

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES

OF THE
STATE OF LOUISIANA

FORTY-SEVENTH DAY'S PROCEEDINGS

Thirty-eighth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, May 29, 2012

The House of Representatives was called to order at 1:00 P.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Garofalo	Miller
Abramson	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Ligi	Williams, P.
Foil	Lopinto	Willmott

Franklin
Gaines
Total - 103

Lorusso
Mack

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rep. James.

Pledge of Allegiance

Rep. Reynolds led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Amy Pfrimmer Miller sang "*The National Anthem*".

Reading of the Journal

On motion of Rep. Tim Burns, the reading of the Journal was dispensed with.

On motion of Rep. Tim Burns, the Journal of May 24, 2012, was adopted.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 61: Reps. Pearson, Kleckley, and Leger.

Petitions, Memorials, and
Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS

May 29, 2012

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 100, 119, 134, 135, 137, and 140

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Senate Concurrent Resolutions
Lying Over

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATOR LAFLEUR

A CONCURRENT RESOLUTION

To formally recognize and to urge and request the United States government, particularly the Assistant Secretary-Indian Affairs of the United States Department of the Interior and the members of the Louisiana congressional delegation, to take appropriate action to formally recognize the Louisiana Precinct of the Southern Band of the Cherokee Nation of Webbers Falls, Oklahoma 74470, as an American Indian tribe.

Read by title.

On motion of Rep. Lopinto, and under a suspension of the rules, the above resolution was referred to the Committee on Administration of Criminal Justice, under the rules.

SENATE CONCURRENT RESOLUTION NO. 134—
BY SENATORS PERRY AND LAFLEUR
A CONCURRENT RESOLUTION

To commend the organizers of the Louisiana Hugh O'Brian Youth Leadership seminars and to recognize June 15, 2012, as "Hugh O'Brian Youth Leadership Day" in the state of Louisiana.

Read by title.

On motion of Rep. Thierry, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 135—
BY SENATOR GUILLORY
A CONCURRENT RESOLUTION

To designate May 31, 2012, as Retired State Employees Association Day at the Louisiana State Capitol and to recognize the establishment of the Retired State Employees Association of Louisiana Hall of Fame.

Read by title.

On motion of Rep. Thierry, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 137—
BY SENATORS GALLOT, KOSTELKA AND LONG AND REPRESENTATIVES BROADWATER, COX, JEFFERSON, SHADOIN AND SMITH
A CONCURRENT RESOLUTION

To urge and request the legislative fiscal office to update the report issued in March 2006 pursuant to House Resolution No. 133 of the 2005 Regular Session regarding the means and methods used to provide funding for the operation of laboratory schools around the state, including but not limited to issues concerning equity and fairness in funding methods and amounts, and to report its findings and recommendations in writing to the Senate and House committees on education on or before February 1, 2013.

Read by title.

On motion of Rep. Broadwater, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 140—
BY SENATOR ALARIO
A CONCURRENT RESOLUTION

To commend the Honorable Catherine D. "Kitty" Kimball, Chief Justice of the Louisiana Supreme Court, for a lifetime of exemplary public service to the state and its judicial system and for twenty years of that service as a justice on the Supreme Court, and to congratulate her honor upon the occasion of her retirement from the bench.

Read by title.

On motion of Rep. Leger, and under a suspension of the rules, the resolution was concurred in.

Message from the Senate

SENATE BILLS

May 29, 2012

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

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

Senate Bill No. 187

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 187—
BY SENATOR DORSEY-COLOMB
AN ACT

To enact R.S. 8:663, relative to human remains; to provide for the collection, analysis, and reburial of exposed human skeletal remains; to provide certain terms, conditions, definitions, procedures and requirements; to provide for certain limitation of liability; and to provide for related matters.

Read by title.

Suspension of the Rules

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

**Petitions, Memorials, and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

May 29, 2012

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 61: Senators Guillory, Donahue, and Appel.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

May 29, 2012

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 105 by Sen. Morrell, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
DISAGREEMENT TO SENATE BILL

May 29, 2012

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 390 by Sen. White, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
APPOINTMENT OF
CONFERENCE COMMITTEE

May 29, 2012

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

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 390: Senators White, Walsworth, and Kostelka.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
DISAGREEMENT TO SENATE BILL

May 29, 2012

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 417 by Sen. Riser, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate
DISAGREEMENT TO SENATE BILL

May 29, 2012

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

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 472 by Sen. Murray, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 29, 2012

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

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

House Concurrent Resolution No. 101
Returned without amendments

House Concurrent Resolution No. 124
Returned without amendments

House Concurrent Resolution No. 146
Returned without amendments

House Concurrent Resolution No. 176
Returned without amendments

House Concurrent Resolution No. 177
Returned without amendments

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

May 29, 2012

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

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

House Bill No. 253
Returned with amendments

House Bill No. 279
Returned with amendments

House Bill No. 321
Returned without amendments

House Bill No. 338
Returned with amendments

House Bill No. 361
Returned without amendments

House Bill No. 373
Returned without amendments

House Bill No. 468
Returned with amendments

House Bill No. 480
Returned without amendments

House Bill No. 509
Returned without amendments

House Bill No. 511
Returned without amendments

House Bill No. 585
Returned with amendments

House Bill No. 657
Returned without amendments

House Bill No. 687
Returned with amendments

House Bill No. 698
Returned without amendments

House Bill No. 711
Returned with amendments

House Bill No. 784
Returned without amendments

House Bill No. 861
Returned without amendments

House Bill No. 982
Returned with amendments

House Bill No. 1086
Returned without amendments

House Bill No. 1083
Returned without amendments

House Bill No. 1192
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 135—

BY REPRESENTATIVES KLECKLEY, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMANN, GISCLAIR, GREENE, GULLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, LAMBERT, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, LORUSSO, MACK, MILLER, MONTOUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN,

SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT

A RESOLUTION

To commend Sheila McCant upon her retirement after a long career of dedicated public service, culminating in her longtime service as the first Public Information Officer for the Louisiana House of Representatives.

Read by title.

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

HOUSE RESOLUTION NO. 136—

BY REPRESENTATIVES DOVE, HARRISON, AND WHITNEY

A RESOLUTION

To commend I. Robert "Bobby" Boudreaux upon his retirement as the Terrebonne Parish Clerk of Court.

Read by title.

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

HOUSE RESOLUTION NO. 137—

BY REPRESENTATIVE SIMON

A RESOLUTION

To urge and request the Department of Health and Hospitals to engage in a cooperative effort with other public and private organizations and institutions in establishing the Louisiana Center for Chronic Care Innovation.

Read by title.

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

HOUSE RESOLUTION NO. 138—

BY REPRESENTATIVE SIMON

A RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility of establishing a chronic disease database in Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 184—

BY REPRESENTATIVE KLECKLEY AND SENATORS ALARIO, JOHNS, MARTINY, AND GARY SMITH

A CONCURRENT RESOLUTION

To commend Murphy "Andy" Dreher upon his retirement as the vice president of governmental affairs for Entergy Louisiana and Entergy Gulf States Louisiana.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 185—

BY REPRESENTATIVE GAROFALO

A CONCURRENT RESOLUTION

To urge and request the Department of Homeland Security to direct the United States Coast Guard (USCG) to implement all reasonable containment, countermeasures, cleanup and removal efforts allowable during active response while allowing substantive input from and in collaboration with the state of

Louisiana and the affected coastal parishes to ensure an efficient, coordinated, and effective cleanup of coastal Louisiana prior to bringing an active response to an end.

Read by title.

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

Ordered to the Senate.

**Senate Concurrent Resolutions
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR CROWE

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function as a joint committee to study and make recommendations with respect to the period of time between the dates of election of local and parishwide officials and the dates of assumption of office by such officials.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 129—
BY SENATOR BROWN

A CONCURRENT RESOLUTION

To direct parish councils on aging, regional offices of aging and adult services, and regional offices of citizens with developmental disabilities to establish voluntary registry of persons with special needs who request assistance during times of evacuation, including voluntary, advisory, mandatory, or forced evacuations.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 130—
BY SENATORS PEACOCK, ADLEY, CROWE, LONG, MARTINY,
MURRAY, JOHN SMITH, TARVER AND THOMPSON

A CONCURRENT RESOLUTION

To endorse the Louisiana State University Shreveport Commitment Plan, as adopted by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, to enhance programs to meet higher education needs in the region, to establish the Louisiana State University Shreveport Commitment Plan Implementation Group to monitor the implementation of the plan, and to require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to provide a written report to the Senate and House committees on education semiannually for the next five academic years on the progress of implementing the plan.

Read by title.

Motion

On motion of Rep. Carmody, the resolution was returned to the calendar.

SENATE CONCURRENT RESOLUTION NO. 131—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To commend the Children's Miracle network of CHRISTUS St. Patrick Hospital on the occasion of twenty-five years of service to Southwest Louisiana.

Read by title.

On motion of Rep. Danahay, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 132—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate the area along Louisiana Highway 485 approximately two miles north and one and one-half mile south of St. Anne's Church as the Adai Indian Community in Natchitoches Parish and to erect the appropriate signs to denote the area as the Adai Indian Community.

Read by title.

On motion of Rep. Cox, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 136—

BY SENATORS MORRISH AND LONG

A CONCURRENT RESOLUTION

To urge and request the Federal Energy Regulatory Commission to immediately reject any requests for a rehearing regarding Cheniere Energy's Sabine Pass Liquefaction Project and memorializes Congress to express their support for LNG exports and to streamline and expedite the approval process.

Read by title.

On motion of Rep. Hensgens, and under a suspension of the rules, the resolution was concurred in.

**Senate Bills and Joint Resolutions on
Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 408—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 38:2225.2.1(A)(1) and (3), relative to sewerage and water boards; to authorize the Sewerage and Water Board of New Orleans to use design-build contracts; to extend the authorization time for use of design-build contracts by certain public entities in areas damaged by Hurricane Katrina, Hurricane Rita, or both; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 696—

BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 24:31.1(B)(2), to provide for the signature required on check issued by the Senate; and to provide with respect to related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATOR APPEL

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to city, parish, and other local public school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on February 27, 2012.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Carter, the resolution was ordered passed to its third reading.

SENATE BILL NO. 6—
BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:1195.1(B) and (C) and 1195.2(B) and (C) and to enact R.S. 11:1195.1(D) and 1195.2(D), relative to the Louisiana School Employees' Retirement System; to provide for reporting of positions and employees that cease to be covered by the retirement system; to provide for audits to ensure compliance; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 in their entirety and at the beginning of line 4, delete "Retirement System;" and insert in lieu thereof:

"To amend and reenact R.S. 11:22(B)(13), 42(B)(11), 62(11), 102(B)(1) and (3)(d)(vi) and (vii), 141, 142(F)(3), 151(B), 162(A), 182(A)(1), 204, 251, 701(introductory paragraph), (6), (7), (9), (15), (17), (18), (19), (23), (27), (29), (31), (33)(a)(v)(bb) and (cc) and (viii)(bb) and (cc), (b)(iii), and (d), 702(A), 710(A), (B)(1)(a) and (2), (C)(1), and (D), 721.1(A) and (B), 723(A), 728(A)(introductory paragraph), (B)(1)(a)(introductory paragraph), (C)(1)(a) and (b)(ii) and (iii) and (2)(a), (E), and (F)(1) and (3), 733, 734, 738(A) and (B), 752(A), (B), and (E), 753, 755, 761(B), 762(A), (C), and (G), 765(A) and (B)(1), 768(D)(2) and (3), 780(C)(3)(a)(introductory paragraph) and (E), 780.1, 781(A)(1) and (3)(b) and (B), 783(A)(3)(a), (D)(1)(b)(iii) and (2), (E), (F), (G)(1)(b)(iii), (I)(1)(b)(iii), and (K)(2), 784(F) and (G), 784.1(A)(1)(introductory paragraph), (B)(2)(b), (C), (D), and

(E), 786(A) and (D), 788(A) and (C)(introductory paragraph) and (3), 811(A), (B), and (C), 813, 826, 829, 832, 833, 834, 836, 851, 871, 872, 875(introductory paragraph), (1), (4)(b) and (c), and (5), 881(introductory paragraph), (4), and (8), 883.1(A), (B), (C)(1)(introductory paragraph) and (4)(c)(i), and (G), 885(2) and (4), 888, 896, 921(A)(introductory paragraph), 925 through 928, 929(A), (C), (E), and (F), 942.1(A), 942.4, 942.5, 942.7(A), 942.8(A), 942.9, 945, 946(A) through (D), 947(A), (C), and (D), 1001(A) and (B), 1002(introductory paragraph), (6)(a) and (b), (7), (8), (9), (12), (13), (15) through (19), (22), (24), (26), and (27), 1004(A) and (C), 1006(A)(1), (B), (C), and (D), 1007(A), (B), (C)(1), and (F), 1111, 1112, 1114, 1118, 1119, 1120, 1133, 1137, 1138, 1139, 1141(B) and (C)(1)(b) and (2), 1144(B)(3) and (C), 1145.1(A)(1), (B)(1), (C)(1)(introductory paragraph) and (4)(c), and (D), 1147(B)(3) and (C)(2)(a)(i) and (ii), 1149, 1151.1(A), (C)(1), (E), and (J), 1152(E), (F), (J)(3) and (4), and (L), 1172, 1181, 1193(A)(1)(b), (2)(a), and (4) and (B)(3), 1195.1, 1195.2, 1202(A)(2) and (4) and (C), to enact Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:331, R.S. 11:701(22.1), 822(A)(10), 883.1.1(F), 1002(21.1), and to repeal R.S. 11:4(A)(1)(c), 22(B)(5), 42(B)(4), 62(4), 154(A)(3), 158(B)(6), 173(A)(3), 174(B)(3), 181(A)(3), 185(A)(3), 234(A)(5), 262(5), 272(A)(3), 281(A)(2), 312(A)(5), 323(A)(1), 730, 831, 1001(C), 1162 through 1165, 1166 through 1171, and 1173, relative to the merger of the Teachers' Retirement System of Louisiana and the Louisiana School Employees' Retirement System; to provide relative to consolidation of the administration of the two systems; to provide relative to the maintenance of separate plans, including asset pools, actuarial valuations, contribution rates, and benefit entitlements; to require a report on consolidation of plans and experience accounts; to provide for the redesignation of certain provisions of Title 11 of the Louisiana Revised Statutes of 1950 and to direct the Louisiana State Law Institute with respect to such redesignations;"

