caverns; to provide for definitions; to provide for the powers and duties of the assistant secretary and the commissioner of conservation; to authorize the adoption and promulgation of rules and regulations providing for solution mining injection wells and solution mined caverns; and to provide for related matters.

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

**HOUSE BILL NO. 494—**

BY REPRESENTATIVES ST. GERMAIN, ADAMS, ANDERS, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, WESLEY BISHOP, BROSSETT, BROWN, TIM BURNS, BURRELL, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, DIXON, EDWARDS, FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GUINN, HARRISON, HAZEL, HENSGENS, HODGES, HONORE, HUNTER, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LORUSSO, MACK, MORENO, JAY MORRIS, ORTEGO, PIERRE, POPE, PRICE, PUGH, PYLANT, REYNOLDS, SCHEXNAYDER, SIMON, SMITH, THIBAUT, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT

## AN ACT

To enact R.S. 9:3198(A)(2)(c) and R.S. 30:23.1, relative to salt domes; to require notification of the proximity of property to a salt dome in which there is solution mining and storage activity; to provide for certain penalties; and to provide for related matters.

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

**HOUSE BILL NO. 500—**

BY REPRESENTATIVE MORENO

## AN ACT

To amend and reenact R.S. 18:402(F)(2) and 1300.33(A) and R.S. 33:9100.21(B)(1) and (F)(2)(d), relative to election dates; to provide for the election dates that may be used for elections relative to security or neighborhood improvement districts in certain parishes; to provide for definitions; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 554—**

BY REPRESENTATIVES GAROFALO, BADON, BARROW, BERTHELOT, BILLIOT, WESLEY BISHOP, AND BROWN

## AN ACT

To enact R.S. 40:1503.1, relative to Orleans Parish; to create the Fort Pike Fire Protection District within the parish; to provide relative to the boundaries, purpose, governance, and powers and duties of the district; to provide relative to district funding, including the authority to levy ad valorem taxes; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 591—**

BY REPRESENTATIVE STUART BISHOP

## AN ACT

To amend and reenact R.S. 30:2418(A), (B), (C), (H)(3) and (6), (I)(1), (2), and (3)(a), and (N), relative to waste tires; to provide for waste tires; to provide for the disposal of waste tires; to provide for waste tire collection centers; to provide for notifications by waste tire collections centers; to provide for the authority to promulgate certain rules and regulations; to provide for fees; to provide for payments to waste tire processors; to provide 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. 645—**

BY REPRESENTATIVE CROMER

## AN ACT

To enact R.S. 22:821(B)(36) and (37) and Chapter 18 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2391 through 2453, and to repeal R.S. 22:821(B)(28) and Subpart F of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1121 through 1144, relative to an internal claim and appeals process and external review procedures for health insurance issuers; to provide requirements for such process and procedures; to provide for definitions; to provide with respect to utilization review organizations and independent review organizations, including their licensure or certification by the commissioner of insurance; to provide for fees; to provide for compliance, penalties, and other regulatory matters; 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 6, 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. 9	HCR NO. 67	HCR NO. 94
HCR NO. 97	HCR NO. 98	HCR NO. 12
HCR NO. 18	HCR NO. 21	HCR NO. 53
HCR NO. 2		

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

**House Concurrent Resolutions  
on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 2—**  
BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To suspend until July 1, 2014, the provisions of Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:1399.1 through 1399.7, providing for a Cash Balance Plan in certain state retirement systems.

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

**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.

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

**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.

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

**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.

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

**HOUSE CONCURRENT RESOLUTION NO. 21—**  
BY REPRESENTATIVES TALBOT, CARMODY, GAROFALO, AND LORUSSO

A CONCURRENT RESOLUTION

To direct the attorney general to review the laws relative to lobbying by public servants and the use of public funds for lobbying, public relations, and related purposes and to report thereon, including any recommendations related thereto, to the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs no later than September 15, 2013, and to request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study and make recommendations relative to lobbying by public servants and the use of public funds for lobbying, public relations, and related purposes no later than thirty days prior to the convening of the 2014 Regular Session of the Legislature of Louisiana.

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

**HOUSE CONCURRENT RESOLUTION NO. 53—**  
BY REPRESENTATIVES CROMER, HUVAL, LORUSSO, SEABAUGH, AND THIBAUT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to repeal that portion of the federal health care reform legislation which imposes a health insurance tax.

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

**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.

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

**HOUSE CONCURRENT RESOLUTION NO. 94—**  
BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To commend Reverend Frank J. Jackson on being named the pastor of St. Matthew Baptist Church and for his many years of dedicated service.

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

**HOUSE CONCURRENT RESOLUTION NO. 97—**

BY REPRESENTATIVES DIXON, ADAMS, ARMES, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROWN, HENRY BURNS, BURRELL, CARMODY, CHAMPAGNE, DANAHAY, EDWARDS, FANNIN, FRANKLIN, GAINES, HAZEL, HENSGENS, HILL, HONORE, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCY LANDRY, LEBAS, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PRICE, PYLANT, REYNOLDS, RICHARD, SMITH, ST. GERMAIN, THIBAUT, AND THIERRY AND SENATORS ALARIO, BROOME, CHABERT, CORTEZ, CROWE, DORSEY-COLOMB, GALLOT, MARTINY, MILLS, NEVERS, PETERSON, RISER, GARY SMITH, THOMPSON, WARD, AND WHITE

A CONCURRENT RESOLUTION

To urge and request the board of directors of the Rapides Primary Health Care Center to rename the center in honor of the late Israel "Bo" Curtis, former state representative, of Alexandria.

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

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVE CROMER

A CONCURRENT RESOLUTION

To recognize May 8, 2013, as National Aeronautics Space Administration (NASA) Day and to commend NASA for its scientific and technological contributions to the state of Louisiana and the United States of America.

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. 59—**

BY REPRESENTATIVE HONORE

AN ACT

To amend and reenact R.S. 15:828(B), relative to diminution of sentence; to provide relative to diminution of sentence for participation in certified treatment and rehabilitation programs; to increase the total number of credits that may be earned by an offender for participation in certified treatment and rehabilitation programs; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 105—**

BY REPRESENTATIVE WHITNEY

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 Terrebonne Parish; and to provide for related matters.

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

**HOUSE BILL NO. 118—**

BY REPRESENTATIVES CHAMPAGNE AND LEGER

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.2(G) of the Constitution of Louisiana, to provide for the deposit of any monies received by the state from violations of federal and state environmental and water quality laws associated with the Deepwater Horizon oil spill into the Coastal Protection and Restoration Fund; 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. 188—**

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 37:1864.3(A)(2) and to enact R.S. 37:1861(A)(8) and 1864.3(A)(3), relative to secondhand dealers; to define precious metal object; to prohibit the payment of cash for secondhand dealers for precious metal objects; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

**HOUSE BILL NO. 259—**

BY REPRESENTATIVE TERRY LANDRY

AN ACT

To amend and reenact R.S. 33:130.532(A), relative to the Hopkins Street Economic Development District in New Iberia; to provide relative to the membership of the district's board of commissioners; to provide for technical changes; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 280—**

BY REPRESENTATIVE HODGES

AN ACT

To amend and reenact R.S. 2:319(A), relative to airport districts; to provide for the governing authority of airport districts; to provide for the membership of the board of commissioners of certain airport districts; and to provide for related matters.

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

**HOUSE BILL NO. 282—**

BY REPRESENTATIVES WILLMOTT, ADAMS, BILLIOT, CONNICK, LEOPOLD, LORUSSO, STOKES, AND TALBOT AND SENATORS APPEL AND MARTINY

AN ACT

To enact R.S. 13:2575.1(C), relative to administrative adjudications in Jefferson Parish; to provide relative to appeals of administrative adjudication decisions regarding immovable property; and to provide for related matters.

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

**HOUSE BILL NO. 286—**

BY REPRESENTATIVE BROSSETT

AN ACT

To amend and reenact R.S. 38:330.1(C)(2)(c) and (3)(a), relative to the Southeast Louisiana Flood Protection Authorities; to provide for the nominating committee; to provide for the authority of the nominating committee; to provide for the notice of committee vacancy; and to provide for related matters.

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

**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.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 323—**

BY REPRESENTATIVES BADON, BILLIOT, WESLEY BISHOP, AND HONORE

AN ACT

To enact R.S. 33:9091.21, relative to Orleans Parish; to create the Eastover Neighborhood Improvement and Security District within the parish; to provide relative to the purpose, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

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**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.

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

**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.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

**HOUSE BILL NO. 395—**  
BY REPRESENTATIVE GUINN  
AN ACT

To enact R.S. 32:412(L) and R.S. 40:1321(L), relative to driver's licenses and special identification cards; to authorize the inclusion of "situs inversus totalis" on driver's licenses and special identification cards; to provide for rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 409—**  
BY REPRESENTATIVE JOHNSON  
AN ACT

To amend and reenact R.S. 32:1524 and to enact R.S. 32:1524.1, 1524.2, and 1524.3, relative to contract carriers transporting railroad employees; to provide for certain safety regulations for such contract carriers, including driver qualifications, alcohol and controlled substance testing, vehicle inspections, and records; to provide for violations and penalties; to provide for definitions; and to provide for related matters.

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

**HOUSE BILL NO. 415—**  
BY REPRESENTATIVES ORTEGO, BARRAS, GUINN, JOHNSON, JONES, LEBAS, MILLER, MONTOUCET, ST. GERMAIN, THIBAUT, AND THIERRY  
AN ACT

To amend and reenact R.S. 32:235(A)(1) and to enact R.S. 25:651(C)(7) and R.S. 32:235(A)(3) and (4), relative to guide signs; to require the Department of Transportation and Development to adopt a supplement to the manual and specifications for a uniform system of traffic control devices that permits parish governing authorities to request bilingual guide signs on certain roads; to provide guidelines for the supplement to be adopted by the Department of Transportation and Development; to provide for additional authority for the Council for the Development of French in Louisiana; and to provide for related matters.

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

**HOUSE BILL NO. 422—**  
BY REPRESENTATIVE TALBOT  
AN ACT

To amend and reenact R.S. 51:935.1(A), (B)(1), (2), (4), and (5), (D), and (E)(1)(a) and (3) and to repeal R.S. 51:935.1(C), relative to the unified economic development budget report; to require an annual report; to delete need for independent economist contract and consultation requirements; to require report submission to all members of the legislature; to simplify report contents by repealing certain content requirements; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

**HOUSE BILL NO. 425—**  
BY REPRESENTATIVE HENRY  
AN ACT

To enact R.S. 6:1013.1, relative to check cashing facilities; to provide for cashing certain government checks; to provide for records retention; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

**HOUSE BILL NO. 462—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To amend and reenact R.S. 26:80(A)(11), (B), and (C)(2), relative to qualifications for high alcohol beverage permits; to provide for the definition of the term "spouse"; to provide relative to citizenship and residency requirements for manufacturer's permits; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 465—**  
BY REPRESENTATIVE SHADOIN  
AN ACT

To amend and reenact R.S. 32:393(B)(2) and (C)(1)(b) and 414.2(A)(1)(c) and to enact R.S. 32:414.2(A)(1)(d)(xi), relative to commercial driver's licenses; to provide for reports to be sent to the Department of Public Safety and Corrections regarding violations by holders of commercial driver's licenses; to provide relative to the disqualification of commercial driver's licenses; to provide for definitions; and to provide for related matters.

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

**HOUSE BILL NO. 470—**  
BY REPRESENTATIVE WILLMOTT  
AN ACT

To enact R.S. 32:284.1, relative to the transportation of dogs; to prohibit the transportation of dogs in pickup truck beds and utility trailers on certain roadways; to provide for penalties; and to provide for related matters.

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

**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.



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

**HOUSE BILL NO. 473—**

BY REPRESENTATIVE PUGH

AN ACT

To amend and reenact R.S. 3:3403(J), relative to the Louisiana Agricultural Commodities Commission; to provide for commission meetings within each calendar year; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**HOUSE BILL NO. 489—**

BY REPRESENTATIVE COX

AN ACT

To amend and reenact R.S. 26:73(H) and 272(H), relative to certain permits for local historic districts; to require the issuance of certain permits by the commissioner and the municipal or parish governing authority for the sale of low and high alcohol beverages in areas designated as local historic districts; and to provide for related matters.

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

**HOUSE BILL NO. 510—**

BY REPRESENTATIVE CHANEY

AN ACT

To amend and reenact R.S. 3:2092(B) and 2092.1 and to enact R.S. 3:2092(C) and 2094, relative to the Louisiana Board of Animal Health; to provide for the qualifications of the state veterinarian employed by the board; to provide for venue of suits filed against the board; to provide for the powers of the state veterinarian; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**HOUSE BILL NO. 547—**

BY REPRESENTATIVE PRICE

AN ACT

To amend and reenact R.S. 32:781(4), (7), and (14), 784(A)(introductory paragraph) and (5), 785, 790(B), 792(A)(introductory paragraph), and 794(A)(3) and to enact R.S. 32:784(A)(6) and 792(A)(5), relative to the regulation of used motor vehicles; to provide for definitions; to provide for rent-to-own dealers; to provide for used motor vehicle salespersons; to provide procedures for denial, suspension, or revocation of a license; to provide for notice, hearings, and appeals; to provide for abandonment of businesses; to increase the fine for violations of black market sales; to provide for grounds for denial of a license; to provide relative to wholesale motor vehicle auctions; and to provide for related matters.