AMENDMENT NO. 2

On page 1, delete line 9 in its entirety and delete the remainder of the page in its entirety and delete page 2 in its entirety and insert in lieu thereof the following:

"Section 1. R.S. 11:22(B)(13), 42(B)(11), 62(11), 102(B)(1) and (3)(d)(vi) and (vii), 141, 142(F)(3), 151(B), 162(A), 182(A)(1), 204, 251, 701(introductory paragraph), (6), (7), (9), (15), (17), (18), (19), (23), (27), (29), (31), (33)(a)(v)(bb) and (cc) and (viii)(bb) and (cc) and (b)(iii), 702(A), 710(A), (B)(1)(a) and (2), (C)(1), and (D), 721.1(A) and (B), 723(A), 728(A)(introductory paragraph), (B)(1)(a)(introductory paragraph), (C)(1)(a) and (b)(ii) and (iii) and (2)(a), (E), and (F)(1) and (3), 733, 734, 738(A) and (B), 752(A), (B), and (E), 753, 755, 761(B), 762(A), (C), and (G), 765(A) and (B)(1), 768(D)(2) and (3), 780(C)(3)(a)(introductory paragraph) and (E), 780.1, 781(A)(1) and (3)(b) and (B), 783(A)(3)(a), (D)(1)(b)(iii) and (2), (E), (F), (G)(1)(b)(iii), (I)(1)(b)(iii), and (K)(2), 784(F) and (G), 784.1(A)(1)(introductory paragraph), (B)(2)(b), (C), (D), and (E), 786(A) and (D), 788(A) and (C)(introductory paragraph) and (3), 811(A), (B), and (C), 813, 826, 829, 832, 833, 834, 836, 851, 871, 872, 875(introductory paragraph), (1), (4)(b) and (c), and (5), 881(introductory paragraph), (4), and (8), 883.1(A), (B), (C)(1)(introductory paragraph) and (4)(c)(i), and (G), 885(2) and (4), 888, 896, 921(A)(introductory paragraph), 925 through 928, 929(A), (C), (E), and (F), 942.1(A), 942.4, 942.5, 942.7(A), 942.8(A), 942.9, 945, 946(A) through (D), 947(A), (C), and (D), 1001(A) and (B), 1002(introductory paragraph), (6)(a) and (b), (7), (8), (9), (12), (13), (15) through (19), (22), (24), (26), and (27), 1004(A) and (C), 1006(A)(1), (B), (C), and (D), 1007(A), (B), (C)(1), and (F), 1111, 1112, 1114, 1118, 1119, 1120, 1133, 1137, 1138, 1139, 1141(B) and (C)(1)(b) and (2), 1144(B)(3) and (C), 1145.1(A)(1), (B)(1), (C)(1)(introductory paragraph) and (4)(c), and (D), 1147(B)(3) and (C)(2)(a)(i) and (ii), 1149, 1151.1(A), (C)(1), (E), and (J), 1152(E), (F), (J)(3) and (4), and (L), 1172, 1181, 1193(A)(1)(b), (2)(a), and (4)

and (B)(3), 1195.1, 1195.2, 1202(A)(2) and (4) and (C) are hereby amended and reenacted and Subpart P of Part II of Chapter 4 of Subtitle I of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:331, R.S. 11:701(22.1), 822(A)(10), 883.1.1(F), 1002(21.1) are hereby enacted to read as follows:

§22. Methods of actuarial valuation established

* * *

B. The following funding methods shall be utilized to determine actuarially required contributions:

* * *

(13) Teachers' Retirement System of Louisiana: ~~projected unit credit:~~

(a) Teachers' Retirement Plan: projected unit credit.

(b) Louisiana School Employees' Plan: entry age normal.

* * *

§42. Unfunded accrued liabilities; amortization

* * *

B. The provisions of this Subsection shall be implemented and accomplished by the governing authorities of the state and statewide public retirement systems as set forth herein.

* * *

(11)(a) Teachers' Retirement System of Louisiana. The unfunded accrued liability, as of June 30, 1988, determined under the funding method specified in R.S. 11:22(B)(13), shall be amortized over a forty-year period, commencing with the Fiscal Year 1989-1990. The outstanding balance of the unfunded accrued liability as of July 1, 1992, shall be amortized over the remaining thirty-seven-year period with payments forming an annuity increasing at four and one-half percent annually.

(b) Effective for the June 30, 2009, valuation and beginning July 1, 2010, the outstanding balance of this unfunded accrued liability shall be consolidated with other amortization bases and credits as provided in R.S. 11:102.2, and that consolidated total shall be amortized over the remaining constitutionally-mandated period with annual payments beginning in Fiscal Year 2010-2011. The final payment shall be made in Fiscal Year 2028-2029.

(c) Effective for the June 30, 2012, valuation and all subsequent valuations, Subparagraphs (a) and (b) of this Paragraph shall apply only to the Teachers' Retirement Plan within the Teachers' Retirement System of Louisiana.

(d) Effective for the June 30, 2012, valuation and all subsequent valuations, the unfunded accrued liability or surplus, as of June 30, 1988, determined under the funding method specified in R.S. 11:22(B)(13)(b) for the Louisiana School Employees' Plan, shall be amortized over a forty-year period, commencing with Fiscal Year 1989-1990, with level dollar payments annually.

* * *

§62. Employee contribution rates established

Employee contributions to state and statewide public retirement systems shall be paid at the following rates, except as otherwise provided by law:

* * *

(11) Teachers' Retirement System of Louisiana:

(a) Teachers' Retirement Plan:

(i) School lunch Plan A - 9.1%.

~~(b)~~ (ii) School lunch Plan B - 5%.

~~(c)~~ (iii) All others - 8%.

(b) Louisiana School Employees' Plan:

(i) Employees whose first employment making them eligible for membership in one of the state systems occurred on or before June 30, 2010 - 7.5%.

(ii) Employees whose first employment making them eligible for membership in one of the state systems occurred on or after July 1, 2010 - 8%.

* * *

§102. Employer contributions; determination; state systems

* * *

B.(1)(a) Except as provided in Subsection C of this Section for the Louisiana State Employees' Retirement System and except as provided in R.S. 11:102.1 and 102.2 and in Paragraph (5) of this Subsection and Subparagraph (b) of this Paragraph, for each fiscal year, commencing with Fiscal Year 1989-1990, for each of the public retirement systems referenced in Subsection A of this Section, the legislature shall set the required employer contribution rate equal to the actuarially required employer contribution, as determined under Paragraph (3) of this Subsection, divided by the total projected payroll of all active members of each particular system for the fiscal year. Each entity funding a portion of a member's salary shall also fund the employer's contribution on that portion of the member's salary at the employer contribution rate specified in this Subsection.

(b) For each fiscal year, commencing with Fiscal Year 2012-2013, for the Teachers' Retirement System of Louisiana, a separate valuation prepared pursuant to the provisions of this Section shall be completed for each plan within the system. To facilitate this process, each plan shall be treated as a system for the purposes of this Section.

* * *

(3) With respect to each state public retirement system, the actuarially required employer contribution for each fiscal year, commencing with Fiscal Year 1989-1990, shall be that dollar amount equal to the sum of:

* * *

(d) That fiscal year's payment, computed as of the first of that fiscal year and projected to the middle of that fiscal year at the actuarially assumed interest rate, necessary to amortize changes in actuarial liability due to:

* * *

(vi) Effective July 1, 2004, and beginning with Fiscal Year 2000-2001, the amortization period for the changes, gains, or losses of the Louisiana School Employees' Retirement System Plan in the Teachers' Retirement System of Louisiana provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 2000-2001, shall be amortized as

a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount.

(vii) Effective July 1, 2004, and beginning with Fiscal Year 2000-2001, the amortization period for the changes, gains, or losses of the Teachers' Retirement Plan in the Teachers' Retirement System of Louisiana provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before Fiscal Year 2000-2001, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with Fiscal Year 2003-2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount.

* * *

§141. Retention of credits

Any person who is a member of any actuarially funded system paid for in whole or part from public funds, other than the State Employees' Retirement System of Louisiana, the Louisiana School Employees' Retirement System of Louisiana, and the Teachers' Retirement System of Louisiana, and who transfers to other public employment where he is no longer eligible for membership in the original retirement system but becomes a member of another actuarially funded system paid for in whole or part from public funds and who has creditable service in the first system for at least ten years, shall have the right to retain membership in the first system, and in the event he becomes eligible for retirement under this second system he shall be entitled to receive a pro rata benefit from each system, each such benefit to be calculated on the years of creditable service and the formula in use in the system from which the benefit is paid.

§142. Reciprocal recognition of credited service in state, parochial, and municipal systems

* * *

F. Each system in which a member has membership service credit shall compute the benefits due from that system using its benefit formula in effect on the date of retirement, or on the date of death while in service, and in addition, the following provisions shall apply:

* * *

(3) If two or more systems provide a lump sum benefit as part of the formula benefit, as in the Louisiana State Employees' Retirement System, and the Teachers' Retirement System of Louisiana, and the School Employees' Retirement System of Louisiana, but not limited to these systems, each such system shall pay only that percentage of the additional lump sum benefit that credited service in that system represents of total credited service with respect to all of the systems which provide an additional lump sum benefit; however, in no instance shall the total additional lump sum benefit payable by all of the systems be less than the greatest lump sum benefit payable by any of them, and if the total benefit payable as above provided is less than such greatest lump sum benefit, the system having the greatest lump sum benefit shall pay the difference.

* * *

§151. Worker's compensation benefits; employee and employer contributions to continue

* * *

B. Whenever any member of the Teachers' Retirement System of Louisiana, or the Louisiana School Employees' Retirement System is receiving worker's compensation benefits, but has not retired for disability, the employee may pay contributions based on a salary not to exceed the greater of his worker's compensation benefit received from his employer or his salary at the time of qualification for worker's compensation benefits. He shall only receive pro rata service credit during any period in which the employee contributions are less than that which would have been contributed if based on the salary at the time of qualification for worker's compensation benefits. The employer shall pay the employer's contribution based on the amount on which the employee's contributions are based.

* * *

§162. Classes of employees not eligible for membership

A. The provisions of this Section shall apply to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, and the State Police Pension and Retirement System, and the Louisiana School Employees' Retirement System.

* * *

§182. Boards of trustees of state and statewide public retirement systems; per diem and expenses

A.(1) Notwithstanding any other provisions of law to the contrary, the members of the boards of trustees of the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, the Municipal Police Employees' Retirement System, the State Police Pension and Retirement System, the Parochial Employees' Retirement System of Louisiana, the Municipal Employees' Retirement System of Louisiana, the Firefighters' Retirement System, the Assessors' Retirement Fund, the Clerks' of Court Retirement and Relief Fund, the Registrars of Voters Employees' Retirement System, the Sheriffs' Pension and Relief Fund, and the District Attorneys' Retirement System shall receive for attendance at meetings of the boards a per diem of seventy-five dollars per meeting plus the normal expense allowance, provided funds are available for this purpose.

* * *

§204. School Employees' Retirement Plan in the Teachers' Retirement System

A. A member of the Louisiana School Employees' Retirement Plan within the Teachers' Retirement System of Louisiana who becomes disabled, and who files for disability benefits while in service, and who upon medical examination and certification, as provided for elsewhere in this Subpart, is found to be totally disabled for any cause, shall be entitled to disability benefits under the provisions of R.S. 11:1147(C), provided that the disability was incurred while the member was an active contributing member in active service. However, if the application for disability benefits is not filed while the member is in state service, it shall be presumed that the disability was not incurred while the member was an active contributing member in active service. Such presumption may be overcome only by clear, competent, and convincing evidence that the disability was incurred while the member was an active contributing member in active service.

B.(1) A person whose system plan membership began on or before June 30, 2006, applying for a disability benefit shall have five years of actual credited service in order to qualify for a disability benefit. Such member shall not use credit earned while receiving

workers' compensation in order to meet the minimum five-year eligibility requirement; however, any member of the plan receiving workers' compensation prior to January 1, 1991, shall be allowed to use credit earned while receiving workers' compensation to meet the minimum five-year eligibility requirement.

(2) A person whose system plan membership began on or after July 1, 2006, applying for a disability benefit shall have ten years of actual credited service in order to qualify for a disability benefit. Such member shall not use credit earned while receiving workers' compensation in order to meet the minimum ten-year eligibility requirement.

* * *

§251. Legal counsel, certified public accountants, professional investment personnel

Notwithstanding any other provisions of law to the contrary, the boards of trustees of the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, the Municipal Police Employees' Retirement System, the State Police Pension and Retirement System, the Parochial Employees' Retirement System of Louisiana, the Municipal Employees' Retirement System of Louisiana, the Firefighters Retirement System, the Assessors' Retirement Fund, the Clerks of Court Retirement and Relief Fund, the Registrars of Voters Employees' Retirement System, the Sheriffs' Pension and Relief Fund, and the District Attorneys' Retirement System are hereby authorized, jointly or otherwise, to at their option either employ or appoint at their own cost and expense legal counsel, certified public accountants, and professional investment personnel who shall be full-time in-house staff members of said systems, who may be members of the appropriate public retirement system, and who may participate in the state's group life, health, and hospitalization insurance program, or to retain legal counsel to represent said systems who shall not be a member of any of the above systems.

* * *

SUBPART P. LEGISLATIVE INTENT

§331. Legislative intent

The Legislature of Louisiana hereby declares that the intent of the provisions of this Title that originated as HB No. 1198 of the 2012 Regular Session of the Legislature is to attain and maintain the actuarial soundness of state and statewide systems as required by the Constitution of Louisiana, Article X, Section 29.

* * *

CHAPTER 2. TEACHERS' RETIREMENT SYSTEM OF LOUISIANA

PART I. TEACHERS' RETIREMENT PLAN SUBPART A. GENERAL PROVISIONS

§701. Definitions

As used in this Chapter Part, the following words and phrases have the meanings ascribed to them in this Section unless a different meaning is plainly required by the context:

* * *

(6) "Beneficiary" means the eligible recipient of a pension, annuity, retirement allowance, or other benefit provided in this Chapter Part. A beneficiary shall be a natural person or the succession of a natural person, except as provided in R.S. 11:762(J).

(7) "Board of Trustees" or "board" means the board provided for in Subpart E of this Part V of this Chapter to administer the retirement system plans provided for in this Chapter.

* * *

(9) "Creditable Service" means "Prior Service" plus "Membership Service" for which credit is allowable as provided in Subpart C of this Part III of this Chapter. A person may not obtain more than one year of service credit during any fiscal year.

* * *

(15) "Maximum benefit" means the retirement benefit a member is entitled to receive from the system set forth in Subpart D of this Part IV of this Chapter in any month after giving effect to R.S. 11:784.1 and any similar provisions of any other qualified plans of the employer designed to conform to Section 415 of the Internal Revenue Code.

* * *

(17) "Member" means any teacher included in the membership of the system plan as provided in Subpart B of this Part II of this Chapter.

(18) "Membership Service" means service as a teacher rendered while a member of the retirement system plan.

(19) "Minor child" means an unmarried child under the age of twenty-one years or an unmarried student under the age of twenty-three years who is the issue of a marriage of a member of this system plan, the legally adopted child of a member of this system plan, a child born outside of marriage of a female member of this system plan, or the child of a male member of this system plan if a court of competent jurisdiction has, pursuant to the provisions of the Civil Code rendered a judgment of filiation declaring the paternity of such member for the child. An unmarried child who has become mentally disabled or totally and permanently disabled prior to age twenty-one, as certified by the medical board, shall be considered a "minor child" for the purposes of the benefit provisions of this Chapter Part and shall remain a "minor child" provided the medical board certifies he is mentally disabled or totally and permanently disabled and provided he remains unmarried.

* * *

(22.1) "Plan" means the Teachers' Retirement Plan and includes funds, mechanisms, rules, regulations, and rights relative to retirement of members of the plan.

(23) "Prior Service" means service rendered prior to the date of establishment of the retirement system August 1, 1936, for which credit is allowable under Subpart C of this Part III of this Chapter.

* * *

(27) "Retirement" means withdrawal from active service with a retirement allowance granted under the provisions of this Chapter Part.

* * *

(29) "Retirement System" or "System" means the Teachers' Retirement System of Louisiana as defined in R.S. 11:702 established in this Chapter and comprised of the Teachers' Retirement Plan and the Louisiana School Employees' Retirement Plan.

* * *

(31) "Spouse" shall mean a person who is legally married to a member of this system plan and shall not include a person who is

legally separated from a member of this system plan by a judgment of separation, unless such person has voluntarily reconciled with the member and which reconciliation is established by a court of competent jurisdiction.

* * *

(33)(a) "Teacher", except as provided in Subparagraph (b) of this Paragraph, shall mean any of the following:

* * *

(v)

* * *

(bb) Notwithstanding the provisions of this Item or any other provision of law to the contrary, any non-bargaining employee whose initial effective date of employment occurred on or before June 30, 2001, shall be eligible to irrevocably elect to terminate his membership in this system plan, provided such election to terminate membership is exercised on or before September 30, 2001. Any non-bargaining employee whose initial effective date of employment occurs on or after July 1, 2001, shall have the irrevocable option to not participate in this system plan, provided that such option to not participate must be made within sixty days after the effective date of his employment and any such employee who fails to exercise the option not to participate shall become a participating member of this system plan. For purposes of this Subitem, the phrase "non-bargaining employee" shall mean any employee of the Louisiana Association of Educators whose employment is not covered by a collective bargaining agreement.

(cc) Notwithstanding any other provision of law to the contrary, any non-bargaining employee who retires from the Teachers' Retirement System Plan and later is reemployed in a position covered by the provisions of this Chapter Part shall not have his retirement benefits reduced or suspended during such reemployment.

* * *

(viii)

* * *

(bb) Notwithstanding the provisions of this Item or any other provision of law to the contrary, any director, secretary, staff member, or any other individual employed by the Louisiana High School Athletic Association on or after July 1, 2000, and on or before June 30, 2011, who does not have a valid Louisiana teacher's certificate shall not be required to participate in the system plan.

(cc) Any individual employed by the Louisiana High School Athletic Association on or before June 30, 2011, who has a valid Louisiana teacher's certificate shall be required to participate in the system plan provided the person satisfies all other eligibility criteria set forth in this Chapter Part.

* * *

(b) "Teacher" shall not include any of the following:

* * *

(iii) Any employees of the State Department of Education except that persons employed by the State Department of Education on and after July 1, 1991, who are members of this system plan shall remain members of this system plan.

* * *

§702. Name and establishment of retirement system

A.(1) A retirement system is established with all the powers and privileges pertaining to corporations, under the management of the board of trustees for the purpose of providing retirement allowances and other benefits under the provisions of this Chapter for teachers of the state of Louisiana. The retirement system so created shall be established as of the first day of August nineteen hundred and thirty-six.

(2) Beginning on July 1, 2012, this retirement system shall also provide retirement allowances and other benefits to other school employees of the state of Louisiana in accordance with Part II of this Chapter.

* * *

§710. Employment of retirees

A. For purposes of this Section, "retired teacher" shall mean any of the following:

(1) A retired member who returns to active service covered by the provisions of this Chapter Part as a full-time or part-time classroom teacher who teaches any student in kindergarten through twelfth grade in a critical teacher shortage area. For purposes of this Paragraph, "critical shortage area" shall mean any subject area where a shortage of certified teachers exists in that subject area, subject to the provisions of Subsection F of this Section. For purposes of this Paragraph, "classroom teacher" shall mean any employee, whose position of employment requires a valid Louisiana teaching certificate and who is assigned the professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures for the school system are kept. Such classroom situations may include teaching in a school classroom or in other settings such as a home or hospital or other learning situations such as cocurricular activities, which instruction may be provided in person or through an approved medium such as television, radio, computer, Internet, multimedia telephone, and correspondence that is delivered inside or outside the classroom or in other teacher-student settings.

(2) A retired member who returns to active service as a full-time certified speech therapist, speech pathologist, or audiologist whose position of employment requires a valid Louisiana ancillary certificate approved and issued by the state Department of Education in a school district where a shortage exists.

(3) A retired member who returns to active service covered by the provisions of this Chapter Part on or before June 30, 2010.

(4) A retired member who returns to active service covered by the provisions of this Chapter Part who retired on or after May 1, 2009, and on or before June 30, 2010, in a position requiring a valid Louisiana teaching certificate or a valid Louisiana ancillary certificate.

B.(1)(a) Any retired teacher who returns to active service covered by the provisions of this Chapter Part within the twelve-month period immediately following the effective date of such retirement shall have his retirement benefits suspended for the duration of such active service or the lapse of twelve months from the effective date of his retirement, whichever occurs first, even if such service is based on employment by contract or corporate contract.

* * *

(2) Any retired teacher who retires based on a disability shall not be authorized to return to service pursuant to the provisions of this Section. Disability retirees shall be covered by the provisions of this Chapter Part applicable to disability retirees.

C.(1) During the period of his return to active service, the retired teacher and his employer shall make contributions to the

retirement system as provided by this Chapter Part, but such teacher shall receive no additional service credit nor accrue any additional retirement benefits in the retirement system. Upon termination of such active service, the retired teacher shall, upon application, be refunded the employee contributions paid since reemployment. The refund shall be without interest. The retirement system shall retain the employer contributions.

* * *

D. When any retiree returns to active service with an employer covered by the provisions of this Chapter Part, the employing agency shall, within thirty days thereafter, notify the board of trustees in writing of such employment, the date on which employment commenced, and a determination by the employer as to whether such person is a "retired teacher" pursuant to Subsection A of this Section. Upon termination, the agency shall provide the same notice. In addition, the employing agency shall also report to the retirement system within forty-five days after June thirtieth of each year, the name of all persons being paid by the employing agency, their social security numbers, and the amount of their earnings during the previous fiscal year ending on June thirtieth of the reporting year. Should failure to give notice of return to active service result in any payment being made in violation of this Section, the employing agency shall be liable to the system for the repayment of such amounts.

* * *

§721.1. Option to participate in system plan

A. Notwithstanding any other provision of law to the contrary, the superintendent of the Orleans or Jefferson Parish school system is not required to participate in the Teachers' Retirement System of Louisiana Plan; however, he shall have the option of retaining membership in the Teachers' Retirement System of Louisiana plan if he is eligible, provided that his retirement benefit computation shall be in accordance with the provisions of this Chapter Part.

B. Notwithstanding the provisions of R.S. 11:701(33)(a) or any other provision of law to the contrary, no director or individual staff member of the Associated Professional Educators of Louisiana or the Louisiana Resource Center for Educators shall be required to participate in the Teachers' Retirement System of Louisiana Plan; however, such person shall have a one-time irrevocable option of membership in the Teachers' Retirement System of Louisiana plan if he is eligible, provided that his retirement benefit computation shall be in accordance with the provisions of this Chapter Part. Any employee who has retired from the Teachers' Retirement System of Louisiana plan shall be governed by all laws applicable to retirees returning to work.

* * *

§723. Members employed in other state employment; exception

A.(1) Notwithstanding any enrollment error occurring prior to January 1, 1992, any person who is a member of the Teachers' Retirement System of Louisiana Plan, who has creditable membership service of at least five years in this system plan and who becomes employed in other state or public employment where he is no longer eligible for membership in this system plan but is eligible for membership in another statewide retirement system or plan, shall have the right to remain a member of this system plan in lieu of membership in the other statewide retirement system or plan by filing a notice, in writing, with the board of trustees within sixty days after the effective date of employment. Such election shall be irrevocable.

(2) If a member is not informed of his right to remain a member of the Teachers' Retirement System of Louisiana this plan, the system, upon satisfactory proof, including a written verification by the member's new employer that he was not properly informed of his

right to retain membership in the system plan, may allow such member to retain his membership in the Teachers' Retirement System of Louisiana Plan. Any contributions due the Teachers' Retirement System of Louisiana Plan shall be accepted and processed only in accordance with the provisions of R.S. 11:888.

* * *

§728. Prior service credit

A. Any member of the Teachers' Retirement System of Louisiana Plan may receive credit for service as a teacher, as the term "teacher" is defined in R.S. 11:701, and/or for service in any agency in Louisiana, provided he meets the requirements set forth below, and provided the application for such purchase is received by the Teachers' Retirement System of Louisiana prior to the date of retirement or the beginning date of the Deferred Retirement Option Plan participation and the purchase is finalized before the retirement or Deferred Retirement Option Plan participation date:

* * *

B.(1)(a) Notwithstanding any other provisions of this Chapter Part or any other provision of law, any member of the system plan shall be eligible to obtain credit for teaching service rendered in the public school system of any other state or possession or territory of the United States if he satisfies all of the following criteria:

* * *

C.(1)(a) Notwithstanding any other provision of this Chapter Part or of any other law to the contrary, any person who is a member of this system plan shall be eligible to obtain credit in this system plan for teaching service rendered in any nonpublic college or university in Louisiana and/or state approved elementary or secondary nonpublic or parochial school in Louisiana.

(b)

* * *

(ii) In addition, if the member is eligible to retire at the time he establishes credit for such service, there shall be paid into the system plan an amount equal to the present value of the additional retirement benefit payable on account of his service in nonpublic or parochial schools or colleges should he retire at the time credit for such service is established.

(iii) If the member is not eligible to retire at the time he establishes credit for service in nonpublic or parochial schools or colleges, there shall be paid into the system plan an amount which, if invested at regular interest, would accumulate to an amount equal to the present value of the additional retirement benefit payable on account of his service in nonpublic or parochial schools or colleges should the member continue until the earliest date he is eligible to retire.