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

**HOUSE BILL NO. 561—**

BY REPRESENTATIVES TIM BURNS, ADAMS, BADON, BERTHELOT, WESLEY BISHOP, BROADWATER, BROSETT, 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.

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

**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.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

**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.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

**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.

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

**HOUSE BILL NO. 633—**

BY REPRESENTATIVE LEBAS

AN ACT

To amend and reenact R.S. 3:2137 and enact R.S. 3:2130, relative to preventing the spread of disease; redesignates provisions of current law; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**HOUSE BILL NO. 664—**

BY REPRESENTATIVE TERRY LANDRY

AN ACT

To amend and reenact R.S. 3:1731 through 1735 and 1736(A), (B), and (E) and to enact R.S. 3:1733.1, 1733.2, 1735.1, 1737, and the headings for Parts III and III-A of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, relative to the sweet potato industry; to provide for sweet potato dealers permits; to provide for the requirements and applications for such permits; to provide for exceptions, denials, suspensions, revocations, and probation of such permits; to provide for definitions; to provide for shipment fees; to provide for rules and regulations; to

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provide for certificates of inspection; to provide for the disposition of funds; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**HOUSE BILL NO. 667—**  
BY REPRESENTATIVE GAINES  
AN ACT

To enact R.S. 40:531(A)(3) and 537(A)(5), relative to local housing authorities; to provide relative to the governing boards of authorities located in certain parishes; to provide that governing board members shall be appointed and removed by the chief elected official of the parish rather than the parish governing authority; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

**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.

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

**House Concurrent Resolutions on  
Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 6—**  
BY REPRESENTATIVES JIM MORRIS AND GEYMAN  
A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for Fiscal Year 2013-2014.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
EDUCATION**

Senator Conrad Appel, Chairman on behalf of the Committee on Education, submitted the following report:

May 1, 2013

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 28—**  
BY SENATOR NEVERS  
A CONCURRENT RESOLUTION

To urge and request the Department of Education to plan and conduct a Teacher Empowerment, Learning and Leading Survey (La TELLS) Initiative.

Reported with amendments.

**SENATE BILL NO. 182—**  
BY SENATOR CORTEZ  
AN ACT

To amend and reenact R.S. 17:176(A)(introductory paragraph) and (E) and to repeal R.S. 17:176(F), (G), (H), and (I) and 236.3, relative to cocurricular and extracurricular activities, including interscholastic athletics; to provide relative to the responsibilities of local schools and school systems and the State Board of Elementary and Secondary Education with respect to such activities; to provide relative to state and local policies, rules, and regulations governing student participation in such activities; to repeal statutory provisions declared unconstitutional by the courts; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 205—**  
BY SENATOR LAFLEUR  
AN ACT

To enact R.S. 17:273.3, relative to foreign language immersion programs; to authorize local public school boards to establish foreign language immersion programs; to provide for a process whereby parents may petition a local public school board to establish a foreign language immersion program; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 206—**  
BY SENATOR LAFLEUR  
AN ACT

To enact Chapter 45 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4051 through 4057, relative to empowered community schools; to provide for the designation of such schools; to provide for the authority of principals of such schools; to provide for the applicability of school board policies; to provide for funding, reports, and audits; to provide for the liability of school boards; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CONRAD APPEL  
Chairman

**REPORT OF COMMITTEE ON  
FINANCE**

Senator Jack Donahue, Chairman on behalf of the Committee on Finance, submitted the following report:

May 6, 2013

To the President and Members of the Senate:

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

**SENATE RESOLUTION NO. 42—**  
BY SENATOR PETERSON  
A RESOLUTION

To denounce the Governor's Executive Budget for sweeping one hundred million dollars from the Morial Convention Center and to urge and request the Governor to restore these funds and support responsible budgeting through the use of stable, reoccurring funds and avoiding the reliance on one-time fund raids.

Reported with amendments.

SENATE RESOLUTION NO. 53—

BY SENATOR PETERSON

A RESOLUTION

To direct the office of community development to follow certain recommendations of the legislative auditor and the Department of Housing and Urban Development, office of inspector general.

Reported favorably.

SENATE BILL NO. 150—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 40:1300.51(1), 1300.52(A), (B)(1), (C), (D)(2), and (E), the introductory paragraphs of 1300.53(A) and (B), 1300.53(C)(1), and 1300.55 and to enact R.S. 40:1300.57, relative to criminal history checks on nonlicensed persons and licensed ambulance personnel; to provide with respect to an authorized agency; to provide for the application and requirements for approval as an authorized agency; and to provide for related matters.

Reported without action.

SENATE BILL NO. 185—

BY SENATOR MURRAY

AN ACT

To enact Part XI of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.31 through 460.72, relative to Medicaid; to provide for managed care organizations providing health care services to Medicaid beneficiaries; to provide for the standardized credentialing of providers; to provide for exemptions; to provide for prescription drugs; to provide for a standard form for the prior authorization of prescription drugs; to provide for procedures for utilizing step therapy and fail first protocols; to provide for standardized information to be provided with claim payments; to provide for services rendered to newborns; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 252—

BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 4:169(A)(2) and (B) and to enact R.S. 4:169(A)(3), relative to licenses, registrations, and fees for participating in racing; to provide for certain annual renewals; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JACK DONAHUE  
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 6, 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. 45—

BY SENATORS DORSEY-COLOMB, BROOME, BROWN AND WHITE AND REPRESENTATIVES BERTHELOT, CARTER, HAVARD, JAMES, POPE, PRICE, RICHARD, SMITH, ST. GERMAIN AND WHITNEY

AN ACT

To enact R.S. 17:1994(E) and 3217.5, relative to community and technical colleges; to provide for the merger of the certain Louisiana Technical College campuses with Baton Rouge Community College; to provide relative to the transfer of the students, employees, funds, obligations, property, programs, facilities, and functions of such technical college campuses to Baton Rouge Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 63—

BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 47:1907(A)(1) and to enact R.S. 47:1907(K), relative to assessors; to authorize assessors to increase their compensation up to four percent for four calendar years; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 96—

BY SENATOR ADLEY

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(K)(1) of the Constitution of Louisiana, relative to providing an exemption of seven thousand five hundred dollars of the assessed valuation on property owned and occupied by a veteran with a certain service-connected disability rating; to extend the same exemption to surviving spouses of such totally disabled veterans; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

SENATE BILL NO. 165—

BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 47:6007(B)(10), (11), (12), (13), (14), the introductory paragraph of R.S. 47:6007(D)(2)(a) and (D)(2)(c) and (d) and to enact R.S. 47:6007(B)(15) and (16), (G) and 6007.1, relative to the motion picture investor tax credit; to provide for submission of a qualified cost report prior to being certified as a state-certified production for application for the credit; to provide for a qualified cost report; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 256—

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 47:6035(B)(3) and to repeal R.S. 47:6035(B)(2)(c), relative to tax credits for vehicles using alternative fuels; to clarify the definition of qualified clean-burning motor vehicle fuel property; to exclude the cost of certain property related to the delivery or storage of alternative fuels; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
NEIL RISER  
Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 33— BY SENATOR BROWN

AN ACT

To amend and reenact R.S. 44:4.1(B)(11) and to enact R.S. 22:31(7), relative to the division of minority affairs; to authorize a survey relative to the hiring practices of insurance companies; to provide for applicability of public records exemptions to the survey; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 33 by Senator Brown

AMENDMENT NO. 1

On page 1, line 2, between "reenact" and "R.S." insert "R.S. 22:31 and" and delete "and to enact R.S. 22:31(7)"

AMENDMENT NO. 2

On page 1, line 7, change ""(7) is hereby enacted" to "is hereby amended and reenacted"

AMENDMENT NO. 3

On page 1, at the beginning of line 9, add "A."

AMENDMENT NO. 4

On page 1, delete line 11, and insert the following:

"(1) To assist in coordinating the activities of the Advisory Committee on Equal Opportunity.

(2) To maintain a list of a contact person within each insurance company transacting business in this state who is specifically charged with a duty by the company to respond to inquiries from members of minority groups regarding opportunities for employment, appointment as producers, and contracting for services with insurance companies.

(3) In cooperation with insurance companies transacting business in the state, to establish educational and informational services to foster a greater awareness of the opportunities available in the insurance industry and of the skills, training, and education necessary to prepare for opportunities in employment, appointment as producers, and contracting for services with insurance companies.

(4) To assist members of minority groups in obtaining employment, producer or agency contracts, and contracting for services with insurance companies transacting business in Louisiana.

(5) To submit an annual report by April first of each year to the House and Senate insurance committees relative to educational and informational services made available to minorities, the number and types of inquiries, and all available relevant information from applicants and producers.

(6)(a) To develop a pilot program which seeks to address the needs and concerns of minority and women producers in this state. The pilot program, at a minimum, shall provide training for producers in all areas of agency management, training and education for agency personnel, and automation support for the producers in the pilot program. The commissioner of insurance may adopt rules and regulations necessary for the implementation of the provisions of this Section Subsection.

(b) This Paragraph shall not apply to producers who exclusively sell insurance for one company or a group of companies under common management which already has a training program in place for all producers."

AMENDMENT NO. 5

On page 1, line 12, change "(7)" to "B."

AMENDMENT NO. 6

On page 1, line 16, change "Act, R.S. 44:1 et seq.," to "Law"

AMENDMENT NO. 7

On page 2, line 10, change "31(7)" to "31(B)"

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

SENATE BILL NO. 58—

BY SENATORS BUFFINGTON, ALLAIN, CLAITOR, DORSEY-COLOMB, GUILLORY, HEITMEIER, MILLS, NEVERS AND RISER AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 40:4.13, relative the Sanitary Code; to provide exceptions to the Sanitary Code; to allow a not-for-profit entity or charitable organization to receive or use certain meats or fish for food or meal distribution at no cost to an individual; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 58 by Senator Buffington

AMENDMENT NO. 1

On page 1, line 13, delete "and" and insert "or"

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

SENATE BILL NO. 91—

BY SENATOR PEACOCK

AN ACT

To enact Part 6 of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, comprised of R.S. 31:218, relative to mineral rights and interests; to provide relative to certain unsolicited offers for lease or purchase of mineral rights or interests; to provide certain terms, conditions, requirements, and effects of such unsolicited offers; and to provide for related matters.

Reported by substitute by the Committee on Natural Resources. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 91 by Senator Peacock)

BY SENATOR PEACOCK

AN ACT

To enact Part VI of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, comprised of R.S. 31:218, relative to mineral rights and interests; to provide relative to certain offers for lease or purchase of mineral rights or interests; to provide certain terms, conditions, and requirements, and effects of the offers; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part VI of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, comprised of R.S. 31:218 is hereby enacted to read as follows:

PART VI. THE FAIR PRACTICES IN SOLICITATION FOR TRANSFER OF MINERAL RIGHTS ACT

§218. Solicitations for transfer of mineral rights; requirements; limitations; effects

A.(1) As used in this Article, "payment" shall mean cash, a check, a draft or other form of payment.

(2) In the case of payment made by a check, draft or other similar form of payment, "acceptance" shall not be deemed to occur until funds have been transferred pursuant to a check, draft, or other similar form of payment.

B.(1) Whenever a landowner or an owner of mineral rights receives payment related to an offer to lease, buy, or otherwise acquire all or any portion of his mineral rights, or any interest

therein, notwithstanding anything contained in the offer, the acceptance, whether intentional or unintentional, of the payment by the landowner or owner of mineral rights, with or without the execution of a written agreement to enter into a mineral lease or of a sale or transfer of mineral rights, shall not create or act as a mineral lease, sale, or transfer of mineral rights. In addition, the acceptance shall not constitute an agreement by the landowner or owner of mineral rights to grant a mineral lease or to sell or transfer any mineral rights.

(2) The party tendering or delivering the payment in connection with the offer to lease, buy, or otherwise acquire a mineral right shall not have, nor acquire, any cause of action to require the landowner or owner of mineral rights to grant a mineral lease or to sell or transfer mineral rights as a result of the acceptance of said payment.

C.(1) Whenever a landowner or owner of mineral rights accepts payment but does not execute a written agreement to enter into a mineral lease or a sale or transfer of mineral rights, or any interest therein, for which the payment was tendered, the party making the offer and tendering the payment shall have a cause of action against the landowner or owner of mineral rights to recover the payment.

(2) The action by a party to recover the payment made to a landowner or an owner of mineral rights and accepted without the execution of any agreement, lease, or transfer shall be subject to a liberative prescription of one hundred eighty days from the receipt of payment by the landowner or owner of mineral rights. The landowner or owner of mineral rights shall have one year from the date of notice of the cause of action to submit payment.

On motion of Senator Long, the committee substitute bill was adopted and becomes Senate Bill No. 260 by Senator Peacock, substitute for Senate Bill No. 91 by Senator Peacock.