(2)(a) In determining the present value of the additional benefit payable on account of service in nonpublic or parochial schools or colleges and the amounts to be paid for credit for such service, regular interest, salary scales used to project future salary increases, and the tables of the system plan as adopted by the board of trustees shall be utilized.

* * *

E. Notwithstanding any other provision of law to the contrary, any person who is a member of this system plan and who has rendered service as a member of a school board shall be eligible to obtain creditable service in this system plan for service rendered as a member of a school board, for which he does not have credit in this or any other public retirement system or plan, excluding social

security. In order to obtain such credit, the member shall make application to the board of trustees for such credit and shall furnish a detailed statement of all service for which credit is claimed in such form as the board may require. In addition, there shall be paid into the system plan a sum equal to the present value of the additional retirement benefit payable on account of his prior service should the member retire at the time credit for such service is established if he is eligible to retire at the time he establishes credit for the service, or an amount which, if invested at an interest rate as set by the board of trustees, would accumulate to an amount equal to the present value of the additional retirement benefit payable on account of his prior service should the member continue until the earliest date he is eligible to retire if he is not eligible to retire at the time he establishes credit for the service. Of this sum, the member shall pay an amount equal to the employee contributions which would have been paid during the period for which credit is claimed had this system plan been applicable to the service during the time for which credit is claimed, plus interest thereon, as set by the board of trustees, annually, from the date of service until paid, and the school board of which the member is a member may pay the difference. In the event that any school board opts to pay the difference between the present value of any additional retirement benefit payable and the amount to be paid by any member making such application as described above, the school board shall also pay the described amount for all persons who make similar application. If agreed to by the board of trustees, and under terms and conditions set by the board, the required payments may be paid in installments, but in any case, the payments shall be paid in full prior to the date of application for retirement.

F.(1) Notwithstanding any other provision of law to the contrary, any person who is a member of this system plan and who has taught the equivalent of kindergarten through high school classes at any United States dependent school shall be eligible to obtain credit in this system plan for such service rendered during that period, for which credit has not otherwise been given. In order to obtain this credit, the member shall make application therefor and furnish to the board of trustees a detailed statement of all service for which credit is claimed, in such form as the board may require. The board shall determine whether the facility at which such classes were taught is a United States dependent school.

* * *

(3) In determining the present value of the additional benefit payable on account of the purchase of such service and the amounts to be paid for such service, regular interest, salary scales used to project future salary increases, and the tables of the system plan as adopted by the board of trustees shall be employed. Amounts paid to establish credit for such service shall be credited to the member's account in the Annuity Savings Fund. Such contributions shall be paid in one lump sum prior to the date of application for retirement.

* * *

§733. Transfers of out-of-state service

A. Any member of this system plan who has service credit in a public retirement system of another state which was granted based on teaching service in that state in its public school system shall be allowed to transfer such regular service credit to this system plan in accordance with this Section.

B. The out-of-state public retirement system must agree and pay to this system plan all employee and employer contributions and other funds in its possession which are held for the member's account to this system plan.

C. In the event that the amount of funds transferred is less than the increase in the actuarial present value of benefits, computed using the actuarial assumptions used in the most recent actuarial valuation of this system plan, created by the transfer of the additional service

credit, the member transferring the service credit, except as provided for herein, shall pay the difference.

D. In lieu of paying the difference the member may, at his option, but only at the time of the transfer of the funds, be granted an amount of service credit in this system plan which is based on the amount of funds actually received by this system plan for the transfer.

E. In order for such a transfer to be effective the system from which the funds are transferred must certify under oath that the member will no longer have any regular service credit remaining in that system.

§734. Teaching credit based on legislative service

Notwithstanding any other provision of law to the contrary, any member of the legislature who is not employed as a teacher but is a member of this system plan by virtue of having been so employed, may, at his option, contribute to the system plan the percentage set by R.S. ~~11:62(1)(c)~~ 11:62(1)(a)(iii) of his legislative salary and expense allowance, plus the four percent that he contributes as a member of the legislature in accordance with R.S. 24:36. If he elects to so contribute, the house of the legislature of which he is a member shall contribute to the system a percentage of his legislative salary and expense allowance which is equal to the employer contribution rate for the Teachers' Retirement System Plan. If he elects to so contribute, he shall receive credit in the system plan for one year of teaching service for each year of legislative service rendered. Upon the member paying the employee contributions to the system plan which he could have paid if this Section had been in effect, plus interest at the plan's board-approved actuarial valuation rate thereon from the date of service until paid, the provisions of this Section shall be applicable with respect to legislative service rendered prior to October 1, 1976. If the member elects to contribute to such prior service, the appropriate house of the legislature shall contribute to the system the employer contributions which would have been paid if this Section had been in effect and the member had elected to contribute the employee contributions, plus interest at the plan's board-approved actuarial valuation rate thereon from date of service until paid.

* * *

§738. Regaining of membership by retirees

A. Regardless of age, if a retiree of this system plan is engaged or hereafter engages in employment that otherwise would render him eligible for membership in this system plan, he may regain membership in this system plan at his option upon returning all retirement benefits received from this system plan, plus compound interest per annum at the plan's board-approved actuarial valuation rate thereon from date of receipt until paid. In addition, he shall pay into the system plan an amount equal to the employee and employer contributions that would have been paid had he become a member at the commencement of the resumption of covered employment, plus compound interest per annum at the plan's board-approved actuarial valuation rate thereon from date of service until paid.

B. Upon such regaining of membership, he shall receive service credit for all service rendered since becoming so reemployed and thereafter shall be subject to the same conditions as are other members of the system plan that are not in conflict herewith.

* * *

§752. Conversion of sick leave to membership service

A. When a member retires or dies while still a member and before retirement leaving a surviving spouse or dependent or both who are entitled to benefits under this Chapter Part his unused accumulated sick leave shall be added to his membership service. The additional membership service set forth in this Section shall not

be included in the service on which average final compensation is determined.

B. For the purpose of determining the amount of unused sick leave to be added to the member's membership service only, the retirement system shall determine the amount of sick leave earned, but for retirement system plan purposes only, on the following basis. Nine-month employees earn ten days per year and ten-month employees earn eleven days per year. If the nine-month or ten-month employee works extra during the summer he will receive one day or a portion thereof for each month or portion thereof that he works. Eleven-month and twelve-month employees earn twelve days per year during the first three years, fifteen days per year for the next seven years, and eighteen days per year for each year over ten years. The system shall deduct the actual days of sick leave used by the member from the amount of sick leave earned for retirement purposes. Sick leave last earned shall be used first. The balance of unused sick leave for retirement purposes shall be added to his membership service on the basis of the conversion tables in Subsections C and D of this Section.

* * *

E. All unused sick leave credit days earned under Subsections B and D of this Section which are convertible under Subsection D of this Section and which are earned after June 30, 1990, and which are in excess of an amount which would convert to one year of service credit may only be added to the member's membership service if purchased and paid as provided in this Subsection. In order to purchase the unused sick leave as service credit the member shall pay to the retirement system plan an amount which, on an actuarial basis, totally offsets the increase in accrued liability of the system plan resulting from the receipt of the credit. The amount payable shall be calculated by use of the actuarial funding method, assumptions, and tables in use by the system plan at the time of purchase. Any leave purchased under this Section cannot be used to attain eligibility for any benefits and cannot be used in the computation of average compensation. The employer institution, in its discretion, may pay not more than fifty percent of the purchase price. However, if it makes such a payment, it shall then make such payment, in the same percentage, with respect to all employees who make application.

§753. Student employment service credit

A. No person shall receive credit in the Teachers' Retirement System of Louisiana Plan for student aid or student employment in a college or university or for other part-time employment of a similar kind or nature. In all cases of doubt, the board of trustees shall determine whether service is creditable within the scope of this Section or within the definitions set forth in R.S. 11:701(22) and (23).

B. Notwithstanding any provision of law to the contrary, any person who is a member of the Teachers' Retirement System of Louisiana Plan who on August 21, 1992, has creditable membership service of at least ten years in this system plan and who through an administrative error was improperly enrolled in the Teachers' Retirement System of Louisiana Plan as a graduate assistant and who currently has such credit in the Teachers' Retirement System of Louisiana Plan shall be allowed to keep such service credit in the system plan.

* * *

§755. Service on sabbatical leave as active service

A. Members of the system plan who are granted a sabbatical leave with pay by their employer shall have all of the rights and privileges pertaining to their membership in the retirement system plan as if they had remained in active service. Sabbatical leave shall count as active service for purposes of retirement and employee and

employer contributions to the retirement system plan shall be continued.

B. However, a member shall not be allowed credit in the retirement system plan for more than one-half year of sabbatical leave for every three years of creditable service in the retirement system plan.

§761. Retirement benefits; application; eligibility requirements; effective date; cancellation; errors and omissions

* * *

B. Notwithstanding the provisions of Subsection A of this Section, in the event a member of this system plan files a properly executed application for regular retirement with his employer which is a reporting agency and thereafter terminates his employment with said employer and through error the application is not promptly sent to this retirement system, upon receipt of the application by this system the board of trustees is hereby authorized upon satisfactory proof to it, to pay the retirement benefit based on an effective date of retirement not more than ninety days prior to the actual receipt of the application for retirement in the office of the system, but in no event prior to the date of termination of employment.

§762. Survivor benefits

A. Survivor benefits shall be due and payable by the system plan effective the first day of the next month following the death of the member, but shall not be paid until a properly completed and acceptable application is received by the system and all proper certifications have been received by the system.

* * *

C. For the benefit of the surviving minor children of a member there shall be paid, for each minor child, subject to a maximum of two children, per month fifty percent of the benefit to which a spouse would be entitled under Subsection B of this Section. Benefits shall be payable to such children even where no spouse eligible for survivor benefits is present, provided the member had at least five years of service credit. Benefits for a child shall cease when the child is no longer a minor child as defined by this Chapter Part. No surviving minor child shall receive more than one survivor's benefit at any one time. If two benefits are applicable, only the larger shall be paid.

* * *

G. Payment of accumulated contributions shall be made only upon receipt of the deceased member's death certificate. Said payment to the named beneficiary or the estate cancels all liability of the system and the plan to the deceased member, his named beneficiary or his estate.

* * *

§765. Withdrawal from service after five years; retirement at age sixty

A. Any member who has credit for five or more years of service may withdraw from service and elect to leave his accumulated contributions in the system plan and, upon reaching age sixty, he shall receive a retirement allowance based on the credits he had at the time of his withdrawal from service.

B.(1) The retirement allowance under this Section shall be due and payable by the system plan effective the first day of the month following the attainment of age sixty, but shall not be paid until a written application for retirement is executed and filed with the system.

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§768. Retirement allowances

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(2) With respect to each member of this system plan who has successfully completed at least three years of one program as defined in R.S. 17:3602(5), average earnable compensation shall specifically include compensation received pursuant to R.S. 17:3601 et seq. as follows: if the member has completed at least three years, sixty percent of such earnings shall be included; after completion of four years, the factor shall be eighty percent; and after completion of five years, the factor shall be one hundred percent; however, if the member has completed at least two years and subsequently becomes disabled, he shall receive forty percent of such earnings, and if the member has completed at least one year and becomes disabled, he shall receive twenty percent of such earnings. The provisions of this Paragraph shall be retroactive to May 1, 1983. Any person who has retired from this system plan shall be entitled to have his benefits recomputed pursuant to the provisions of this Paragraph; however, in order to include compensation received pursuant to R.S. 17:3601 et seq. in average compensation for computation of disability retirement purposes only or for recomputation of such, all employee and employer contributions on such earnings shall be paid to the system plan.

(3) With respect to each member of this system plan who successfully completes the educational requirements for the fifth year of his program as defined in R.S. 17:3602(5), average earnable compensation shall specifically include all compensation received pursuant to R.S. 17:3601 et seq. but only if the member pays the employee and employer contributions that would have been paid if he had continued to work for the entire fifth year of his program plus he shall pay a percentage of interest on the contributions for each month prior to the end of the fifth year of his program. The interest plus any other amount shall be determined by the actuary for the system plan and shall be computed to preclude any actuarial cost to the system plan. The amount to be paid by the member shall also be approved by the legislative auditor.

* * *

§780. Reexamination of beneficiaries retired for disability; modification of benefits; restoration to active service

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C.

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(3)(a) If, pursuant to the provisions of this Subsection, the board of trustees reduces the pension of any disability beneficiary of this system plan who retired pursuant to a reciprocal agreement between this system plan and any other state or statewide public retirement system or plan, the reduction shall be subject to Subparagraph (b) of this Paragraph, provided the beneficiary satisfies all of the following provisions of this Subparagraph:

* * *

E. If any disability beneficiary of this plan is restored to active service, his retirement allowance shall cease, he shall again become a member of the retirement system plan, and he shall contribute thereafter at the current rate in effect at the time he is restored to service, and if he contributes for at least three years, the period of time on disability shall be counted as accredited service for purposes of establishing retirement eligibility, but not for computation of benefits. Any prior service certificate on the basis of which his

service was computed at the time of his retirement shall be restored to full force and effect and, in addition, upon his subsequent retirement he shall be credited with all his service as a member.

§780.1. Employment; termination of benefits

If a disability retiree from the Teachers' Retirement System of Louisiana Plan becomes employed in any employment in the field of education, whether public or private, his disability benefit shall terminate.

§781. Refund of contributions

A.(1) If a member ceases to be a teacher prior to participation in the Deferred Retirement Option Plan, except by death or retirement, under the provisions of this Chapter Part or as provided in R.S. 11:765 and 766, he shall be paid the total amount of the accumulated contributions standing to the credit of his individual account in the annuity savings fund, after proper request and certification, plus any accrued interest thereon as of June 30, 1971; however, if such member is a member of the legislature, he shall be paid the total amount of the accumulated contributions standing to the credit of his individual account in the annuity savings fund, after proper request and certification, but he shall receive no interest thereon.

* * *

(3)

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(b) The payment and acceptance of any such refund to a member of the retirement system plan who has withdrawn from service, or the payment and acceptance of any such refund to the member's designated beneficiary, if any, or the succession of a deceased member shall discharge all obligations of the retirement system on account of any creditable service rendered by the member prior to payment of the refund, and shall constitute a release of all accrued rights of every kind and nature against the retirement system.

* * *

B. Any member whose employment is terminated as an employee a teacher as defined in R.S. ~~11:701(23)~~ 11:701(33), and due to such termination applies to withdraw the accumulated contributions standing to his account, shall not be entitled to receive a refund of said funds if he has been employed again by an employer as an employee a teacher defined in R.S. ~~11:701(23)~~ 11:701(33) prior to the processing of his refund request by the retirement system. Such a member shall be considered as being an active member of the retirement system plan and shall not be entitled to withdraw his accumulated contributions.

* * *

§783. Selection of option for method of payment after death of member

A.

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(3) Initial Lump-Sum Benefit. (a) If a member has not participated in the Deferred Retirement Option Plan provided by the provisions of this Chapter Part, he shall be eligible to select an initial lump-sum benefit. The initial lump-sum benefit shall be available to any member of the system plan whose first employment making him eligible for membership in one of the state retirement systems occurred on or before December 31, 2010, and who has thirty years of creditable service, or is age fifty-five and has twenty-five years of creditable service, or is age sixty and has ten years of creditable

service. Any member of the system plan whose first employment making him eligible for membership in one of the state retirement systems occurred on or after January 1, 2011, may select the initial lump-sum benefit if he is age sixty and has five years of service. If the maximum benefit, Option 2, 2A, 3, 3A, 4, or 4A above is chosen, then the member may further elect to receive a reduced retirement allowance plus an initial benefit. The creditable service referenced in this Paragraph shall not include unused accumulated sick leave and unused accumulated annual leave.

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D.(1)

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(b)

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(iii) The retiree shall be required to reimburse the system plan, by way of a one-time deduction from the retiree's next benefit check, the reasonable costs incurred by the system to calculate any change in the retiree's benefits made pursuant to the provisions of this Paragraph.

(2) The retiree shall be required to contractually hold the system and plan harmless in the event that the former spouse ever successfully asserts a property right relative to the provisions of this Subsection which has any adverse effect upon the system or plan.

* * *

E. If an option of Subsection A hereof was selected, and the retiree's spouse was designated as the beneficiary, and the retiree's benefit was further actuarially reduced to allow the retiree's benefit to be increased in the event that the spouse predeceased the retiree, and the marriage between the retiree and the beneficiary is invalid, the benefits payable to the retiree shall be increased to the amount the retiree would have received had the retiree selected the maximum benefit. The retiree shall be required to contractually hold the system and plan harmless in the event that the former beneficiary ever successfully asserts a property right in the pension benefit or rights which has any adverse effect upon the system or plan. It shall be the responsibility of the retiree to notify the system of these circumstances, to present satisfactory evidence of same, and to request the recomputation of benefits. Adjustment of benefits under this Subsection shall not be retroactive, and shall be effective on the first day of the next month following official approval of the application for recomputation of benefits. Subject to appropriate actuarial reduction of benefits, the retiree may, at the time of application for recomputation, also designate a new beneficiary.

F. Any adjustments to benefits for cost-of-living adjustments or permanent benefit increases made by formal action of the board of trustees in accordance with Subsection C of this Section shall be considered amendments to the provisions of the retirement system plan. If made by formal action of the board of trustees, such changes must be disclosed to members of the retirement system plan.

G.(1)

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(iii) The retiree shall be required to reimburse the system plan, by way of a one-time deduction from the retiree's next benefit check, the reasonable costs incurred by the system plan to calculate any change in the retiree's benefits made pursuant to the provisions of this

Paragraph and those reasonable expenses incurred under the provisions of this Section by the State Medical Disability Board.

* * *

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(b)

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(iii) The retiree shall be required to reimburse the system plan, by way of a one-time deduction from the retiree's next benefit check, the reasonable costs incurred by the system plan to calculate any change in the retiree's benefits made pursuant to the provisions of this Paragraph and those reasonable expenses incurred under the provisions of this Section by the State Medical Disability Board.

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K.

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(2) However, in those cases when a trust has been created under Louisiana law by the deceased member for the benefit of the child, the terms of the instrument creating the trust so provide, and the system has been provided with a certified copy of the trust document, then the optional benefit shall be paid to the trust under the terms of the trust for addition to the trust property. In the event that the trust is contested by any party, the Teachers' Retirement System of Louisiana shall withhold all optional benefit payments or deposit them in the registry of the court if a concursus proceeding is filed, until there is a final binding legal agreement or judgment regarding the proper payment of the optional benefit. Any payments made to an optional beneficiary or trust shall constitute a release of all accrued rights of every kind and nature against the retirement system or plan, including but not limited to any rights of a spouse or former spouse, or an heir or legatee of a spouse or former spouse.

§784. Payment of benefits

* * *

F. Payment in accordance with the options of ~~R.S. 11:762 or of this Subpart A of Part IV, Chapter 2 of Subtitle H Division~~, shall be deemed not to violate Subsections B and C of this Section.

G.(1) This Section shall be effective for members of the system who complete any service under the system on or after July 1, 1988, and prior to June 30, 2012, with employers contributing to the system.

(2) This Section shall be effective for members of the plan who complete any service under the plan on or after June 30, 2012, with employers contributing to the plan.

§784.1. Maximum benefits

A.(1) Notwithstanding any other provision of this system plan to the contrary, no member shall receive a benefit in any year in excess of the sum of the maximum employer-financed benefit and the member-financed benefit.

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(b) The annual adjusted limit, set forth in Subparagraph (a) of this Paragraph, is effective as of January first of each calendar year and is applicable to benefits commencing during that calendar year. As a result of a cost-of-living increase, a benefit that had been limited by the provisions of this Section in a previous year may be increased with respect to future payments to the lesser of the new limit or the amount of benefit that would have been payable from this system plan without regard to the provisions of this Section.

* * *

C. An annual benefit may be paid to any member in excess of the limit otherwise allowed in Paragraph A(1) of this Section if the annual benefit derived from the employer contributions under this and all other qualified plans of the employer subject to the limitations of Section 415(b) of the United States Internal Revenue Code does not, in the aggregate, exceed ten thousand dollars for the plan year, or for any prior year, and the member has not at any time participated in a defined contribution plan maintained by the employer. For purposes of this Subsection, a member's own contributions to the system plan are not considered a separate defined contribution plan maintained by the employer.

D.(1) If a member is or has been a participant in one or more defined contribution plans maintained by the employer, the sum of the member's contributions paid to this system plan and any other qualified defined benefit plans of the employer and the annual additions under such defined contribution plan or plans may not exceed the lesser of twenty-five percent of the member's earned compensation or thirty thousand dollars, as adjusted by the United States Secretary of the Treasury.

(2) The sum of the "defined benefit plan fraction" and the "defined contribution plan fraction", as those terms are defined in Section 415 of the United States Internal Revenue Code, for any plan year in which Section 415 of the United States Internal Revenue Code is in effect, may not exceed one, 1.0, for any calendar year in which the limits of Section 415(d) of the United States Internal Revenue Code are in effect and enforced by the United States Internal Revenue Service. If the sum of the defined benefit plan fraction and the defined contribution plan fraction exceeds one, 1.0, in any such year for any member, or if the benefits under this plan and one or more other defined benefit plans of the employer would otherwise exceed the maximum employer-financed benefit, and the administrator of the other plan or plans does not reduce the contributions or benefits under such other plan, the employer-financed benefit payable by this system plan shall be reduced to the extent necessary to ensure that the limitations provided in Section 415 of the United States Internal Revenue Code are met.

E.(1) If the United States Congress or the United States Internal Revenue Service, or both, later cause to be amended, any laws, regulations, or other guidelines pertaining to Section 415 of the United States Internal Revenue Code in order to permit higher service retirement benefits, then, for any retired member who had previously had a benefit reduced because it exceeded the limits set forth in this Section, the board shall recalculate the retired member's benefit to be the smaller of either:

(a) The unreduced benefit based on this system's plan's service retirement benefit formula in effect on the date the member retired.

(b) The maximum permissible benefit calculated under such amended laws or regulations.

(2) If a retroactive change is permissible, the board shall pay the retired member in a single payment an amount equal to the difference between the adjusted higher monthly benefit and the

reduced benefit for the number of months the member has received the reduced benefit. However, no member shall receive any benefit under this Section to the extent that he has received a distribution with respect to such benefit from an excess benefit plan as set forth in Subpart I of this Part IX of this Chapter.

* * *

§786. Deferred Retirement Option Plan

A.(1) In lieu of terminating employment and accepting a retirement allowance, any member of this system plan whose first employment making him eligible for membership in one of the state retirement systems occurred on or before December 31, 2010, and who is not covered by R.S. 11:801 and who has thirty years of service credit at any age, twenty-five years of service credit and is at least age fifty-five, or has twenty years of service credit exclusive of military service and is at least age sixty-five may elect to participate in the Deferred Retirement Option Plan. A member with ten years of service credit exclusive of military service and who is at least age sixty may elect to participate in the plan, but all benefits payable at any time shall only be calculated using a two percent benefit formula.

(2) Any member of this system plan whose first employment making him eligible for membership in one of the state retirement systems occurred on or after January 1, 2011, and who is not covered by R.S. 11:801 and who has five years of service credit and is at least age sixty may elect to participate in the Deferred Retirement Option Plan.

(3) Any member of this system plan who is covered by the provisions of R.S. 11:801 who has thirty years of service credit and is at least age fifty-five or has ten years of service credit and is at least age sixty may elect to participate in the Deferred Retirement Option Plan.

* * *

D. Any member of this system plan who meets one of the eligibility requirements of Subsection A of this Section by January 1, 1994, may choose a participation period under Subsection B of this Section; however, if such member does not choose to participate under Subsection B of this Section or is beyond the participation period limits of Subsection B of this Section, he shall be allowed a participation period not to exceed two years, but interest shall not be credited to such participant's subaccount during such period of participation.

* * *

§788. Deferred Retirement Option Plan Account

A. The system shall establish a Deferred Retirement Option Plan Account which shall be a part of the system plan fund. This account shall not be subject to any fees, costs, or expenses of any kind.

* * *

C. Interest shall not be credited to a participant's subaccount during the period of participation. With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be credited with interest after the end of each fiscal year at a rate equal to the realized return on the system's plan's portfolio for that fiscal year as certified by the system plan actuary in his actuarial report, less one-half of one percent. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be placed in liquid asset money market

investments at the discretion of the board of trustees. Such subaccounts may be credited with interest at the actual rate of return earned on such subaccount investments less one-fourth of one percent per annum; or at the option of the system, the funds may be credited to subaccounts as herein established:

* * *

(3) The participant in the self-directed portion of this plan agrees that the benefits payable to the participant are not the obligations of the state, the Teachers' Retirement Plan, or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in the self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state, the Teachers' Retirement Plan, or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the Teachers' Retirement Plan, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance.

* * *

§811. Transferees from Plan A of the School Lunch Employees' Retirement System; termination of Social Security coverage prior to July 1, 1985

A. Any member of the Teachers' Retirement System of Louisiana Plan who is paid from school food service funds and who is transferred from Plan A of the School Lunch Employees' Retirement System on July 1, 1983, and any member who is governed by the provisions of R.S. 11:801 whose employer has withdrawn and terminated its employees from Social Security coverage prior to July 1, 1985, shall be governed by the provisions of this Section.

B. Each member of the system Teachers' Retirement Plan who is included in Subsection A of this Section shall contribute an amount equal to nine and one-tenth percent of his earnable compensation to the retirement system plan as the employee contribution and each employer of a member who is included in Subsection A of this Section shall contribute an amount equal to five and eighty-five one hundredths percent of each and every member's earnable compensation, and the state of Louisiana shall annually appropriate an amount equal to four and six-tenths percent of each and every member's earnable compensation, such annual appropriation to be paid to the system plan through the state treasurer's office in twelve equal installments beginning on July first and ending on June first of each fiscal year. Should the amount appropriated be less than the amount required, the state shall pay the difference to the system plan. Should the amount appropriated be more than the amount required, the system plan shall return the excess to the office of the state treasurer.

C. Each member of the system plan who is included in Subsection A of this Section shall be governed by all of the laws, policies, rules and regulations which govern the Teachers' Retirement System of Louisiana Plan except when they are in conflict with the specific provisions of this Section and in which case the specific provisions of this Section shall govern.

* * *

§813. Appropriations for members not otherwise covered

For each member of the Teachers' Retirement System of Louisiana Plan who is paid from school food service funds and who is not covered by the provisions of R.S. 11:801 through 811, the legislature shall annually appropriate an amount equal to three and forty-five one-hundredths percent of each and every such member's earnable compensation, such annual appropriation to be paid to the system plan through the state treasurer's office in twelve equal installments beginning on July first and ending on June first of each fiscal year. Should the amount appropriated be less than the amount required, the legislature shall appropriate the difference to the system plan. Should the amount appropriated be more than the amount required, the system plan shall return the excess to the office of the state treasurer.