**SENATE BILL NO. 260— (Substitute of Senate Bill No. 91 by Senator Peacock)**

BY SENATOR PEACOCK

AN ACT

To enact Part VI of Chapter 13 of Title 31 of the Louisiana Revised Statutes of 1950, comprised of R.S. 31:218, relative to mineral rights and interests; to provide relative to certain offers for lease or purchase of mineral rights or interests; to provide certain terms, conditions, and requirements, and effects of the offers; and to provide for related matters.

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

**SENATE BILL NO. 125—**

BY SENATOR PETERSON

AN ACT

To enact Chapter 8-B of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:979.1 through 979.5, relative to the medical assistance program; to provide for eligibility for benefits of the medical assistance program; to require state participation in the medical assistance program expansion provided in federal law; to provide for duties of the secretary of the Department of Health and Hospitals; to provide relative to the medical assistance program state plan; to authorize promulgation of rules; to require reports concerning the medical assistance program to the legislative committees on health and welfare and the governor; to specify the minimum required content of such reports; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 125 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 3, delete "979.5" and insert "979.6"

AMENDMENT NO. 2

On page 1, delete lines 6 through 10, and insert "to provide for definitions; to provide for legislative findings and intent; to provide for reform of the Medicaid program in Louisiana; to provide for termination; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 13, delete "979.5" and insert "979.6"

AMENDMENT NO. 4

On page 1, line 14, after "**8-B.**" delete the remainder of the line and all of lines 15 and 16 and insert the following:

**"LOUISIANA HEALTH CARE INDEPENDENCE PROGRAM §979.1. Title**

**This Chapter shall be known and may be cited as the "Louisiana Health Care Independence Act".**

**§979.2. Definitions"**

AMENDMENT NO. 5

On page 2, between lines 14 and 15, insert:

**"(5) "Health insurance marketplace" means the federal vehicle created to help individuals, families, and small businesses shop for and select health insurance coverage in a way that permits comparison of available qualified health plans based upon price, benefits, services, and quality, regardless of the governance structure of the marketplace.**

**(6) "Premium" means a charge that must be paid as a condition of enrolling in health care coverage.**

**(7) "Program" means the Louisiana Health Care Independence Program established by this Chapter.**

**(8) "Qualified health plan" means a federally certified individual health insurance plan offered by a carrier through the federal Health Insurance Marketplace.**

**(9) "Independence account" means individual financing structures that operate similar to a health savings account or a medical savings account.**

**(10) "Cost sharing" means the portion of the cost of a covered medical service that must be paid by or on behalf of eligible individuals, consisting of copayments or coinsurance, but not deductibles."**

AMENDMENT NO. 6

On page 2, delete line 15, and insert:

**"§979.3. Legislative findings; purpose"**

AMENDMENT NO. 7

On page 3, delete lines 3 through 19

AMENDMENT NO. 8

On page 3, line 20, delete "(6)" and insert "(4)"

AMENDMENT NO. 9

On page 3, delete lines 23 through 29

AMENDMENT NO. 10

On page 4, delete lines 1 through 6

AMENDMENT NO. 11

On page 4, at the beginning of line 7, insert "**B.**"

AMENDMENT NO. 12

On page 4, delete lines 25 through 29, and insert:

**"§979.4. Expansion of Medicaid eligibility in Louisiana; administration of the Louisiana Health Care Independence Program by the Department of Health and Hospitals**

**A. The Department of Health and Hospitals shall create and administer the Louisiana Health Care Independence Program within the department. After receiving the approval of the Senate and House Committees on Health and Welfare, the**

department shall on or before September 1, 2013, submit and apply for all of the following:

(1) Federal waivers necessary to implement the program in a manner consistent with this Chapter, including without limitation approval for a comprehensive waiver under Section 1115 of the Social Security Act, 42 U.S.C. 1315.

(2) Medicaid state plan amendments necessary to implement the program in a manner consistent with this Chapter.

(3) Those Medicaid state plan amendments that are optional and therefore may be revoked by the state at its discretion.

B.(1) As part of its actions the department shall confirm that employers shall not be subject to the penalties, including without limitation an assessable payment, under Section 1513 of Pub. L. No. 111-148, as existing on January 1, 2013, concerning shared responsibility, for employees who are eligible individuals if the employees meet either of the following criteria.

(a) Are enrolled in the program.

(b) Enroll in a qualified health plan through the federal health insurance marketplace.

(2) If the department is unable to confirm provisions under this Section, the program shall not be implemented.

C.(1) Implementation of the program shall be conditioned upon the receipt of necessary federal approvals.

(2) If the department does not receive the necessary federal approvals, the program shall not be implemented.

D. The program shall include premium assistance for eligible individuals to enable their enrollment in a qualified health plan through the federal health insurance marketplace.

E.(1) The department shall be specifically authorized to pay premiums and supplemental cost-sharing subsidies directly to the federally qualified health plans for enrolled eligible individuals.

(2) The intent of the payments under this Subsection is to increase participation in the health insurance market, intensify price pressures, and reduce costs for both publicly and privately funded health care.

F. The department shall accomplish the following to the extent allowable by law:

(1) The department shall pursue strategies that promote insurance coverage of children in their parents' or caregivers' plan, including children eligible for the LaCHIP, the Louisiana Children's Health Insurance Program.

(2) The department shall develop and implement a strategy to inform Medicaid recipient populations whose needs would be reduced or better served through participation in the federal health insurance marketplace.

G. The program authorized under this Chapter shall terminate within one hundred twenty days after a reduction in any of the following federal medical assistance percentages:

(1) One hundred percent in 2014, 2015, or 2016.

(2) Ninety-five percent in 2017.

(3) Ninety-four percent in 2018.

(4) Ninety-three percent in 2019.

(5) Ninety percent in 2020 or any year after 2020.

H. An eligible individual enrolled in the program shall affirmatively acknowledge the existence of all of the following facts:

(1) The program shall not be a perpetual federal or state right or a guaranteed entitlement.

(2) The program shall be subject to cancellation upon appropriate notice.

(3) The program shall not be an entitlement program.

I.(1) The department shall develop a model and seek from the Center for Medicare and Medicaid Services all necessary waivers and approvals to allow nonaged, nondisabled program-eligible participants to enroll in a program that shall create and utilize independence accounts that operate similar to a health savings account or medical savings account during the calendar year 2015.

(2) The independence accounts shall accomplish both of the following:

(a) Allow a participant to purchase cost-effective high-deductible health insurance.

(b) Promote independence and self-sufficiency.

(3) The state shall implement cost sharing and copays and, as a condition of participation, earnings shall exceed fifty percent of the applicable federal poverty level.

(4) Participants may receive rewards based on healthy living and self-sufficiency.

(5)(a) At the end of each fiscal year, if there are funds remaining in the account, a majority of the state's contribution shall remain in the participant's control as a positive incentive for the responsible use of the health care system and personal responsibility of health maintenance.

(b) Uses of the funds may include, without limitation, rolling the funds into a private sector health savings account for the participant according to rules promulgated by the department.

(c) The department shall promulgate rules to implement this Section in accordance with the Administrative Procedure Act. State obligations for uncompensated care shall be projected, tracked, and reported to identify potential incremental future decreases.

(d) The department shall recommend appropriate adjustments in funding to the legislature.

(e) Adjustments shall be made by the legislature as appropriate.

J. On a quarterly basis, the department shall report to the Joint Legislative Committee on the Budget, within two weeks of the end of each quarter, information regarding the following aspects of the program:

(1) Program enrollment.

(2) Patient experience.

(3) Economic impact including enrollment distribution.

(4) Carrier competition.

(5) Success in avoiding uncompensated care."

AMENDMENT NO. 13

On page 5, delete lines 1 through 8

AMENDMENT NO. 14

On page 6, between lines 14 and 15, insert:

"§979.6. Termination

The provisions of this Chapter shall terminate and become null and void on and after July 1, 2017."

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 126—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 22:972, Subpart D of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1091 through 1097, and R.S. 44:4.1(B)(11), and to enact R.S. 22:821(B)(34), 1098, and 1099, relative to health insurance rate review and approval; to provide for definitions; to provide for rate filings and rate increases; to provide relative to form approval; to provide relative to rating factors, risk pools, and individual market plan and calendar year requirements; to provide with respect to review and subsequent approval or disapproval of proposed rate filings and rate changes; to provide for fees; to provide for exceptions to the Public Records Law; to provide for implementation and enforcement; to provide for the frequency of rate increase limitations; to provide relative to the prohibition of discrimination in rates due to severe disability; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 126 by Senator Gary Smith

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 22:821(B)(34)," and before "1098," insert "1092.1,"

AMENDMENT NO. 2

On page 1, line 17, after "R.S. 22:821(B)(34)," and before "1098," insert "1092.1,"

AMENDMENT NO. 3

On page 3, line 28, after "**in the**" delete the remainder of the line and insert "**small group market or individual market**"

AMENDMENT NO. 4

On page 17, between lines 21 and 22, insert:

**"§1092.1. Grandfathered health coverage; rating practices; loss of status**

**A. The rating practices and rating methods, and the rating restrictions imposed by law upon grandfathered health coverage in the individual market and small group market that are extant on the day that this Section takes effect, including the restrictions on rate increases and required notices for such increases, shall remain binding upon such grandfathered health coverage. Such grandfathered coverage is exempt from the provisions of this Subpart, unless specifically provided for otherwise.**

**B. Any grandfathered health plan that violates the provisions of this Section with respect to the rating restrictions imposed by law and that were in effect on the day this Section takes effect, shall be deemed to have surrendered grandfathered status for the purposes of this Title. The loss of grandfathered status under this Section shall not result from de minimis violations, but from a pattern or practice of violations. The surrender of grandfathered status under this Section shall be determined by the commissioner and shall be based upon an actuarial determination. Any health insurance issuer that offers grandfathered health coverage that is surrendered pursuant to this Section may petition for a de novo review of a determination by the commissioner that such grandfathered status has been surrendered pursuant to this Section in the Nineteenth Judicial District Court.**

**C. The loss of grandfathered status pursuant to this Section does not interfere, interrupt, or terminate a grandfathered health plan's grandfathered status under federal law unless specifically provided for by federal law. A grandfathered health plan that surrenders its status pursuant to this Section shall be subject to the provisions of this Part, except that no grandfathered health plan that retains its grandfathered status under federal law shall be subject to the single risk pool requirement of this Subpart."**

AMENDMENT NO. 5

On page 21, line 24, change "**2014**" to "**2015**"

AMENDMENT NO. 6

On page 26, delete lines 24 through 26 and insert "**experience. No insurance company shall unfairly**"

AMENDMENT NO. 7

On page 27, line 10, after "**company**" delete the remainder of the line and at the beginning of line 11 delete "**this Subpart,**"

AMENDMENT NO. 8

On page 27, line 15, after "**company**" delete the remainder of the line and insert "**shall**"

On motion of Senator Morrish, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

**SENATE BILL NO. 131—**

BY SENATOR JOHN SMITH

## AN ACT

To amend and reenact R.S. 37:1973(A) and (C), relative to scrap metal recyclers; to provide for the forms of payment for copper or other metals; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 131 by Senator John Smith

AMENDMENT NO. 1

On page 1, delete lines 11 through 13, and insert the following: "the purchase of copper. **Payment After five business days from the date of the transaction, payment** for copper shall be made in the form of a check made payable to the **name and address of the** seller of the metal **or a loadable payment card and shall be tendered to the seller in either of the following manners:**

**(a) By mail to the address recorded on the photo identification of the seller.**

**(b) In person at the place of business of the operator."**

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

**SENATE BILL NO. 139—**

BY SENATOR WARD AND REPRESENTATIVE ST. GERMAIN

## AN ACT

To amend and reenact R.S. 30:148.9(B) and to enact R.S. 30:18(A)(6), relative to underground caverns for hydrocarbon storage or solution mining; to provide for penalties for violations of laws, regulations, or orders relative to drilling or use of such underground caverns; to provide factors for determining penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 139 by Senator Ward

AMENDMENT NO. 1

On page 2, delete lines 3 through 7, and insert: "**However, such person may be liable for an additional penalty of not more than one million dollars when any such violation is done intentionally, willfully, or knowingly; and either results in a discharge or disposal which causes irreparable or severe damage to the environment, or involves the discharge of a substance which endangers human life or health.**"

AMENDMENT NO. 2

On page 2, line 15, after "**person**" insert "**related to the drilling or use of such underground caverns for hydrocarbon storage or solution mining**"

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

**SENATE BILL NO. 148—**

BY SENATOR LAFLEUR

## AN ACT

To amend and reenact R.S. 42:1102(18)(b), relative to public employees and the Code of Governmental Ethics; to provide an exception to the definition of public employee; to provide for professional services as a certified public accountant; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 148 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 2, delete "public employees and"

AMENDMENT NO. 2

On page 1, line 16, change "To periodic" to "pPeriodic"

AMENDMENT NO. 3

On page 1, line 17, change "To a" to "A"

AMENDMENT NO. 4

On page 2, between lines 1 and 2, insert the following:

"\* \* \*

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

SENATE BILL NO. 153—

BY SENATOR MURRAY

AN ACT

To enact Chapter 6-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 668, relative to payment of wages; to provide for definitions; to provide for prohibited acts constituting unequal pay; to provide for a complaint procedure; to provide for damages; to limit actions of employees; to require certain records be kept by employers; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 153 by Senator Murray

AMENDMENT NO. 1

On page 1, delete lines 14 through 17, delete pages 2 through 5 in their entirety and insert the following:

"§662. Declaration of public policy

The public policy of this state is declared to be that the practice of paying wages to employees of one sex at a lesser rate than the rate paid to employees of the opposite sex for comparable work on jobs which have comparable requirements unjustly discriminates against the person receiving the lesser rate, leads to low worker morale, threatens the well-being of citizens of this state, and adversely affects the general welfare. It is therefore declared to be the policy of this state through the exercise of its police power to correct and, as rapidly as possible, to eliminate discriminatory wage practices based on sex.