* * *

§822. Members of board of trustees; appointment or election; terms of office; vacancies; compensation

A. The board shall consist of such trustees as follows:

* * *

(10) One member from each of the following districts to represent the members of the Louisiana School Employees' Retirement Plan. Each member shall be a resident of the district he represents and shall be elected for a four-year term by a majority of the members in the district who vote in the election:

(a) District 1: Assumption, Iberia, Iberville, Jefferson, Lafayette, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, and Terrebonne.

(b) District 2: Ascension, East Baton Rouge, East Feliciana, Livingston, St. Helena, St. Tammany, Tangipahoa, Washington, West Baton Rouge, and West Feliciana.

(c) District 3: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, Webster, and West Carroll.

(d) District 4: Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron, Desoto, Evangeline, Grant, Jefferson Davis, LaSalle, Natchitoches, Pointe Coupee, Rapides, Red River, Sabine, St. Landry, Vermilion, Vernon, and Winn.

* * *

§826. Rules and regulations

Subject to the limitations of this Part Subpart the board of trustees shall, from time to time, establish rules and regulations for the administration of the funds created and maintained by this Part Chapter and for the transaction of its business. The board shall prepare and submit to the Joint Legislative Committee on the Budget an annual budget for estimated costs of operating the system for each succeeding fiscal year. This budget shall be subject to approval by the Joint Legislative Committee on the Budget.

* * *

§829. Deduction of employee benefit contributions from retiree checks

Notwithstanding any other provision of law to the contrary, the retiree contributions for retired members of the Teachers' Retirement Plan for accident and health and life insurance coverage to be paid by any retiree, beneficiary, or survivor participating in a group insurance plan who receives a recurring benefit payment from this system plan

may be deducted from the benefit payment if the deduction is made for all retirees and their survivors from that agency. Such deduction shall only be effected by the use of magnetic media prepared and furnished by the participating city or parish school board or other reporting agency not participating in the Office of Group Benefits programs in a form processible by the retirement system's computer facility and approved by the board of trustees. The retirement system shall remit such deductions directly to the participating agency in periodic lump sums. Such deductions may be made only after approval by the board of trustees of the Teachers' Retirement System of Louisiana and only when the system has adequate facilities and staff to make the deductions and only if no additional costs are imposed upon the retirement system.

* * *

§832. Records and other information; board's duty to keep

A. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various ~~funds~~ plans of the retirement system, and for checking the experience of the ~~system~~ plans.

B. The board of trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement ~~system~~ plans provided for in this Chapter for the preceding school year, the amount of the accumulated cash and securities of the ~~system~~ plans, and the last balance sheet showing the financial condition of the ~~system~~ plans by means of an actuarial valuation of the assets and liabilities of the ~~retirement system~~ each plan.

§833. Medical board; appointment; duties and powers

The board of trustees shall designate a medical board to be composed of three physicians not eligible to participate in the ~~retirement system~~ any plan administered by the Teachers' Retirement System of Louisiana. If required, other physicians may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this Chapter, and shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the board of trustees its conclusion and recommendations upon all the matters referred to it.

§834. Actuary; appointment; duties and powers; assets; fiduciary responsibility of trustees; portfolio control manager; actuarial assumptions

A.(1) The board of trustees shall designate an actuary for each retirement plan provided for in this Chapter. The actuary ~~who~~ shall be the technical adviser of the board of trustees on matters regarding the operation of the ~~his~~ respective funds created by the provisions of this Chapter, and shall perform such other duties as are required in connection therewith.

(2) In the year ~~nineteen hundred thirty-eight~~ 2012, and at least once in each five-year period thereafter, ~~the~~ each actuary shall make an actuarial investigation into the mortality, service, and compensation experience of the members and beneficiaries of the ~~retirement system~~ his respective plan, and shall make a valuation of the assets and liabilities of the funds of the ~~system~~ plan, and taking into account the result of such investigation and valuation, the board of trustees shall:

(a) Adopt for the retirement ~~system~~ plan such mortality, service, and other tables as shall be deemed necessary.

(b) Certify the rates of contribution payable by the state of Louisiana on account of new entrants at various ages.

(3) On the basis of such tables as the board of trustees shall adopt, the actuary for each plan shall make an annual valuation of the assets and liabilities of the funds of ~~the system~~ his respective plan created by this ~~Part~~ Chapter.

(4) Any new tables and interest assumptions adopted in accordance with Subparagraph (2)(a) ~~above of this Subsection~~ shall only be applicable with respect to persons who are members on the date of adoption. Tables in effect on the date of retirement shall remain applicable with respect to persons who retire prior to the adoption of new tables.

B. The assets of ~~this system~~ each plan shall be held separately in trust by the board of trustees, which board shall have exclusive authority and discretion to manage and control ~~such~~ each pool of assets. The assets of ~~the system~~ each plan shall be held for the exclusive purpose of providing benefits to members of ~~the system~~ the respective plan and their beneficiaries and defraying reasonable expenses of administering ~~the system~~ such plan.

C. The board of trustees may employ or appoint a portfolio control ~~manager~~ managers as ~~an employee~~ employees, at its own cost and expense without the approval of the governor.

D.(1) Unless different actuarial assumptions are formally adopted and disclosed, as provided herein, the following assumptions shall determine the actuarial equivalents as used in ~~this~~ each retirement ~~system~~ plan provided for in this Chapter:

(a) Interest shall be compounded annually at the rate of seven percent per annum.

(b) Annuity rates shall be determined on the basis of the 1971 Group Annuity Mortality Tables.

(2) The board of trustees may authorize the use of interest and mortality rates in determining the actuarial equivalents which are different from the actuarial assumptions used for other purposes hereunder. Any change in such actuarial assumptions for a plan shall be considered a part of ~~this~~ the retirement ~~system~~ plan and shall be considered an amendment to the provisions of this Section. In order to be effective, such change must be formally adopted by the board of trustees and disclosed to members of the retirement system.

* * *

§836. Amendment

A. The provisions of the retirement system established by R.S. 11:702 may be amended by action of the legislature in the same manner as any other statute may be amended by the legislature. In addition, action of the board with respect to the payment of cost-of-living adjustments, as provided in R.S. 11:771, 774, ~~and~~ 775, and 1145; with respect to the payment of employee contributions, as provided in R.S. 11:872 or ~~R.S. 11:154~~; and with respect to actuarial assumptions, as provided in R.S. 11:834 and 1171, shall be considered amendments to the provisions of the retirement system.

B. No amendment to this retirement system or to any plan in the retirement system shall operate to deprive any member of a benefit to which he is already entitled. In the case of any merger or consolidation with, or transfer of assets or liabilities to, any other retirement system or plan, each member in the ~~retirement system~~ an affected Teachers' Retirement System plan would (if the ~~retirement system~~ plan is then terminated) receive a benefit immediately after the merger, consolidation, or transfer which is equal to or greater than the benefit he would have been entitled to receive immediately before the merger, consolidation, or transfer (if the ~~retirement system~~ plan had then terminated).

C. Upon the termination or partial termination of ~~the retirement~~ a plan in this system or upon the discontinuance of contributions by

the employer without formal termination of ~~the retirement system a plan~~, the board of trustees shall reevaluate and redetermine the benefit of each member in such plan, and the entire benefit of each such member may be paid or commence to be paid and distributed to ~~such the member~~, or in the case of his death before such distribution, to the beneficiary or beneficiaries designated by ~~such the member~~, or may be held until payment otherwise due under the provisions of the retirement system plan. A member's right to his benefit is not conditioned upon a sufficiency of plan assets in the event of termination.

* * *

§851. Investment of funds; limitations and restrictions; interest

A. The board of trustees shall be the trustees of the several funds created by R.S. 11:871 and 1191 and shall have full power to invest and reinvest available funds and to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments of ~~the system each plan~~ in the name of the system plan or its nominee name provided the action is taken in compliance with the rules and regulations established by the board of trustees in accordance with the provisions of R.S. 11:263.

B. All interest derived from investments and any gains from the sale or exchange of investments shall be credited to the account of the system plan.

C. In every situation where interest is due and payable to the retirement system plan, the rate of interest shall be compounded interest at the plan's board-approved actuarial valuation rate, except in those cases where the interest is specifically set by statute.

* * *

§871. Funds to which assets credited

All of the assets of the retirement system plan shall be credited according to the purpose for which they are held to one of five funds, namely, the annuity savings fund, the employee experience account, the pension accumulation fund, the pension reserve fund, and the expense fund.

§872. Contributions when compensation is reduced or not paid

In the event the daily compensation paid to a member of this system plan is reduced by an amount paid to a substitute, the employee and employer contributions to the system plan shall be the same amount as if no deduction was made from the member's salary for the substitute. In the event the total daily compensation of a member of the system plan is not paid by the employer, even if a substitute is paid by the employer, no employee or employer contribution shall be deducted or paid to the retirement system plan by the employer for days that no compensation is paid. When no compensation is paid and the employer does not place the employee on official leave without pay, the employee shall be entitled to purchase such time and the cost may be paid by either the employee or employer, or both. If an employer does pay for all or a portion of such purchase price, the employer shall pay the same percentage on behalf of all of its employees that are similarly situated.

* * *

§875. Pension accumulation fund; description and composition of funds; normal and accrued liability contributions; determination

The pension accumulation fund in this plan shall be the fund in which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by employers and, in applicable cases, from the proceeds of one-half of one percent of taxes collectible in all parishes except the parish of

Orleans. Contributions to and payments from the pension accumulation fund shall be made as follows:

(1) On account of each member there shall be paid annually into the pension accumulation fund by employers from the preceding fiscal year an amount equal to a certain percentage of the earnable compensation of each member to be known as the "normal contribution", and an additional amount equal to a percentage of his earnable compensation, to be known as the "accrued liability contribution". The percentage rate of such contributions shall be fixed on the basis of the liabilities of the retirement system plan as shown by actuarial valuation; provided, however, that the total percentage rate of such contributions shall not be less than eleven and eight-tenths percent.

* * *

(4)

* * *

(b) If at any time the amount thus required to be deducted and paid over to the board of trustees results in a larger or smaller aggregate amount than the amount required for the purposes for which such funds are to be used, as provided by this Chapter Part, then the board of trustees of the system shall instruct the sheriffs and ex officio tax collectors of the parishes to deduct for this retirement system plan a smaller or larger percentage than is herein provided not to exceed a total deduction of more than one percent.

(c) The percentage rate of the contribution to be made to the system plan in accordance with this Paragraph ~~(4)~~ which shall be credited in the pension accumulation fund to "normal contribution" and the percentage rate to be credited to "accrued liability" shall be determined by the board of trustees, based upon such actuarial valuation for the purpose as the board shall direct.

(5) With respect to each member of this system plan who is a participant in the Louisiana Educational Employees Professional Improvement Program, the employer's contribution shall not be computed on the compensation received pursuant to R.S. 17:3601 et seq. until July 1, 1982, and shall be computed including such compensation every year thereafter.

* * *

§881. Benefits for certain employees designated to hold supplemental membership

Notwithstanding any provisions of this Part to the contrary an employee enrolled in this plan holding membership in the United States Civil Service Retirement System by virtue of his employment by Louisiana State University or by Southern University shall be eligible to receive a supplemental benefit from this system plan as hereinafter set forth:

* * *

(4) If cost-of-living increases payable by the United States Civil Service Retirement System are granted to retirees which are in excess of cost-of-living increases granted to retirees under this system plan, the supplemental benefit shall be reduced to the extent of such excess.

* * *

(8) On account of each employee after September 12, 1975, the employer university shall pay into the pension accumulation fund of the Teachers' Retirement ~~System of Louisiana Plan~~, an amount sufficient to support the supplemental benefits. Initially, such payments, together with the employer contribution to the United

States Civil Service Retirement System, shall not be less than the university contribution for regular members of this system plan.

* * *

§883.1. Experience account; Teachers' Retirement Plan

A. Effective June 30, 2012, the Teachers' Retirement System of Louisiana experience account shall become the Teachers' Retirement Plan experience account and shall only be applicable to the plan created by the provisions of this Part.

(1)(a) Effective July 1, 2004, the balance in the experience account shall be zero.

(b) Effective June 30, 2009, the balance in the experience account shall be zero. Any funds in the account on June 29, 2009, shall be allocated in the following order:

(i) To provide for any net investment loss attributable to the balance in the account as provided in Paragraph (B)(1) of this Section.

(ii) To fund any permanent benefit increase or minimum benefit pursuant to the Act No. 144 that originated as House Bill No. 586 of the 2009 Regular Session of the Legislature.

(iii) To apply to the experience account amortization base as provided in R.S. 11:102.2(C)(2); however, as of June 30, 2009, these funds shall be transferred to the system's Texaco Account and retained in a subaccount of that account until that account is applied as provided in R.S. 11:102.2. The subaccount shall continue to be credited and debited as provided in Subparagraph (A)(2)(b) of this Subsection and Paragraph (B)(1) of this Section until such application.

(2) The experience account shall be credited as follows:

(a) To the extent permitted by Paragraph (3) of this Subsection and after allocation to the consolidated amortization bases as provided in R.S. 11:102.2, an amount not to exceed fifty percent of the remaining balance of the prior year's net investment experience gain as determined by the system's plan's actuary.