§663. Definitions

As used in this Chapter, the following terms shall have the definitions ascribed in this Section unless the context indicates otherwise:

(1) "Commission" means the Louisiana Commission on Human Rights.

(2) "Employee" means any individual permitted to work by an employer.

(3) "Employer" means an individual, partnership, corporation, association, business, trust, person, labor organization as defined in this Section, or other entity employing fifteen or more employees within the state and includes the state, any state officer or agent, any state department or agency, and any unit of local government, and school district within the state.

(4) "Labor organization" means any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or other mutual aid or protection in

connection with employment, or any agent acting for such an organization.

§664. Prohibited acts

A. No employer may discriminate against an employee on the basis of sex by paying wages to an employee at a rate less than that paid in the same establishment to another employee of a different sex for the same or substantially similar work on jobs in which the employee's performance requires equal skill, effort, education, and responsibility and which are performed under similar working conditions including time worked in the position.

B. No labor organization or its agent representing employees of an employer shall cause or attempt to cause an employer to discriminate against an employee in violation of this Chapter.

C. Nothing in Subsection A or B of this Section shall prohibit the payment of different wage rates to employees where such payment is made pursuant to any of the following:

(1) A seniority system.

(2) A merit system.

(3) A system that measures earnings by quantity or quality of production.

(4)(a) A differential based on a bona fide factor other than sex, such as education, training, or experience, provided that both:

(i) The employer demonstrates that such factor is related to the job position in question.

(ii) No alternative employment practice would serve the same legitimate business purpose, without producing such a differential.

(b) However, the employer may not claim such a differential serves a legitimate business purpose, if the employee demonstrates both:

(i) The existence of an alternative employment practice that would serve the same business purpose without producing such differential.

(ii) That the employer has refused to adopt such alternative practice.

D. An employer who is paying wages in violation of this Chapter may not, in order to comply with this Chapter, reduce the wages of any other employee.

E. It shall be unlawful for an employer to interfere with, restrain, or deny the exercise of, or attempt to exercise, any right provided under this Chapter. It shall be unlawful for any employer to discriminate, retaliate, or take any adverse employment action, including but not limited to termination or in any other manner discriminate against any employee for inquiring about, disclosing, comparing, or otherwise discussing the employee's wages or the wages of any other employee, or aiding or encouraging any other employee to exercise his or her rights under this Chapter.

F. It shall be unlawful for an employer subject to this Chapter to discriminate, retaliate, or take any adverse employment action, including but not limited to termination against an employee because, in exercising or attempting to exercise the employee's rights under this Chapter, such employee:

(1) Has filed any complaint or has instituted or caused to be instituted any proceeding to enforce the employee's rights under this Chapter, or both.

(2) Has provided or will provide any information in connection with any inquiry or proceeding relating to any right afforded to an employee pursuant to this Chapter.

(3) Has testified or will testify in any inquiry or proceeding relating to any right afforded to an employee pursuant to this Chapter.

§665. Complaint procedure

A. An employee who in good faith believes that the employee's employer is in violation of this Chapter shall submit written notice of the alleged violation to the employer. An employer who receives such written notice from an employee shall have sixty days from receipt of the notice to investigate the matter and remedy any violation of this Chapter. If an employer remedies the violation in a manner that complies with the statute and within the time provided herein, the employee may not bring



any action against the employer pursuant to this Chapter except as provided in Subsections B and C of this Section.

B. If an employer fails to resolve the dispute to the satisfaction of such employee within the time provided herein, the employee may file a complaint with the commission requesting an investigation of the complaint pursuant to R.S. 23:301.

C. If the commission finds evidence of discriminatory, retaliatory or other adverse employment action on the part of the employer in violation of this Chapter but is unable to resolve or mediate the dispute, or fails to render a decision as to the dispute, or issues a finding of no discrimination on the part of the employer, the employee may institute a civil suit in a district court of competent jurisdiction.

§666. Liquidated damages

A. An employer who violates the provisions of this Chapter shall be liable to the affected employees in the amount of the employee's unpaid wages, liquidated damages in an amount of one-half of such unpaid wages, and reasonable attorney fees and costs.

B. In addition to the relief provided for in Subsection A of this Section, an employer who violates the provisions of this Chapter may also be liable to the affected employees for reinstatement, promotion, any benefits lost, or any combination of these.

C. The award of monetary relief shall be limited to those violations which have occurred within a thirty-six-month period prior to the employee's written notice to the employer, as required in R.S. 23:665(A).

D. In cases where suit is filed in the district court, no monetary relief may be awarded the employee for losses incurred between the date that the district court rendered its final judgment and the date upon which all appeals of that judgment have been exhausted.

E. Interim earnings by the employee discriminated against shall operate to reduce the monetary relief otherwise allowable under this Chapter.

F. Nothing in this Chapter prevents the settlement of a claim by agreement of the employer and employee for a lesser amount than the employee alleges the employee is due.

G. An employee found by a court to have brought a frivolous claim under this Chapter shall be held liable to the employer or any agent of the employer who was named a defendant in the suit, or both, for reasonable damages, reasonable attorney fees, and court costs incurred as a result of the claim.

§667. Limitation of actions

A. Any action filed in a district court to recover unpaid wages, liquidated damages, or any other form of relief for a violation of this Chapter shall be commenced within one year of the date that an employee is aware or should have been aware that the employee's employer is in violation of this Chapter.

B. This one-year prescriptive period shall be suspended during the sixty-day period allowed the employer by this Chapter to respond to the employee's written notice, during the pendency of any administrative review or investigation of the employee's claim by the commission or the United States Department of Labor, or both.

§668. Records to be kept by employers

An employer subject to this Chapter shall create and preserve records reflecting the name, address, and occupation of each employee, and all wages paid to each employee. These records shall be preserved for a period of not less than three years from the employee's last date of employment with the employer."

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

**SENATE BILL NO. 184—**

BY SENATOR LONG AND REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 36:610(E) and 901(A), and R.S. 56:578.2(E), the introductory paragraph of 578.3, and 578.12(A) and the introductory paragraph of (B), and to repeal R.S.

36:802.5, relative to the Louisiana Seafood Promotion and Marketing Board; to provide for certain appointive authority retained; to provide for the powers, duties, and functions of the board; to provide relative to the Louisiana Oyster Task Force and Shrimp Task Force; to provide certain terms, conditions and requirements; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 184 by Senator Long

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 36:610(E)" delete the remainder of the line and delete line 3, and insert "and 801.1(A), and R.S. 56:10(B)(3), 578.2(A)(1) and (E), 578.3(10), 578.4 and 578.7, and to enact R.S. 56:578.3(11) and (12), and to"

AMENDMENT NO. 2

On page 1, line 5, delete "to provide for certain appointive authority retained;" and insert "to provide for the transfer and retention of all functions;"

AMENDMENT NO. 3

On page 1, lines 6 and 7, delete "to provide relative to the Louisiana Oyster Task Force and Shrimp Task Force;" and on line 9, change "901(A)" to "801.1(A)"

AMENDMENT NO. 4

On page 1, line 17, delete "**36:901.**" and insert "**36:801.1. The Louisiana Seafood Promotion and Marketing Board shall be a separate budget unit within the Department of Wildlife and Fisheries. The Department of Wildlife and Fisheries shall not be responsible for providing office space, equipment, or personnel for the board.**"

AMENDMENT NO. 5

On page 2, delete lines 2 through 29 and insert:

"§801.1. Transfer; retention of all functions

A. The agencies transferred by the provisions of R.S. 36:4(B)(1)(dd), (B)(18), and (D), 4.1(C) and (G), 53(H), 209(R), 259(J), 409(N), 509(O), **610(E)**, 651(D), **and** 725(A); **and** 769(J) shall continue to be comprised and selected as provided by law.

\* \* \*

AMENDMENT NO. 6

On page 3, delete lines 1 through 27 and insert:

"Section 2. R.S. 56:10(B)(3), 578.2(A)(1) and (E), 578.3(10), 578.4 and 578.7 are amended and reenacted and R.S. 56:578.3(11) and (12) are hereby enacted to read as follows:

§10. Annual report to governor; estimate of proposed expenditures; particular funds; warrants; vouchers; surplus funds

\* \* \*

B. \* \* \*

(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 by the legislature for the use by the board.

\* \* \*

§578.2. Louisiana Seafood Promotion and Marketing Board; creation and organization

A.(1) There is hereby created in the ~~office of fisheries of the~~ Department of Wildlife and Fisheries the Louisiana Seafood Promotion and Marketing Board **that will act independently of the secretary.** The agency shall have its domicile in ~~Baton Rouge~~ **New Orleans** and shall be governed by a board of trustees composed of ~~fourteen members~~, thirteen members appointed by the governor from persons engaged in the commercial seafood, crawfish and alligator

industry in Louisiana and the fourteenth member to be the secretary of the Department of Wildlife and Fisheries or his designated representative, who shall serve as an ex officio nonvoting member.

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.

§578.3. Powers, duties, and functions
The board shall have the following powers, duties, and functions:

(10) To adopt rules and regulations, in accordance with the Administrative Procedure Act, necessary to carry out the purposes of the board.

(11) To perform accounting and budget control, procurement and contract management, management and program analysis, data processing, personnel management, and grants management.

(12) To make and enter into contracts, conveyances, mortgages, deeds or trusts, and leases in the carrying out of its powers, duties, functions, and objectives.

§578.4. Advertising, contracts and sales offices
A. The board, working with the Department of Wildlife and Fisheries, shall plan and conduct a campaign for advertising, publicizing, and promoting the increased consumption of Louisiana seafood, and may contract for any advertising, publicity, and sales promotion services. The board is further empowered to take any other action which it deems necessary to promote and to improve the well-being of the commercial seafood industry. The secretary is hereby authorized and empowered to carry out any and all contracts entered into by the board.

§578.7. Appropriations; warrants; records
Funds made available by the legislature from the Seafood Promotion and Marketing Fund as provided in R.S. 56:10 or from any other source shall be used solely for the programs and purposes provided for in this Subpart. The Department of Wildlife and Fisheries board shall maintain records of the sources of money received and the purpose therefor, as well as the person or persons to whom money is paid and the purpose therefor. Vouchers or receipts shall be kept for all money paid out. Money appropriated or otherwise made available to the department for authorized purposes shall be withdrawn from the treasury on warrant of the secretary of the department.

AMENDMENT NO. 7
On page 3, delete line 29 and insert
"Section 4. This Act shall become effective on July 1, 2013."

AMENDMENT NO. 8
On page 4, delete lines 1 through 5

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

SENATE BILL NO. 186—
BY SENATOR GALLOT
AN ACT
To amend and reenact R.S. 33:130.166(B)(2), relative to the Grant Parish Economic and Industrial Development District; to provide for funding of the district; to provide for exemptions; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 195—
BY SENATORS GALLOT, KOSTELKA AND LONG
AN ACT

To enact R.S. 33:130.153(10), relative to the Grant Economic Development District; to provide for powers of the district; to provide for the levy and collection of a sales and use tax not to exceed two percent; to provide for exemptions; to require an election; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 200—
BY SENATOR MILLS
AN ACT

To enact R.S. 30:23.1, relative to minerals, oil and gas; to provide for a ban on new permits allowing certain types of activities near salt domes; to expand the requirements for new or existing permits to conduct such operations in or near salt domes; to provide for authority to promulgate such requirements; to require a performance bond to conduct such activities; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 200 by Senator Mills

AMENDMENT NO. 1
On page 1, line 2, after "relative to" delete the remainder of the line and delete lines 3 through 6 and insert: "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."

AMENDMENT NO. 2
On page 1, delete lines 9 through 12 and insert:
"\$23.1 Permits for solution mined caverns near salt domes; prohibition on state leases of state owned water bottoms acreage"

AMENDMENT NO. 3
On page 1, between lines 12 and 13, insert:
"A. For the purposes of this Section, "solution mined cavern" means a cavity created within the salt stock by dissolution with water."

AMENDMENT NO. 4
On page 1, line 13, change "A." to "B."

AMENDMENT NO. 5
On page 1, at the end of line 16, delete "The" and delete line 17 and insert:

"C. In order to protect our precious water resources, the commissioner of conservation shall not authorize or issue any permits for the creation of a solution mined cavern or to convert a solution mined cavern to storage or waste disposal in any area where the salt stock underlying a state owned water bottom has structurally failed if that failure was man made.

D. The provisions of this Section shall not apply to the United States Strategic Petroleum Reserve or any entity regulated by the Offshore Terminal Authority."