(b) To the extent permitted by Paragraph (3) of this Subsection, an amount not to exceed that portion of the system's plan's net investment income attributable to the balance in the experience account during the prior year.

(3) In no event shall the amount in the experience account exceed the reserve necessary to grant two permanent benefit increases as provided in Subsection C of this Section.

B. The experience account shall be debited as follows:

(1) An amount equal to that portion of the system's plan's net investment loss attributable to the balance in the experience account during the prior year.

(2) An amount sufficient to fund a permanent benefit increase granted pursuant to Subsection C of this Section.

(3) In no event shall the amount in the experience account fall below zero.

C.(1) In accordance with the provisions of this Section, the board of trustees may recommend to the president of the Senate and the speaker of the House of Representatives that the system be permitted to grant a permanent benefit increase to retirees and beneficiaries whenever the conditions in Subsection G of this Section are satisfied and the balance in the experience account is sufficient to fund such benefit fully on an actuarial basis, as determined by the

system's plan's actuary. If the legislative auditor's actuary disagrees with the determination of the system's plan's actuary, a permanent benefit increase shall not be granted. The board of trustees shall not grant a permanent benefit increase unless such permanent benefit increase has been approved by the legislature by concurrent resolution adopted by a favorable vote of a majority of the elected members of each house. Any increase granted shall begin on the July first following legislative approval, shall be payable annually, and shall equal an amount not to exceed the lesser of:

* * *

(4)

* * *

(c)(i) The provisions of Items (a)(ii), (b)(ii), (d)(ii), and (e)(ii) of this Paragraph shall not apply to any person who receives disability benefits from this system plan, or who receives benefits based on the death of a disability retiree of this system plan.

* * *

G.(1) The permanent benefit increase which is authorized by Subsection C of this Section shall be limited to the lesser of either two percent or an amount as determined in Paragraph (C)(2) of this Section in or for any year in which the system plan does not earn an actuarial rate of return of at least eight and one-quarter percent interest on the investment of the system's plan's assets.

(2) No permanent benefit increase shall be authorized based on any actuarial valuation in which both of the following apply:

(a) The system plan fails to earn an actuarial rate of return which exceeds the board-approved actuarial valuation rate.

(b) The system plan is less than eighty percent funded.

§883.1.1. Supplemental cost-of-living increase for 2007; payment from experience account

* * *

F. The provisions of this Section shall apply only to members of the Teachers' Retirement Plan as established in this Part.

* * *

§885. Collection of employers' contributions; procedure

The collection of employers' contributions on the earnable compensation of members shall be made as follows:

* * *

(2) Immediately upon approval by the State Board of Education, or its successor, of the minimum foundation program distribution of the current fiscal year, the State Department of Education shall certify to the state treasurer the monthly amount due by each parish and city school board and each vocational-technical school and special school under its jurisdiction as the employer contribution at the rate determined and certified in Paragraph (1) of this Section to the retirement system plan based on the total earnable compensation from state funds of each member of the system plan in the employ of the school board, vocational-technical school or special school. The treasurer shall deduct from the state funds due each such employer monthly the employer contribution of each such employer and shall remit this amount directly to the secretary-treasurer of the board of trustees within five working days after the first day of each month.

* * *

(4) At the beginning of each school year, not later than September first of each year, the State Board of Education, or its successors, and the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College shall certify to the state treasurer the monthly amount due by each college or university under its jurisdiction as the employer contribution at the rate determined and certified in Paragraph (1) of this Section to the retirement system plan based on the total earnable compensation from state funds of each member of the system plan in the employ of the college or university. The state treasurer shall deduct from the state funds due each college or university monthly the employer contribution for each college or university and shall remit this amount directly to the secretary-treasurer of the board of trustees within five working days of the first of each month.

* * *

§888. Submission of contributions reports; liability for erroneous information; limitations and corrections

A. Each employer of a member in the Teachers' Retirement Plan shall transmit, monthly, a contributions report setting forth necessary salary and deduction information, provided that the board of trustees may, in its discretion, extend the time for submission.

B. If any reporting agency submits a contributions report which is in error as to the salary of any member and such error results in overpayment of benefits by the system plan, the agency shall be liable to the Teachers' Retirement System of Louisiana Plan for the amount of the overpayment and shall reimburse the system plan for the full amount of all such overpayments within thirty days after discovery of the error or overpayment.

C.(1) If any reporting agency submits a contributions report which is in error as to the earnings or salary of a member or the amount of time worked by a member and such error results in the member receiving less service credit or paying less employee contributions, said error may be corrected by the reporting agency for a period of up to three years after the contributions report was due the retirement system plan by the payment of the correct employee and employer contributions plus legal interest compounded annually from the date of error.

(2) Any corrections as to earnings or salary made more than three years after a contributions report is due the retirement system plan shall be a purchase of service credit under the provisions of R.S. 11:158. The employer institution, in its discretion, may pay not more than fifty percent of the purchase price. However, if it makes such payment, it shall then make such payment, in the same percentage, with respect to all other purchases under this Paragraph, provided, however, that if the error is the total fault of the employer, the employer shall pay the total purchase cost.

* * *

§896. Correction of membership errors

A. If a person is employed in a position in which he should have been enrolled in this system plan on the date of employment but was by error enrolled in another public retirement system or plan he shall have three years from the date of improper enrollment to transfer to this system plan if he is eligible for membership in this system plan. He shall make application to this system for the transfer within three years from the date of improper enrollment and the transferring system or plan shall transfer all employee and employer contributions made on his behalf plus interest compounded annually at the actuarial valuation rate of the transferring system or plan. In the event the amount of employee and employer contributions plus interest transferred are not sufficient to pay the total employee and employer contributions that would have been paid to the system plan plus the interest that would have accrued compounded annually at the actuarial valuation rate had the member been properly enrolled, the

employer shall pay any difference in the assets to be transferred to the receiving system plan. In the event the amount of employee and employer contributions plus interest compounded annually at the actuarial valuation rate is more than that required to be transferred to the receiving system plan, the employee and employer shall be refunded the amount of the overpayment in proportion to their contributions. Upon payment of this sum all of his service credit will be transferred to this system plan.

B. If a person is employed in a position in which he should have been enrolled in this system plan on the date of employment but was by error enrolled in another public retirement system or plan and has been a member of such system or plan for more than three years but is still eligible for membership in this system plan, he may transfer to this system plan but such transfer shall be totally governed by and be a transfer under the provisions of R.S. 11:143; however, if the enrollment error is the total fault of the employer, the employer shall pay any difference in the assets to be transferred and the actuarial cost to the receiving system plan in order to transfer all eligible service credit. In the event the amount of employee and employer contributions plus interest compounded annually at the actuarial valuation rate is more than that required to be transferred under R.S. 11:143, the employee and the employer shall be refunded the amount of the overpayment in proportion to their contributions.

C. If a person is employed in a position in which he should have been enrolled in this system plan on the date of employment, but was not enrolled in any public retirement system or plan, he shall become a member of this system plan. He may only establish service credit for the time he should have been a member of this system plan under the provisions of R.S. 11:888.

* * *

§921. Creation of plan

A. There is established an optional retirement plan for the following classes of employees covered by this Subpart Division who are eligible for membership in the Teachers' Retirement System of Louisiana Plan:

* * *

§925. Eligibility

A. Academic and administrative employees of public institutions of higher education and employees of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and Board of Supervisors of Southern University and Agricultural and Mechanical College, or their successors, and any other constitutionally established board which manages institutions of higher education who are current members in the regular retirement plan of the Teachers' Retirement System of Louisiana Plan may make an irrevocable election to participate in the optional retirement plan within one hundred eighty days after the implementation date of the optional retirement plan at their employer institution or board. Eligible employees who are initially employed on or after the implementation date at their employer institution or board may make an irrevocable election to participate in the optional retirement plan within sixty days after their employment date. Any academic or administrative employee of a public institution of higher education or employee of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, or Board of Supervisors of Southern University and Agricultural and Mechanical College, or their successors, and any other constitutionally established board which manages institutions of higher education who is not eligible for membership in the Teachers' Retirement System of Louisiana Plan because of age shall be eligible to participate in the optional retirement plan upon election by such employee. Elections must be made in writing and filed with the

appropriate officer of the employer institution or board, who shall forward a copy of the completed election to the Teachers' Retirement System of Louisiana. Current Teachers' Retirement ~~System of Louisiana Plan~~ members' elections will be effective as of the date they are filed. Elections of eligible employees hired on or after the implementation date of the optional retirement plan at their institution or board will be effective as of the date of their employment. If an eligible employee fails to make the election provided for in this Section, he shall become a member of the regular retirement plan of the Teachers' Retirement ~~System of Louisiana Plan~~ in accordance with R.S. 11:721.

B. Notwithstanding the provisions of Subsection A of this Section any academic or administrative employee of a public institution of higher education and any employee of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and Board of Supervisors of Southern University and Agricultural and Mechanical College, or their successors, and any other constitutionally established board which manages institutions of higher education who is an active contributing member in the regular retirement plan of the Teachers' Retirement ~~System of Louisiana Plan~~ and who has less than five years of creditable service in the Teachers' Retirement ~~System of Louisiana Plan~~, may make an irrevocable election to participate in the optional retirement plan and transfer his accumulated employee contributions to the optional retirement plan under the provisions of R.S. 11:926(A). The election provided by this Subsection can only be elected by a member prior to attainment of five years of creditable service in the Teachers' Retirement ~~System of Louisiana Plan~~.

C. Any person who is an academic or administrative employee of a public institution of higher education or employee of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, or Board of Supervisors of Southern University and Agricultural and Mechanical College, or their successors, and any other constitutionally established board which manages institutions of higher education who is not eligible for membership in the Teachers' Retirement ~~System of Louisiana Plan~~ because he is a part-time, seasonal, or temporary employee as defined in 26 CFR 31:3121(b)(7)-2, or in any successor regulation, may make an irrevocable election to participate in the optional retirement plan and transfer any accumulated employee contributions to the optional retirement plan under the provisions of R.S. 11:926(A).

§926. Transfers

A. A current member in the Teachers' Retirement ~~System of Louisiana Plan~~ who elects participation in the optional retirement plan shall have the right to have his accumulated employee contributions transferred to the optional retirement plan. Upon such election, the Teachers' Retirement ~~System of Louisiana Plan~~ will transfer his accumulated employee contributions directly to the optional retirement plan to purchase benefits thereunder, and the funds will not be available to the employee.

B. A current vested member in the Teachers' Retirement ~~System of Louisiana Plan~~ or a member with sufficient years of service credit but who is not old enough to receive a benefit and who elects participation in the optional retirement plan will have the same rights and privileges accorded by R.S. 11:726.

§927. Contributions

A. Each participant shall contribute monthly to the optional retirement plan the same amount which he would be required to contribute to the regular retirement plan of the Teachers' Retirement ~~System of Louisiana Plan~~ if he were a member of that retirement plan. Participant contributions may be made by employer pick-up in accordance with the provisions of Section 414(h)(2) of the United

States Internal Revenue Code or any amendment thereto. The entirety of each participant's contribution, less any monthly fee established by the board to cover the cost of administration and maintenance of the optional retirement plan, shall be remitted to the appropriate designated company or companies for application to the participant's contract or contracts.

B. Each employer institution and board shall contribute to the Teachers' Retirement System of Louisiana on behalf of each participant in the optional retirement plan the same amount it would have contributed if the participant had been a member of the regular retirement plan of the Teachers' Retirement ~~System of Louisiana Plan~~. Upon receipt of this contribution, the Teachers' Retirement System of Louisiana shall promptly pay over to the appropriate designated company or companies an amount equal to the employer's portion of the normal cost contribution as determined annually by the Public Retirement Systems' Actuarial Committee, this amount to be credited to the participant's contract or contracts. The Teachers' Retirement System of Louisiana shall retain the balance of this contribution for application to the unfunded accrued liability of the ~~system~~ Teachers' Retirement Plan.

C. Notwithstanding the provisions of Subsections A and B of this Section, the Teachers' Retirement System of Louisiana shall not remit any funds or contributions to any company or companies from an employer institution or board until the correct and total amount, rounded to the nearest dollar amount, to be remitted to the Teachers' Retirement System of Louisiana under Subsections A and B of this Section is received each month from the employer institution or board.

D. If a participant first became eligible for membership in the Teachers' Retirement ~~System of Louisiana Plan~~, or this Optional Retirement Plan, on or after July 1, 1996, the contributions remitted by the Teachers' Retirement System of Louisiana to any authorized company shall not be based upon compensation in excess of the annual limit of Section 401(a)(17) of the United States Internal Revenue Code as amended and revised.

§928. Limitations

Any person electing to participate in the optional retirement plan shall always be ineligible for membership in the regular ~~retirement plan of the Teachers' Retirement System of Louisiana Plan~~ even if he is employed in a position covered by the Teachers' Retirement ~~System of Louisiana Plan~~. If an optional retirement plan participant assumes a position other than as an employee of a public institution of higher education or employee of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, or Board of Supervisors of Southern University and Agricultural and Mechanical College, or their successors, and any other constitutionally established board which manages institutions of higher education in a position covered by the Teachers' Retirement ~~System of Louisiana Plan~~, he shall continue to participate in the optional retirement plan. If an optional retirement plan participant assumes a position in state service other than as an employee of a public institution of higher education or employee of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, or Board of Supervisors of Southern University and Agricultural and Mechanical College, or their successors, and any other constitutionally established board which manages institutions of higher education in a position not covered by the Teachers' Retirement ~~System of Louisiana Plan~~, he must at that time begin membership in the appropriate retirement system which provides benefits for that position in state service, other than the Teachers' Retirement ~~System of Louisiana Plan~~.