AMENDMENT NO. 6
On page 2, delete lines 1 through 28

AMENDMENT NO. 7
On page 3, delete lines 1 through 29 and insert:
"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as

provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

**SENATE BILL NO. 201—**  
BY SENATOR MILLS

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.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 201 by Senator Mills

AMENDMENT NO. 1

On page 2, at the end of line 9, insert "**The monies received from the additional five dollar fee shall be disbursed solely to fund scholarships for the "La Fondation Louisiane for the Escadrille Louisiane" scholarship program of the Council for the Development of French in Louisiana.**"

AMENDMENT NO. 2

On page 3, at the end of line 1, insert "**The monies received from the additional five dollar fee shall be disbursed solely to fund scholarships for the "La Fondation Louisiane for the Escadrille Louisiane" scholarship program of the Council for the Development of French in Louisiana.**"

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

**SENATE BILL NO. 209—**  
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3 and to repeal R.S. 33:4562.4, relative to the Evangeline-Ville Platte Recreation District; to provide for a board of commissioners; to provide for the appointments of the commissioners; to provide for duties of the board of commissioners; to provide for the allocation of revenue; to authorize advisory committees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 209 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 2, after "33:4562.3" and before "and" insert "(C), (E), and (F), to enact R.S. 33:4562.3(H)"

AMENDMENT NO. 2

On page 1, line 10, change "is" to "(C), (E), and (F) are"

AMENDMENT NO. 3

On page 1, line 10, between "reenacted" and "to read" insert "and R.S. 33:4562.3(H) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 13 to 17, and insert asterisks  
\*\* \* \*\*

AMENDMENT NO. 5

On page 2, delete lines 1 through 8

AMENDMENT NO. 6

On page 2, delete lines 26 through 29, and insert asterisks  
\*\* \* \*\*

AMENDMENT NO. 7

On page 3, delete lines 1 and 2

AMENDMENT NO. 8

On page 3, delete lines 15 through 29, and insert asterisks  
\*\* \* \*\*

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

**SENATE BILL NO. 212—**  
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 42:23(A) and to enact R.S. 44:36(F), relative to public meetings; to require proceedings to be video or tape recorded, filmed or broadcast live; to provide for the preservation of certain records; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 212 by Senator Gary Smith

AMENDMENT NO. 1

On page 1, line 3, after "proceedings" insert "of certain boards and commissions"

AMENDMENT NO. 2

On page 1, line 8, change "**shall**" to "may"

AMENDMENT NO. 3

On page 1, at the end of line 9, insert: "**However, any board or commission that has the authority to expend, disburse, or invest ten thousand dollars or more of funds in a fiscal year shall video or tape record, film, or broadcast live, all proceedings in a public meeting.**"

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

**SENATE BILL NO. 223—**  
BY SENATOR MILLS

AN ACT

To enact Chapter 51 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:3551 through 3552, and R.S. 36:509(U), relative to ports; to create the Coastal Port Advisory Authority; to provide for the authority's membership and its officers; to provide for the duties and functions of the authority; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 223 by Senator Mills

AMENDMENT NO. 1
On page 2, line 7, change "the shale" to "shallow"

AMENDMENT NO. 2
On page 2, line 11, change "deeper" to "deep"

AMENDMENT NO. 3
On page 2, line 16, change "manufacturing" to "fabrication"

AMENDMENT NO. 4
On page 3, delete lines 16 and 17

AMENDMENT NO. 5
On page 3, line 18, change "(7)" to "(6)"

AMENDMENT NO. 6
On page 3, delete lines 20 through 23, and insert:
"(7) One member from each of Louisiana's coastal ports appointed by each port's executive director.
(8) One member from each of Louisiana's deep draft ports appointed by each port's executive director."

AMENDMENT NO. 7
On page 3, line 29, after "(2)" insert "(a)"

AMENDMENT NO. 8
On page 4, between lines 9 and 10, insert:
"(b) The authority shall not be eligible to apply for or receive funding from the Port Construction and Development Priority Program as provided in R.S. 34:3451 et seq.
(c) The authority shall be prohibited from advising on any matter related to the Port Construction and Development Priority Program."

AMENDMENT NO. 9
On page 4, line 10, after "(3)" delete "The" and insert "Not later than May 1, 2015, and not later than May 1 annually thereafter, the" and delete "periodically"

AMENDMENT NO. 10
On page 4, between lines 12 and 13, insert:
"(4) The authority may call upon the expertise of others with knowledge of Gulf of Mexico deep water exploration and production, including but not limited to, the Louisiana Mid-Continent Oil and Gas Association, the Louisiana Oil and Gas Association, the American Petroleum Institute, the National Ocean Industries Association, the Gulf Economic Survival Team, Chambers of Commerce, Louisiana universities, fabrication companies, and port organizations.
(5) Executive agencies and departments of the state represented on the authority may enter into interagency agreements to share costs necessary to perform authority duties, functions, and responsibilities."

AMENDMENT NO. 11
On page 4, between lines 21 and 22, insert:
"F. The provisions of this Chapter shall terminate on June 30, 2018."

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

SENATE BILL NO. 236—
BY SENATOR DORSEY-COLOMB
AN ACT
To enact R.S. 38:2212(A)(1)(b)(ii)(cc), relative to the public bid process; to provide for bidding on public work projects let by East Baton Rouge Parish; to provide for implementation of

certain rules; to provide for inclusion of certain documents; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 238—
BY SENATOR CHABERT
AN ACT

To enact Chapter 35 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1321 through 1326, relative to establishing the Leeville Fishing Village and Cultural Preservation Commission; to provide for legislative intent; to provide for membership and domicile; to provide for powers and duties; to provide for donations and grants; to provide for operating funds; to provide for rules; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 238 by Senator Chabert

AMENDMENT NO. 1
On page 3, delete line 26 in its entirety

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

SENATE BILL NO. 239—
BY SENATOR WARD
AN ACT

To amend and reenact R.S. 40:1503 (A)(6), (B), (E)(1), (F)(1) and (2), (H)(3) and (5), (I)(5), (6)(a), (9)(a) and (K)(1) and (3)(c), and to enact (M) relative to West Baton Rouge Fire Protection District No. 1; to provide for certain powers of the board of commissioners; to provide for the allocation of certain revenues; to provide specific dates to recalculate assessments; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 239 by Senator Ward

AMENDMENT NO. 1
On page 1, delete line 2 and insert
"To amend and reenact R.S. 40:1503(A), (B), (E)(1), and (F), and to repeal R.S. 40:1503 (G), (H), (I), (J), (K) and (L);"

AMENDMENT NO. 2
On page 1, at the beginning of line 3, delete "(6)(a), (9)(a) and (K)(1) and (3)(c), and to enact (M)"

AMENDMENT NO. 3
On page 1, delete lines 9 thru 11 in their entirety and insert
"Section 1. R.S. 40:1503(A), (B), (E)(1), and (F) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4
On page 1, delete lines 15 thru 17 in their entirety and insert the following:
"(1) "Board" means the board of commissioners of West Baton Rouge Parish Fire Protection District No. 1. "Council" means the West Baton Rouge Parish Council.
(2) "District" means West Baton Rouge Parish Fire Protection District No. 1.

(3) "Fire protection service" means, but is not necessarily limited to:

- (a) Acquiring and maintaining land for a fire station site;
- (b) Acquiring, constructing, maintaining, and operating fire protection facilities;
- (c) Acquiring, maintaining, and operating fire trucks and other fire protection or emergency equipment;
- (d) Obtaining water for fire protection purposes, including charges for fire hydrant rentals and service; and
- (e) Paying salaries of firemen.

~~(4) "Municipal governing authority" means the board of aldermen of any municipality in the parish.~~

~~(5) (4) "Parish" means West Baton Rouge Parish.~~

~~(6) "Police jury" means the West Baton Rouge Parish Police Jury.~~

~~(7) "Subdistrict" means any subdistrict of West Baton Rouge Parish Fire Protection District No. 1."~~

AMENDMENT NO. 5

On page 2, delete line 1 in its entirety

AMENDMENT NO. 6

On page 2, line 5, after "and" and before "include" insert "**may**"

AMENDMENT NO. 7

On page 2, delete lines 15 thru 29 in their entirety and insert the following:

"F.(4) At the place and time specified in the notice provided for in Subsection E, the ~~police jury~~ **council** shall hold a public hearing concerning the creation of the proposed district and the proposed boundaries of the subdistricts. At this hearing, the police jury may change the boundaries of the proposed subdistricts.

~~(2) After the hearing, the police jury may adopt an ordinance creating the district and fixing the boundaries of each subdistrict. The ordinance shall:~~

~~(a) Contain the method or formula by which the district's revenues shall be allocated to the subdistricts for fire protection purposes;~~

~~(b) Provide that any subsequent revision of the method of formula of allocation, or termination thereof, shall occur only upon adoption of an ordinance setting forth the proposed action by the police jury and upon concurrence, by resolution, of each municipal governing authority in the parish;~~

~~(c) Provide that the entire area of any municipality shall be included within one subdistrict;~~

~~(d) Provide that any area annexed by a municipality that is not within the same subdistrict as the annexing municipality shall be included within the same subdistrict as the municipality. The police jury shall adopt an ordinance changing the boundaries of the subdistricts only to the extent necessary to comply with this Subparagraph;~~

~~(e) Not become effective until it has been concurred in, by resolution, by each municipal governing authority in the parish;~~

~~(3) Thereafter, notice of the formation of the district and the subdistricts shall be given immediately by one publication in the parish's official journal."~~

AMENDMENT NO. 8

Delete pages 3 and 4 in their entirety

AMENDMENT NO. 9

On page 5, delete lines 1 thru 25 in their entirety

AMENDMENT NO. 10

On page 5, between lines 25 and 26, insert the following:

"Section 2. R.S. 40:1503 (G) through (L) are hereby repealed.

Section 3. Notwithstanding any other provisions of law to the contrary, the West Baton Rouge Parish Council shall, on or before July 1, 2014, enact an ordinance providing for West Baton Rouge Fire Protection District No.1 as authorized by this Act."

AMENDMENT NO. 11

On page 5, at the beginning of line 26, change "Section 2." to "Section 4."

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

**SENATE BILL NO. 241—**

BY SENATOR JOHN SMITH

AN ACT

To enact R.S. 33:2740.70.2, relative to economic development in Vernon Parish; to create and provide for the Leesville Economic Development District; to provide relative to the powers, duties, boundaries, and governance of the district; to provide relative to district plans; to provide for funding; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 241 by Senator John Smith

AMENDMENT NO. 1

On page 5, line 2, after "**(F)**" and before the ":", insert "**, except for the power to expropriate property**"

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

**SENATE BILL NO. 243—**

BY SENATOR PERRY

AN ACT

To enact R.S. 33:4574.1.1(Q)(4), relative to Vermilion Parish Tourist Commission; to provide for expenditure of funds; to provide relative to certain municipalities; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 247—**

BY SENATOR NEVERS

AN ACT

To enact R.S. 47:338.183.1, relative to sales and use taxes; to authorize the levy of an additional sales and use tax not to exceed one-half of one percent in certain parishes; to require voter approval of the parish ordinance authorizing the tax; to require that proceeds from the tax be deposited into the parish general fund; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The 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. 159—**

BY REPRESENTATIVE TERRY LANDRY

AN ACT

To enact R.S. 47:463.160, relative to motor vehicle special prestige plates; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Engrossed House Bill No. 159 by Representative Terry Landry

AMENDMENT NO. 1

On page 1, line 2, after "prestige" insert "license"

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

HOUSE BILL NO. 172—

BY REPRESENTATIVES DOVE, GAROFALO, AND WHITNEY  
AN ACT

To enact R.S. 49:149.63, relative to naming state buildings; to name the bivalve hatchery located on Grand Isle; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 218—

BY REPRESENTATIVES NORTON AND PATRICK WILLIAMS  
AN ACT

To amend and reenact R.S. 32:1(1.1) and 190(D) and to enact R.S. 32:401(24) and 408(C)(3), relative to autocycles; to amend the definition of autocycle; to provide for a helmet exemption for operators and passengers of certain autocycles; to provide for an exemption for certain driver's license endorsements for operators of certain autocycles; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title and referred to the Legislative Bureau.

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.

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

HOUSE BILL NO. 291—

BY REPRESENTATIVES PRICE AND BURRELL  
AN ACT

To amend and reenact R.S. 22:32(A)(1)(introductory paragraph), (i), (l), and (n) and (3), relative to the Advisory Committee on Equal Opportunity within the Department of Insurance; to require the deputy commissioner of the division of minority affairs to serve as the committee chairperson; to make changes to the list of associations that may submit nominees to be considered for appointment to the committee; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 291 by Representative Price

AMENDMENT NO. 1

On page 1, line 2, after "(3)" and before the comma insert "and to enact R.S. 22:32(A)(1)(r) and (4)"

AMENDMENT NO. 2

On page 1, line 10, after "reenacted" insert "and R.S. 22:32(A)(1)(r) and (4) are hereby enacted"

AMENDMENT NO. 3

On page 1, delete line 14, and insert "committee shall be composed of ~~twenty-three~~ twenty-five members. ~~Twenty-two~~ Twenty-four members shall"

AMENDMENT NO. 4

On page 1, line 16, after "the" and before "member" change "twenty-third" to "twenty-fifth"

AMENDMENT NO. 5

On page 1, delete line 17, and insert "Four"

AMENDMENT NO. 6

On page 2, line 1, after "People," and before "and" insert "the Monroe chapter of the National Association for the Advancement of Colored People."

AMENDMENT NO. 7

On page 2, between lines 16 and 17, insert:  
"(r) Greater Southwest Louisiana Black Chamber of Commerce."

AMENDMENT NO. 8

On page 2, at the end of line 17, insert "for"

AMENDMENT NO. 9

On page 2, delete lines 18 and 19, and insert "compensation for mileage and, meals, and necessary lodging expenses incurred in"

AMENDMENT NO. 10

On page 2, between lines 21 and 22, insert:  
"(4) For the conducting of business, a quorum shall mean a simple majority of members appointed with no fewer than ten members present."

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

Rules Suspended

Senator Mills asked for and obtained a suspension of the rules to recall Senate Concurrent Resolution No. 7 from the Committee on Judiciary B.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR MILLS  
A CONCURRENT RESOLUTION

To urge the Louisiana Lottery Corporation to create a new lottery ticket for the benefit of soldiers and veterans.

On motion of Senator Mills the resolution was read by title and withdrawn from the files of the Senate.

**Senate Resolutions  
on Second Reading  
Reported by Committees**

**SENATE RESOLUTION NO. 39—**  
BY SENATOR GALLOT

A RESOLUTION

To urge and request the Senate Committee on Local and Municipal Affairs to study the laws applicable to local public entities in the purchase of vehicles for law enforcement purposes.

Reported favorably by the Committee on Local and Municipal Affairs.

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

**Senate Resolutions  
on Second Reading  
Reported by Committees, Subject to Call**

**Called from the Calendar**

Senator Allain asked that Senate Resolution No. 40 be called from the Calendar.

**SENATE RESOLUTION NO. 40—**  
BY SENATOR ALLAIN

A RESOLUTION

To urge and request the Louisiana State Law Institute to study the feasibility of authorizing tax lien sales as a replacement or alternative to tax sale certificates.

Reported favorably by the Committee on Judiciary A.

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

**Senate Concurrent Resolutions  
on Second Reading  
Reported by Committees**

**SENATE CONCURRENT RESOLUTION NO. 6—**  
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on the feasibility of requiring clerks of court to accept electronic signatures on documents for filing.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Nevers
Adley	Erdey	Peacock
Allain	Guillory	Perry
Amedee	Heitmeier	Peterson
Appel	Johns	Riser
Broome	LaFleur	Smith, G.
Brown	Long	Tarver
Buffington	Martiny	Thompson
Chabert	Mills	Walsworth
Claitor	Morrell	White

Cortez  
Crowe  
Total - 34

Morrish  
Murray  
  
NAYS

Total - 0

ABSENT

Donahue  
Gallot  
Total - 5

Kostelka  
Smith, J.                      Ward

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

**SENATE CONCURRENT RESOLUTION NO. 10—**  
BY SENATOR WARD

A CONCURRENT RESOLUTION

To designate the Smokin' Oldies Cook-Off in West Baton Rouge Parish as an official Louisiana State barbecue championship.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

**SENATE CONCURRENT RESOLUTION NO. 12—**  
BY SENATORS AMEDEE AND WALSWORTH

A CONCURRENT RESOLUTION

To create the State Capitol Complex Task Force to study and make recommendations to the legislature for the capitol park with respect to the state capitol building, traffic congestion, Capitol Lake, and the surrounding infrastructure.

Reported favorably by the Committee on Senate and Governmental Affairs.

**Floor Amendments**

Senator Amedee proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Amedee to Original Senate Concurrent Resolution No. 12 by Senator Amedee

AMENDMENT NO. 1

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

"(11) The director of the Downtown Development District of the City of Baton Rouge.

(12) The director of the Department of Public Works for East Baton Rouge Parish."

On motion of Senator Amedee, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Adley	Erdey	Nevers
Allain	Guillory	Peacock
Amedee	Heitmeier	Perry
Appel	Johns	Peterson
Broome	Kostelka	Riser
Brown	LaFleur	Smith, G.
Buffington	Long	Tarver
Chabert	Martiny	Thompson

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Claitor	Mills	Walsworth
Cortez	Morrell	White
Crowe	Morrish	
Total - 35		

NAYS

Total - 0

ABSENT

Donahue	Smith, J.
Gallot	Ward
Total - 4	

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

**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.

Reported favorably by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gallot	Smith, J.	Ward
Total - 3		

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

**Senate Concurrent Resolutions  
on Third Reading, Subject to Call**

**Called from the Calendar**

Senator Cortez asked that Senate Concurrent Resolution No. 1 be called from the Calendar.

**SENATE CONCURRENT RESOLUTION NO. 1—**  
BY SENATOR CORTEZ

**A CONCURRENT RESOLUTION**

To suspend until July 1, 2014, the provisions of Chapter 7 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:1399.1 through 1399.7.

**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 Concurrent Resolution No. 1 by Senator Cortez

AMENDMENT NO. 1

On page 2, line 11, following "of" and before "2012" insert "the"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Murray
Allain	Erdey	Peacock
Amedee	Guillory	Perry
Appel	Heitmeier	Peterson
Broome	Johns	Riser
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Cortez	Mills	White
Crowe	Morrell	
Donahue	Morrish	
Total - 34		

NAYS

Total - 0

ABSENT

Adley	Nevers	Ward
Gallot	Smith, J.	
Total - 5		

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

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage**

**SENATE BILL NO. 4—**  
BY SENATOR GUILLORY

**AN ACT**

To amend and reenact R.S. 11:22(B)(6) and (13), 102.1(B)(4) and (C)(4), 102.2(B)(4) and (C)(4), 542(A)(2)(a) and (F), and 883.1(A)(2)(a) and (G), relative to actuarial valuation methods; to provide relative to the method utilized by the Louisiana State Employees' Retirement System and the Teachers' Retirement System of Louisiana; to change such method from projected unit credit to entry age normal; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 38—**  
BY SENATOR CORTEZ

**AN ACT**

To enact R.S. 4:183(B)(3), relative to horse racing; to provide for the distribution of certain monies as purses; and to provide for related matters.



**Floor Amendments**

Senator Cortez proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 38 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 2, after "(B)(3)" insert "and (4)"

AMENDMENT NO. 2

On page 1, line 5, after "(B)(3)" insert "and (4) are" and delete "is"

AMENDMENT NO. 3

On page 1, delete line 16 and insert the following: **"the provisions of this Paragraph shall only apply to thoroughbred race meetings at any facility where the purse revenue derived"**

AMENDMENT NO. 4

On page 2, line 2, after "**horses at**" insert "**thoroughbred**"

AMENDMENT NO. 5

On page 2, at the end of line 11, after "**next**" insert "**thoroughbred race**"

AMENDMENT NO. 6

On page 2, line 14, after "**Section.**" delete the remainder of the line and delete lines 15 through 17 and insert the following:

**"(4) For the purposes of this Subsection, "average daily purse distribution" means all sources of funds available for use as a purse or purse supplement that are required by law to be distributed during a race meeting."**

On motion of Senator Cortez, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Donahue	Morrell
Adley	Dorsey-Colomb	Morrish
Allain	Erdey	Murray
Amedee	Guillory	Peacock
Appel	Heitmeier	Perry
Brown	Johns	Riser
Buffington	Kostelka	Smith, G.
Chabert	LaFleur	Tarver
Claitor	Long	Thompson
Cortez	Martiny	Walsworth
Crowe	Mills	White
Total - 33		

NAYS

Total - 0

ABSENT

Broome	Nevers	Smith, J.
Gallot	Peterson	Ward
Total - 6		

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

**SENATE BILL NO. 74—**

BY SENATOR JOHNS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(ii) of the Constitution of Louisiana, relative to ad valorem property tax; to remove the provision excluding persons of a certain adjusted gross income level from receiving the special assessment level; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley	Johns	Tarver
Buffington	Kostelka	Thompson
Heitmeier	Morrish	
Total - 8		

NAYS

Mr. President	Crowe	Murray
Allain	Donahue	Nevers
Amedee	Dorsey-Colomb	Peacock
Appel	Erdey	Perry
Broome	LaFleur	Peterson
Brown	Long	Riser
Chabert	Martiny	Smith, G.
Claitor	Mills	Walsworth
Cortez	Morrell	White
Total - 27		

ABSENT

Gallot	Smith, J.
Guillory	Ward
Total - 4	

The Chair declared the bill failed to pass. Senator Donahue moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

**SENATE BILL NO. 76—**

BY SENATOR BUFFINGTON

AN ACT

To amend and reenact R.S. 46:2623 and 2625, relative to the Louisiana Medical Assistance Trust Fund; to provide for sub-accounts within the fund; to provide for the use of the fund; to provide for the disposition of health care provider fees; and to provide for related matters.

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

**SENATE BILL NO. 140—**

BY SENATOR MORRELL

AN ACT

To enact R.S. 33:1243(A)(3), relative to the exercise of municipal powers; to provide for maximum penalties; and to provide for related matters.

**Floor Amendments**

Senator Morrell proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 140 by Senator Morrell

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AMENDMENT NO. 1

On page 1, line 2, change "1243(A)(3)" to "1375"

AMENDMENT NO. 2

On page 1, line 3, after "maximum penalties" delete the semi-colon ";" and insert "for certain violations; to provide exceptions;"

AMENDMENT NO. 3

On page 1, line 6, change "1243(A)(3)" to "1375"

AMENDMENT NO. 4

On page 1, delete line 7, and insert: "§1375. Maximum penalties; New Orleans"

AMENDMENT NO. 5

On page 1, delete lines 8 through 13, and insert: "Notwithstanding any law to the contrary, in the city of New Orleans, the maximum"

AMENDMENT NO. 6

On page 1, at the end of line 16, insert: "The provisions of this Section shall not apply to any traffic law, ordinance, rule, regulation, or any non-moving vehicle or parking violation, including but not limited to any violation captured by an automated traffic enforcement system."

AMENDMENT NO. 7

On page 1, delete line 17

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Heitmeier	Perry
Appel	Johns	Peterson
Broome	Kostelka	Riser
Brown	LaFleur	Smith, G.
Buffington	Long	Tarver
Chabert	Martiny	Thompson
Claitor	Mills	Walsworth
Cortez	Morrell	White
Crowe	Morrish	
Total - 35		

NAYS

Total - 0

ABSENT

Gallot	Smith, J.
Guillory	Ward
Total - 4	

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

SENATE BILL NO. 169—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact the introductory paragraph of R.S. 47:305(D)(2)(a) and 305(D)(2)(a)(ii), relative to exemptions and exclusions from sales taxes; to provide an exemption for the sale of meals furnished to staff and residents of nursing homes, adult

residential care providers, and continuing care retirement communities; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Adley	Dorsey-Colomb	Nevers
Allain	Erdey	Peacock
Amedee	Heitmeier	Perry
Appel	Johns	Riser
Broome	Kostelka	Smith, G.
Brown	LaFleur	Tarver
Buffington	Long	Thompson
Chabert	Martiny	Walsworth
Cortez	Mills	White
Crowe	Morrish	
Total - 32		

NAYS

Claitor	Morrell	Peterson
Total - 3		

ABSENT

Gallot	Smith, J.
Guillory	Ward
Total - 4	

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

SENATE BILL NO. 204—

BY SENATORS ADLEY, ALARIO, BROWN, CORTEZ, CROWE, DORSEY-COLOMB, GALLOT, JOHNS, KOSTELKA, MARTINY, MILLS, MORRELL, MORRISH, MURRAY, NEVERS, GARY SMITH AND WHITE AND REPRESENTATIVES ADAMS, ARNOLD, BERTHELOT, STUART BISHOP, BROSETT, DANAHAY, DIXON, FRANKLIN, GAINES, GISCLAIR, GUINN, HAZEL, JAMES, TERRY LANDRY, LEGER, LEOPOLD, MONTOUCET, MORENO, ORTEGO, PRICE, RICHARD, SMITH AND WHITNEY

AN ACT

To amend and reenact R.S. 17:3394.3(A) and (B) and to enact R.S. 17:3394.3(C) and R.S. 39:1367(E)(2)(b)(v), relative to the issuance of bonds for the financing of capital improvements and enhancements to certain facilities and properties of colleges within the Louisiana Community and Technical Colleges System; to list the projects to be financed; to require private match funds for such projects; to provide that no state funds shall be appropriated for such bonds or projects until July 1, 2015; to provide that such bonds shall not be included in the definition of net state tax supported debt; to provide for an effective date; and 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 Reengrossed Senate Bill No. 204 by Senator Adley

AMENDMENT NO. 1

On page 1, line 2, following "and" and before "(B)" insert "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 11, following "and" and before "(B)" insert "the introductory paragraph of"

AMENDMENT NO. 3

On page 5, line 29, change "River Parish Campus, Reserve, St. John Parish" to "River Parishes Campus, Reserve, St. John the Baptist Parish"

On motion of Senator Martiny, the amendments were adopted.