§929. Benefits not obligation of the state; payment of benefits; eligibility in other plans

A. Any person electing to participate in the optional retirement plan shall agree that the benefits payable to participants are not the obligations of the state of Louisiana, the Teachers' Retirement Plan, or the Teachers' Retirement System of Louisiana, and that such benefits and other rights of the optional retirement plan are the liability and responsibility solely of the designated company or companies to whom contributions have been made. Furthermore, all participants shall in accordance with this agreement expressly waive his or her rights set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution.

* * *

C. An optional retirement plan participant receiving retirement benefits under Subsection B of this Section shall be eligible to participate in the Office of Group Benefits programs only if he has accumulated the total number of years of creditable service which would have entitled him to receive a retirement allowance from the defined benefit plan of the Teachers' Retirement System of Louisiana Plan.

* * *

E. In the event that an optional retirement plan participant is required to prove entitlement to a disability retirement allowance from the defined benefit plan of the ~~retirement system~~ Teachers' Retirement Plan in order to be eligible for participation in the Office of Group Benefits programs, the retirement system shall be responsible only for certification of the total number of years of creditable service as provided by the employer institution or board. Any medical finding of disability necessary for eligibility under Subsection C of this Section shall be the sole responsibility of the participant as required by the Office of Group Benefits.

F. There shall be no liability on the part of and no cause of action of any nature shall arise against the Teachers' Retirement Plan, the Teachers' Retirement System of Louisiana, or its agents or employees, for any action taken in the performance of the duties under Subsection D or E of this Section.

* * *

§942.1. Creation of plan

A. There is hereby established an alternative contribution plan for certain members of the Teachers' Retirement ~~System of Louisiana~~ Plan. Members who are covered under the provisions of R.S. 11:801 or 811, or both, shall not be eligible to participate in this plan.

* * *

§942.4. Contributions

A. Each participant shall contribute monthly to the alternative contribution plan six percent of his earnable compensation. These contributions may be made by employer pick-up in accordance with the provisions of Section 414(h)(2) of the United States Internal Revenue Code or any amendment thereto. This six percent member contribution shall be remitted by the Teachers' Retirement ~~System~~ Plan to the appropriate designated company for application to the participant's investments, but not until all employee and employer contributions have been received by the Teachers' Retirement ~~System~~ Plan.

B.(1) Each participant shall contribute monthly to the regular plan of the Teachers' Retirement ~~System~~ Plan one and nine-tenths percent of his earnable compensation.

(2) The participant shall also contribute one-tenth of one percent of his earnable compensation to the Teachers' Retirement ~~System~~ Plan for the administration of the alternative contribution plan.

C. Each employer shall contribute to the Teachers' Retirement ~~System~~ Plan on behalf of each participant in the alternative contribution plan the same amount it would have contributed if the participant had been a member of the regular plan.

§942.5. Transfers

Any current member of the regular plan who elects to participate in the alternative contribution plan as authorized by R.S. 11:942.1(C) shall have six percent of all of his salary that was previously reported to the Teachers' Retirement ~~System~~ Plan transferred to his alternative contribution plan account without interest.

* * *

§942.7. Benefits not obligation of the state; payment of benefits

A. Any person electing to participate in the alternative contribution plan shall agree that the benefits payable to participants are not the obligations of the state of Louisiana, the Teachers' Retirement Plan, or the Teachers' Retirement System of Louisiana and that such benefits and other rights of the alternative contribution plan are the liability and responsibility solely of the designated company to whom contributions have been made.

* * *

§942.8. Service credit; eligibility

A. Members of the Teachers' Retirement ~~System~~ Plan who participate in the alternative contribution plan must meet the same minimum eligibility requirements as members of the regular Teachers' Retirement Plan ~~System of Louisiana~~ regular plan in order to be eligible for regular and disability benefits and survivor benefits.

* * *

§942.9. Conflict with other laws

Any member of the Teachers' Retirement ~~System of Louisiana~~ Plan who participates in the alternative contribution plan shall be governed by all of the laws, policies, rules, and regulations which govern the Teachers' Retirement ~~System of Louisiana~~ Plan, except where they are in conflict with the specific provisions of R.S. 11:942.1 through 942.8 and in which case the said specific provisions shall govern.

§945. Establishment of plan

There is hereby created a separate, unfunded, nonqualified excess benefit plan containing the terms and provisions set forth in this ~~Part~~ Subpart and intended to be a qualified governmental excess benefit arrangement, as defined in Section 415(m)(3) of the Internal Revenue Code.

§946. Benefit provided

A. An excess benefit participant who is receiving benefits from ~~this system~~ the Teachers' Retirement Plan is entitled to a monthly benefit under this excess benefit plan in an amount equal to the lesser of either:

(1) The member's unrestricted benefit as that term is defined in R.S. 11:701, less the maximum benefit.

(2) The amount by which the member's monthly benefit from the ~~system~~ Teachers' Retirement Plan has been reduced because of the limitations of R.S. 11:784.1.

B. A retirement benefit payable under this excess benefit plan shall be paid in the form and at the time it would have been paid as a monthly pension under the ~~system~~ Teachers' Retirement Plan

except for the limitations under R.S. 11:784.1 and Section 415 of the United States Internal Revenue Code. Each optional benefit form permitted under this excess benefit plan shall be the actuarial equivalent of each other permitted benefit form.

C. This plan shall be administered by the Board of Trustees of this system. Except as provided to the contrary by this ~~Part Subpart~~, the rights, duties, and responsibilities of the board shall be the same for this excess benefit plan as for the system set forth in ~~Part V Subpart E~~ of this Chapter.

D. The actuary employed by the board is responsible for determining the amount of benefits that may not be provided under the ~~system Teachers' Retirement Plan~~ solely because of the limitations of R.S. 11:784.1 and Section 415 of the United States Internal Revenue Code and thus the amount of contributions that will be made to this excess benefit plan rather than to the ~~system Teachers' Retirement Plan~~.

* * *

§947. Contributions

A.(1) Contributions may not be accumulated under this excess benefit plan to pay future retirement benefits. Instead, each payment of contributions by the employer that would otherwise be made to the system shall be reduced by the amount determined by the board as necessary to meet the requirements for retirement benefits under this excess benefit plan until the next payment of contributions is expected to be made to the ~~system Teachers' Retirement Plan~~ by the employer.

(2) The employer shall then pay to this excess benefit plan, out of the contributions that would otherwise have been made to the ~~system Teachers' Retirement Plan~~, no later than the fourteenth day before the date of each distribution of monthly retirement benefits is required to be made from this excess benefit plan, the amount necessary to satisfy the obligation to pay monthly retirement benefits under this excess benefit plan.

* * *

C. The employer contributions otherwise required to be made to the ~~system Teachers' Retirement Plan~~ pursuant to R.S. 11:875 and any other qualified plans of the employer shall be divided into those contributions required to pay retirement benefits pursuant to this ~~Part Subpart~~ and those contributions paid into and accumulated to pay the maximum benefits required by any such qualified plans.

D. Employer contributions made to provide retirement benefits pursuant to this ~~Part Subpart~~ may not be commingled with the monies of the ~~system Teachers' Retirement Plan~~ or any other qualified plan, nor may this plan ever receive any transfer of assets from the ~~system Teachers' Retirement Plan~~.

* * *

CHAPTER 3: ~~PART II~~ LOUISIANA SCHOOL EMPLOYEES' RETIREMENT SYSTEM PLAN

~~PART I~~ SUBPART A. GENERAL PROVISIONS

§1001. Name and establishment of retirement system; domicile; nominee name; partnership

A. A retirement ~~system plan~~ is established and placed under the management of a board of trustees as established in R.S. 11:821 for the purpose of providing retirement allowances and other benefits for school bus drivers, school janitors, school custodians, school maintenance employees, and other school employees employed in the state public school system. The retirement ~~system plan~~ is created as of July 31, 1946, but shall begin full operation as of July 1, 1947.

B. It shall be ~~a state agency domiciled in East Baton Rouge Parish and shall have the powers and privileges of a corporation and shall be known as the Louisiana School Employees Retirement System Plan~~ and by such name, or its nominee name which is hereby established as "~~LSERS," "LSERP"~~", all of its business shall be transacted, all of its funds invested, and all of its cash and securities and other property held, except as provided in Subsection C hereof. The secretary-treasurer of the system shall be the agent for service of legal process.

* * *

§1002. Definitions

As used in this ~~Chapter Part~~, the following words and phrases shall have the meanings ascribed to them in this Section unless a different meaning is plainly required by the context:

* * *

(6)(a) "Average compensation", for a member whose first employment making him eligible for membership in the ~~system plan~~ began on or before June 30, 2006, shall be based on the thirty-six highest successive months of employment, or on the highest thirty-six successive months of employment where interruption of service occurred; however, the average compensation amount to be considered for the first through the twelfth month shall not exceed the compensation for the immediately preceding twelve months by more than ten percent. The amount for the thirteenth through the twenty-fourth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the first through the twelfth month by more than ten percent. The amount for the twenty-fifth through the thirty-sixth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirteenth through the twenty-fourth month by more than ten percent. The limitations on the computation of average compensation in this ~~Paragraph Subparagraph~~ shall not apply to any of the twelve-month periods where compensation increased by more than one hundred ten percent over the previous twelve-month period solely because of an increase in compensation by legislative act or by a city/parish system-wide salary increase.

(b) "Average compensation", for a member whose first employment making him eligible for membership in the ~~system plan~~ began on or after July 1, 2006, whose first employment making him eligible for membership in one of the state systems occurred on or before June 30, 2010, shall be based on the sixty highest successive months of employment, or on the highest sixty successive months of employment where interruption of service occurred; however, the average compensation amount for the thirteenth through the twenty-fourth month shall not exceed the actual compensation amount for the first through the twelfth month by more than ten percent. The amount for the twenty-fifth through the thirty-sixth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirteenth through the twenty-fourth month by more than ten percent. The amount for the thirty-seventh through the forty-eighth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the twenty-fifth through the thirty-sixth month by more than ten percent. The amount for the forty-ninth through the sixtieth month shall not exceed the lesser of the maximum allowable compensation amount or the actual compensation amount for the thirty-seventh through the forty-eighth month by more than ten percent. The limitations on the computation of average compensation contained in this ~~Paragraph Subparagraph~~ shall not apply to any twelve-month period during which compensation increased by more than one hundred ten percent over the previous twelve-month period solely because of an increase in compensation by legislative act or by a city/parish system-wide salary increase.

* * *

(7) "Beneficiary" means any person in receipt of a pension, an annuity, a retirement allowance or other benefit provided by this Chapter Part.

(8) "Board of Trustees" means the board provided to administer the retirement system plans provided for in this Chapter, established in R.S. 11:821.

(9) "Creditable service" means "prior service" plus "in service" plus "membership service" for which credit is allowable as provided in Subpart C of this Part H of this Chapter.

* * *

(12) "Earnable compensation" means the full amount earned by an employee for a given pay period. Earnable compensation shall not include operating expenses, the cost of any insurance paid by the employer, or any allowance for expenses authorized and incurred as an incident of employment, nor payments in lieu of unused sick or annual leave. Earnable compensation shall include pay received by school bus drivers for school-related extracurricular activities. Contributions made by the employer under the provisions of this Chapter Part shall not be considered as a part of the employee's rate of pay or compensation notwithstanding the provisions of any other law.

(13) "Employee" means any person legally occupying a position as a school bus driver who actually renders a service by driving a school bus during the full time of his employment, a school janitor, a school custodian, a school maintenance employee, school bus aide, monitor or attendant, or other regular school employee who actually works on a school bus helping with the transportation of school children, and who is a legal employee of a parish or city school board of the state of Louisiana, and shall include the employees of this system who were employed by the Louisiana School Employees Retirement System prior to its merger into the Teachers' Retirement System of Louisiana.

* * *

(15) "In service" means service rendered after June 30, 1947, for which retirement credit has not been received and for which credit is allowable under Subpart C of this Part H of this Chapter.

(16) "Medical board" shall mean the State Medical Disability Board board provided for in R.S. 11:833.

(17) "Member" means any school employee, as defined in Paragraph (13) of this Section, as provided in Subpart B of this Part H of this Chapter. In all cases of doubt, the board of trustees, as hereinafter defined, shall determine whether any person is eligible to be a member.

(18) "Membership service" means service as an employee rendered while a member of the retirement system plan or while a member of the Louisiana School Employees Retirement System prior to June 30, 2012.

(19) "Minor child" means an unmarried child under the age of eighteen years or an unmarried student under the age of twenty-three years who is the issue of a marriage of a member of this system plan, the legally adopted child of a member of this system plan, the natural child of a female member of this system plan, or the child of a male member of this system plan if a court of competent jurisdiction has made an order of filiation declaring the paternity of such a member for the child or if the name of the father appears on the birth certificate or if the father has formally acknowledged the child.

* * *

(21.1) "Plan" means the Louisiana School Employees' Retirement Plan and includes funds, mechanisms, rules, regulations, and rights relative to retirement established in this Part.

(22) "Prior service" means service rendered prior to July 1, 1947, for which credit is allowable under Subpart C of