**Floor Amendments**

Senator Adley proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Reengrossed Senate Bill No. 204 by Senator Adley

AMENDMENT NO. 1

On page 2, line 2, after "R.S. 33:4548.1 et seq.," insert "or a public trust duly organized pursuant to R.S. 9:2341 et seq., having for its beneficiary the state."

On motion of Senator Adley, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dorsey-Colomb	Morrish
Adley	Erdey	Murray
Allain	Guillory	Nevers
Amedee	Heitmeier	Perry
Appel	Johns	Riser
Broome	Kostelka	Smith, G.
Brown	LaFleur	Tarver
Buffington	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrell	White
Total - 30		

NAYS

Chabert	Donahue	Peacock
Claitor	Long	Peterson
Total - 6		

ABSENT

Gallot	Smith, J.	Ward
Total - 3		

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

**SENATE BILL NO. 207—**

BY SENATOR MORRELL

AN ACT

To enact R.S. 33:2588 and to amend and reenact R.S. 33:2391, 2471, and 2591, relative to civil service for cities having a population exceeding one hundred thousand; to make technical changes; 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.

**SENATE BILL NO. 242—**

BY SENATOR MURRAY AND REPRESENTATIVE LEGER  
AN ACT

To enact Chapter 4 of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 21:201 through 208, relative to hotels and lodging houses; to provide with respect to optional assessments on hotels that are levied by a comprehensive membership based tourism organization on its members that are operators of hotels or motels located in the parish of Orleans; to provide that hotel and income taxes shall not apply to such surcharges; to provide for a hotel referendum to approve such an optional assessment; to provide for enhancement of the sales and marketing capabilities and other general purposes of the organization; to provide for the direct or indirect benefit of growing the traveler economy; to provide for levying hotel assessments as surcharges on hotel or motel folios; to provide for terms and definitions; to provide for an effective date; and to provide for related matters.

**Floor Amendments**

Senator Murray proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Murray to Engrossed Senate Bill No. 242 by Senator Murray

AMENDMENT NO. 1

On page 4, line 10, change "hotel assessments" to "a hotel assessment of up to one and three quarters percent of the daily room charge"

On motion of Senator Murray, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Cortez	Mills
Adley	Donahue	Morrell
Amedee	Dorsey-Colomb	Murray
Appel	Guillory	Perry
Broome	Heitmeier	Peterson
Brown	Kostelka	Smith, G.
Buffington	LaFleur	Tarver
Chabert	Martiny	White
Total - 24		

NAYS

Allain	Long	Walsworth
Claitor	Peacock	
Crowe	Thompson	
Total - 7		

ABSENT

Erdey	Morrish	Smith, J.
Gallot	Nevers	Ward
Johns	Riser	
Total - 8		

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

May 6, 2013

SENATE BILL NO. 246—  
BY SENATOR NEVERS

AN ACT

To enact Subpart O-1 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.65, relative to the dedication of certain revenues; to establish the Health Care Insurance Coverage Equity Fund in the state treasury; to provide for the dedication of monies to and deposits into the fund; to provide for the use of monies in the fund; and to provide for related matters.

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

SENATE BILL NO. 5—  
BY SENATOR LAFLEUR

A JOINT RESOLUTION

Proposing to amend Article V, Section 23 of the Constitution of Louisiana, relative to retirement of judges; to remove the mandatory retirement age of judges; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Crowe	Morrell
Adley	Donahue	Morrish
Allain	Dorsey-Colomb	Murray
Amedee	Guillory	Nevers
Appel	Heitmeier	Peacock
Broome	Johns	Perry
Brown	Kostelka	Riser
Buffington	LaFleur	Smith, G.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	White
Total - 33		

NAYS

Peterson	Walsworth
Total - 2	

ABSENT

Erdey	Smith, J.
Gallot	Ward
Total - 4	

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

SENATE BILL NO. 92—  
BY SENATOR WALSWORTH

AN ACT

To enact Code of Criminal Procedure Article 814(A)(60), relative to responsive verdicts; to provide responsive verdicts for the crime of aggravated incest; 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.

SENATE BILL NO. 109—  
BY SENATOR MORRISH

AN ACT

To enact Children's Code Articles 612(A)(4) and 614(E), relative to evaluation and examination orders for children; to provide relative to certain medical and other examinations and evaluations; to require certain medical examinations in

connection with certain mandatory reporting; to provide terms, conditions, and procedures; and 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. 109 by Senator Morrish

AMENDMENT NO. 1

On page 2, lines 4 and 5, following "obtaining" and before "." change "pursuant to Article 614 of any further examination or evaluation of the child" to "of any further examination or evaluation of the child pursuant to Article 614"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Donahue	Murray
Allain	Dorsey-Colomb	Nevers
Amedee	Erdey	Peacock
Appel	Guillory	Perry
Broome	Heitmeier	Peterson
Brown	Kostelka	Riser
Buffington	LaFleur	Smith, G.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Crowe	Morrish	White
Total - 33		

NAYS

Total - 0

ABSENT

Adley	Johns	Smith, J.
Gallot	Morrell	Ward
Total - 6		

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

SENATE BILL NO. 159—  
BY SENATOR MORRELL AND REPRESENTATIVE HAZEL  
AN ACT

To enact R.S. 33:2339, relative to municipal law enforcement; to provide relative to detail or secondary employment; to provide relative to communications; to provide relative to administrative fees; to provide relative to public records; to provide relative to medicare and social security contributions; and 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. 159 by Senator Morrell

AMENDMENT NO. 1

On page 2, line 5, following "OPSE" and before "be" change "will" to "shall"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Gallot	Smith, J.	Ward
Total - 3		

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

**SENATE BILL NO. 162—**  
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(viii), (h)(v), (i), and (j), to enact Chapter 1-C of Code Title IV, of Code Book III, of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2718 through 2720.15, and to repeal R.S. 9:2713, relative to surrogacy contracts; to provide for amendments to birth certificates; to provide for definitions relative to surrogacy contracts; to provide for genetic surrogacy contracts; to provide for the enforceability of gestational surrogacy contracts; to provide for the parties to a gestational surrogacy contract; to provide for contractual requirements for a gestational surrogacy contract; to provide for a proceeding to approve a gestational surrogacy contract; to provide for the check of the criminal records of the parties to a gestational surrogacy contract; to provide for a pre-embryo transfer order relative to a gestational surrogacy contract; to provide for matters relative to multiple attempts at in utero embryo transfer; to provide for confidentiality of the proceedings relative to a gestational surrogacy contract; to provide for continuing and exclusive jurisdiction to the proceedings relative to a gestational surrogacy contract; to provide for the termination of a gestational surrogacy contract by notice; to provide for remedies for the failure to perform under a gestational surrogacy contract; to provide for the termination of a gestational surrogacy contract and for the effects of divorce, nullity, and death on a gestational

surrogacy contract; to provide for the effect of a subsequent marriage of the gestational surrogate on a gestational surrogacy contract; to provide for a post-birth order; to provide for DNA testing when the child is alleged not to be the child of the intended parents; to provide for time limitations and finality; and 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. 162 by Senator Gary Smith

AMENDMENT NO. 1

On page 2, line 4, following "gestational" and before "on a gestational" change "surrogate" to "carrier"

AMENDMENT NO. 2

On page 9, line 22, following "of" and before "Uniform" insert "the"

AMENDMENT NO. 3

On page 12, line 24, following "Subsection A" and before ", the Department" insert "of this Section"

AMENDMENT NO. 4

On page 13, line 31, following "duress" and before ":", insert "perpetrated by"

AMENDMENT NO. 5

On page 13, line 32, change "Perpetrated by anyone" to "Anyone"

AMENDMENT NO. 6

On page 14, line 1, change "Perpetrated by an" to "An"

On motion of Senator Martiny, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Adley	Guillory	Murray
Allain	Heitmeier	Nevers
Amedee	Johns	Peacock
Appel	Kostelka	Peterson
Brown	LaFleur	Riser
Buffington	Long	Smith, G.
Chabert	Martiny	Tarver
Claitor	Mills	Thompson
Dorsey-Colomb	Morrell	White
Total - 30		

NAYS

Broome	Crowe
Cortez	Perry
Total - 4	

ABSENT

Donahue	Smith, J.	Ward
Gallot	Walsworth	
Total - 5		

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Gary Smith moved to

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reconsider the vote by which the bill was passed and laid the motion on the table.

Explanation of Vote

Senator Broome stated she intended to vote yea on Senate Bill No. 162, and asked that the Official Journal so state.

SENATE BILL NO. 183— BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 9:4802(G)(1), relative to liens and privileges; to provide relative to improvement of an immovable by a contractor; to provide with respect to notice requirements of the lessor of the movables placed at the site of the immovable for use in a work; to provide with respect to privileges securing the improvement; and 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. 183 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 16, change "a" to "and"

AMENDMENT NO. 2

On page 1, line 17, change "a" to ". The notice shall"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Gallot, Morrell, Smith, J., Ward

Total - 4

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

SENATE BILL NO. 213— BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 33:2419(B)(1) and to enact R.S. 33:2434, relative to civil service; to provide relative to the New Orleans Police Department; to provide relative to benefits for certain employees in certain positions; to provide for definitions; and 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. 213 by Senator Morrell

AMENDMENT NO. 1

On page 2, line 11, change "is" to "are"

AMENDMENT NO. 2

On page 2, line 24, change "which" to "that"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Gallot, Smith, J., Ward

Total - 3

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

SENATE BILL NO. 259— (Substitute of Senate Bill No. 7 by Senator Peacock)

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:2252(4), 2256(A), and 2257(K)(3) relative to statewide retirement systems; to provide relative to the Firefighters' Retirement System; to provide for definitions; to provide for eligibility, benefits, and accrual and contribution rates; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Donahue	Peacock
Allain	Guillory	Perry
Appel	Johns	Smith, G.
Claitor	Martiny	Walsworth
Cortez	Mills	
Crowe	Morrish	
Total - 16		

**NAYS**

Adley	Erdey	Nevers
Amedee	Heitmeier	Peterson
Broome	Kostelka	Riser
Brown	LaFleur	Tarver
Buffington	Long	Thompson
Chabert	Morrell	White
Dorsey-Colomb	Murray	
Total - 20		

**ABSENT**

Gallot	Smith, J.	Ward
Total - 3		

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

Senator Peacock moved to reconsider on the next Legislative Day the vote by which the bill failed to pass.

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

**Called from the Calendar**

Senator Erdey asked that Senate Bill No. 180 be called from the Calendar.

**SENATE BILL NO. 180—**  
BY SENATORS ERDEY AND LAFLEUR  
AN ACT

To amend and reenact R.S. 22:3, 1921, 1922, 1926, 1927, 1928(A)(introductory paragraph), and 1929(A), and R.S. 36:681(C)(1), to enact R.S. 36:691.1, and to repeal R.S. 36:691, relative to the Department of Insurance; to provide with respect to the division of insurance fraud; to provide for powers and duties of the division of insurance fraud; and 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. 180 by Senator Erdey

AMENDMENT NO. 1

On page 2, line 26, change ", " to ";

AMENDMENT NO. 2

On page 2, line 27, following "services" and before "office" change ", " to ";

AMENDMENT NO. 3

On page 2, line 27, following "police" and before "and" change ", " to ";

AMENDMENT NO. 4

On page 5, lines 25 and 26, change "insurance fraud division" to "division of insurance fraud"

AMENDMENT NO. 5

On page 5, line 27, change "insurance fraud division" to "division of insurance fraud"

On motion of Senator Martiny, the amendments were adopted.

**Floor Amendments**

Senator Erdey proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Erdey to Engrossed Senate Bill No. 180 by Senator Erdey

AMENDMENT NO. 1

On page 2, line 11, delete "prosecution,"

AMENDMENT NO. 2

On page 2, line 12, between "of" and "violations" insert "administrative or civil"

AMENDMENT NO. 3

On page 2, line 25, change "coordinate further" to "be turned over to"

AMENDMENT NO. 4

On page 2, line 26, delete "actions with"

AMENDMENT NO. 5

On page 2, line 28, between "agency" and the period "." insert ", for further investigation, enforcement, or prosecution"

AMENDMENT NO. 6

On page 3, at the beginning of line 23, change "any" to "the"

AMENDMENT NO. 7

On page 3, line 26, change "crimes of" to "administrative or civil"

AMENDMENT NO. 8

On page 3, line 27, between the period "." and "The" insert "These powers and privileges shall not include arrest powers."

AMENDMENT NO. 9

On page 6, line 18, between "alleged" and "fraudulent" insert "administrative or civil"

AMENDMENT NO. 10

On page 6, line 18, change "fraudulent insurance acts and other" to "fraudulent insurance acts, other administrative or civil"

AMENDMENT NO. 11

On page 6, line 19, change "executive security, and" to "and executive security as"

On motion of Senator Erdey, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total - 0

**ABSENT**

Gallot	Smith, J.	Ward
Total - 3		

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

**Called from the Calendar**

Senator Walsworth asked that Senate Bill No. 222 be called from the Calendar.

**SENATE BILL NO. 222—**  
BY SENATOR WALSWORTH

**AN ACT**

To amend and reenact R.S. 46:1403, 1404(A), 1405, 1415, 1419 through 1422, 1425(A) and (B), 1427(introductory paragraph), and 1428(A), to enact R.S. 46:1406 and 1407, and to repeal R.S. 46:1408, 1409, 1412, 1413, and 1424, relative to child care facilities; to provide for licensure requirements; to provide for transitional provisions; to provide for licensure procedures; to provide for rules; to provide for disclosure; to provide for agencies and facilities subject to regulation; to provide for revocation or refusal to renew licenses; to provide for violations; to provide for appeals; to provide for penalties; to provide for injunctive relief; and 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. 222 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 14, and before "1406" insert "46:"

AMENDMENT NO. 2

On page 2, line 4, change "and/or" to "and"

AMENDMENT NO. 3

On page 6, line 27, change "(D)" to "(C)"

AMENDMENT NO. 4

On page 7, lines 25 and 26, delete "full force and"

AMENDMENT NO. 5

On page 9, lines 8 and 9, change "handicapping condition" to "handicap"

On motion of Senator Martiny, the amendments were adopted.

**Floor Amendments**

Senator Walsworth proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 222 by Senator Walsworth

AMENDMENT NO. 1

On page 9, line 21, change "individual" to "child"

AMENDMENT NO. 2

On page 11, line 6, between "disability" and "as" delete the comma  
"

On motion of Senator Walsworth, the amendments were adopted.

**Floor Amendments**

Senator Walsworth proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 222 by Senator Walsworth

AMENDMENT NO. 1

On page 1, line 3, delete "1427(introductory paragraph),"

AMENDMENT NO. 2

On page 1, line 13, delete "1427(introductory paragraph),"

AMENDMENT NO. 3

On page 3, between lines 6 and 7, insert:

**"(6) "Early childhood learning center" means any child day care center, Early Head Start grantee, or stand-alone pre-kindergarten or kindergarten program that is not attached to a school and that is licensed by the state."**

AMENDMENT NO. 4

On page 3, line 7, strike through "(6)" and then insert "(7)"

AMENDMENT NO. 5

On page 3, line 13, delete "child day care" and insert "early childhood learning"

AMENDMENT NO. 6

On page 3, line 15, strike through "(7)" and then insert "(8)"

AMENDMENT NO. 7

On page 3, line 17, delete "(8)" and insert "(9)"

AMENDMENT NO. 8

On page 3, line 25, delete "(9)" and insert "(10)"

AMENDMENT NO. 9

On page 3, line 27, delete "(10)" and insert "(11)"

AMENDMENT NO. 10

On page 4, line 7, delete "(11)" and insert "(12)"

AMENDMENT NO. 11

On page 4, line 11, delete "(12)" and insert "(13)"



AMENDMENT NO. 12

On page 4, line 13, delete "(13)" and insert "(14)"

AMENDMENT NO. 13

On page 4, line 15, delete "or Type III" and insert ", Type III, or Type IV"

AMENDMENT NO. 14

On page 4, line 19, delete "(14)" and insert "(15)"

AMENDMENT NO. 15

On page 4, line 19, delete "Type I" and insert "Type II"

AMENDMENT NO. 16

On page 4, delete lines 23 through 29, and on page 5, delete lines 1 and 2, and insert:

**"(16) "Type III license" means the license held by any publicly- or privately-owned early childhood learning center which receives state or federal funds, directly or indirectly, from any source other than the federal food and nutrition program. Type III early childhood learning centers must meet the performance and academic standards of the Early Childhood Care and Education Network regarding kindergarten readiness, as determined by the State Board of Elementary and Secondary Education.**

**"(17) "Type IV license" means the license held by any publicly- or privately-owned specialized provider."**

AMENDMENT NO. 17

On page 5, line 3, delete "(17)" and insert "(18)"

AMENDMENT NO. 18

On page 5, delete line 6, and insert "~~homes~~, maternity homes, ~~group homes~~, day-care early childhood learning centers, and residential homes"

AMENDMENT NO. 19

On page 5, delete line 10, and insert

"A. All child care facilities early childhood learning centers and child-placing agencies"

AMENDMENT NO. 20

On page 5, lines 12 and 13, delete "pursuant to this Chapter"

AMENDMENT NO. 21

On page 5, line 13, after "care" insert "facility"

AMENDMENT NO. 22

On page 5, delete lines 25 through 29, and on page 6, delete lines 1 through 4, and insert:

**"(2) The department shall create an early childhood learning working group to include one representative from Louisiana's Early Childhood Advisory Council, the Child Care Association of Louisiana, the nonpublic school council, the Louisiana Head Start Association, the Department of Children and Family Services, the Department of Education, the Children's Cabinet, and the Office of the Governor. Such working group shall include participants having expertise in infants and toddlers, pediatric health, pediatric mental health, cognitive development, and social emotional development. The department shall seek input from the working group in the development of the rules and regulations establishing Type I, Type II, and Type III licenses and shall submit the proposed rules and regulations pursuant to this Section to the working group for approval. Such working group shall forward the proposed rules and regulations to the Children's Defense Fund, the Louisiana Association for the Education of Young Children, and Louisiana Partnership for Children and Families no later than November 1, 2013, for review and comment."**

AMENDMENT NO. 23

On page 6, delete lines 6 and 7, and insert: "Class B license on July 31, 2013, shall be issued a Type I license as provided by rule."

AMENDMENT NO. 24

On page 6, line 12, delete "automatically"

AMENDMENT NO. 25

On page 6, line 13, delete "child day care" and insert "early childhood learning"

AMENDMENT NO. 26

On page 6, line 14, delete "automatically"

AMENDMENT NO. 27

On page 6, delete line 15, and insert "license as provided by rule."

AMENDMENT NO. 28

On page 6, line 21, delete "automatically"

AMENDMENT NO. 29

On page 6, line 23, delete "child day care" and insert "early childhood learning"

AMENDMENT NO. 30

On page 6, line 25, delete "child day care" and insert "early childhood learning"

AMENDMENT NO. 31

On page 6, line 28, delete "and authorization certificates"

AMENDMENT NO. 32

On page 7, line 1, delete "day care center" and insert "care facility"

AMENDMENT NO. 33

On page 7, line 2, delete "day care center" and insert "care facility"

AMENDMENT NO. 34

On page 7, lines 18 and 19, delete "or authorization certificate"

AMENDMENT NO. 35

On page 7, line 20, delete "or authorized"

AMENDMENT NO. 36

On page 7, line 24, after "license" insert "fee" and delete "child day care" and insert "early childhood learning"

AMENDMENT NO. 37

On page 8, lines 1, 2, 4, and 6, delete "a child day care" and insert "an early childhood learning"

AMENDMENT NO. 38

On page 8, line 26, after "approval" insert "of Type I, Type II, and Type III facilities"

AMENDMENT NO. 39

On page 9, line 7, delete "child day care" and insert "early childhood learning"

AMENDMENT NO. 40

On page 9, line 29, delete "a child day care" and insert "an early childhood learning"

AMENDMENT NO. 41

On page 10, line 5, delete "also"

AMENDMENT NO. 42

On page 10, line 8, after "safety" insert ", Department of Public Safety and Corrections"

AMENDMENT NO. 43

On page 10, line 9, after "the" insert "Department of Health and Hospitals,"

AMENDMENT NO. 44

On page 10, line 10, delete "child day care" and insert "early childhood learning"

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AMENDMENT NO. 45

On page 10, line 17, after "funds" insert a comma ",."

AMENDMENT NO. 46

On page 11, delete line 22 through 27, and insert:

"A. All child care facilities early childhood learning centers and child-placing agencies specialized providers shall be subject to the provisions of this Chapter. However, private or public day schools serving children in grades one and above or operating, including any kindergartens or prekindergarten programs attached thereto, as well as Montessori schools, camps, and all care given without charge, shall be exempt from such provisions.

B. Nothing in this Chapter shall apply to facilities licensed by the Department of Health and Hospitals."

AMENDMENT NO. 47

On page 12, delete line 2, and insert "license for a child-care facility or child-placing agency"

AMENDMENT NO. 48

On page 12, delete line 5, and insert "child care facilities and child-placing agencies specialized"

AMENDMENT NO. 49

On page 12, delete line 29, and insert "Whoever operates any child care facility or child-placing agency"

AMENDMENT NO. 50

On page 13, delete line 5, and insert "If any child care facility or child-placing agency specialized"

AMENDMENT NO. 51

On page 13, delete line 12, and insert "communicable diseases within a child care facility or child-placing"

AMENDMENT NO. 52

On page 13, delete lines 27 through 29, and on page 14, delete lines 1 and 2

On motion of Senator Walsworth, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:  
YEAS

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

NAYS

Total - 0

ABSENT

Gallot	Smith, J.	Ward
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Walsworth 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.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 87—

BY SENATOR JOHNS

A RESOLUTION

To designate May 7, 2013, as "Louisiana Chemical Industry Day".

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To recognize May 5<sup>th</sup> through 11<sup>th</sup>, 2013, as National Arson Awareness Week in Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 64—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To establish and provide with respect to the establishment of a study group to investigate the current state of agricultural education in elementary and secondary schools and make recommendations to the legislature and the State Board of Elementary and Secondary Education with respect to possible improvements in agricultural education and the possible implementation of a pilot program for an agricultural immersion curriculum.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 6, 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. 106	HB NO. 121	HB NO. 160
HB NO. 466	HB NO. 23	

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

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

**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.

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

**HOUSE BILL NO. 106—**

BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 33:4574.1.1(A)(introductory paragraph) and (12), relative to the Houma Area Convention and Visitors Bureau; to authorize an increase of the hotel occupancy tax that the bureau is authorized to levy; to provide relative to the use of the proceeds of the additional tax; and to provide for related matters.

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

**HOUSE BILL NO. 121—**

BY REPRESENTATIVE MONTOUCKET  
AN ACT

To amend and reenact R.S. 23:1294(A)(2) and to enact R.S. 23:1294(A)(2)(I), relative to the Workers' Compensation Advisory Council; to add a representative of the Louisiana Physical Therapy Association to the council; and to provide for related matters.

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

**HOUSE BILL NO. 160—**

BY REPRESENTATIVES REYNOLDS, RICHARD, AND BARROW  
AN ACT

To amend and reenact R.S. 17:3902(B)(5) and (C)(2)(b)(v), relative to teacher evaluations; to delay implementation of requirements for termination proceedings based on teacher evaluation determinations; to restrict the use of evaluation results; to provide 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. 466—**

BY REPRESENTATIVE HAVARD AND SENATOR MILLS  
AN ACT

To amend and reenact R.S. 17:10.1(F), relative to the school and district accountability system; to provide relative to the assignment of letter grades to public schools and districts; to provide relative to the method by which such letter grades are determined; to require approval by the House and Senate education committees of any change made to such method; to provide for implementation; to provide an effective date; and to provide for related matters.

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

**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 6, 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. 44—**

BY SENATOR JOHNS  
A CONCURRENT RESOLUTION

To commend Alcoa upon the celebration of its one hundred twenty-fifth anniversary and to designate May 14, 2013, as "Alcoa Day at the Legislature".

**SENATE CONCURRENT RESOLUTION NO. 46—**

BY SENATORS ALARIO, ADLEY, 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 express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Sarah Whalen, former lobbyist and public servant.

**SENATE CONCURRENT RESOLUTION NO. 47—**

BY SENATOR GALLOT AND REPRESENTATIVES COX, JEFFERSON AND PATRICK WILLIAMS  
A CONCURRENT RESOLUTION

To commend Charles M. Blow, Grambling State University graduate and columnist for The New York Times.

**SENATE CONCURRENT RESOLUTION NO. 50—**

BY SENATOR CROWE  
A CONCURRENT RESOLUTION

To commend and congratulate Cindy Baylor, Pamela Penton, and Shannon Landry upon selection as School Support Employees of the Year for their exemplary service to the students and faculty of the St. Tammany Parish School System for 2012-2013.

Respectfully submitted,  
"JODY" AMEDEE  
Chairman

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

**ATTENDANCE ROLL CALL**

PRESENT

Mr. President	Donahue	Morrish
Adley	Dorsey-Colomb	Murray
Allain	Erdey	Nevers
Amedee	Guillory	Peacock
Appel	Heitmeier	Perry
Broome	Johns	Peterson
Brown	Kostelka	Riser
Buffington	LaFleur	Smith, G.
Chabert	Long	Tarver
Claitor	Martiny	Thompson

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Cortez	Mills	Walsworth
Crowe	Morrell	White
Total - 36		

ABSENT

Gallot	Smith, J.	Ward
Total - 3		

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Gallot	1 Day	Ward	1 Day
John Smith	1 Day		

**Announcements**

The following committee meetings for May 7, 2013, were announced:

Commerce	At Adj	Room E
Health and Welfare	At Adj	Hainkel Room
Insurance	At Adj	Room A
Judiciary A	9:30 A.M.	Hainkel Room
Judiciary B	10:00 A.M.	Room E
Judiciary C	9:30 A.M.	Room F
Senate and Gov't Affairs	At Adj	Room F

**Adjournment**

On motion of Senator Thompson, at 5:35 o'clock P.M. the Senate adjourned until Tuesday, May 7, 2013, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, May 7, 2013.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk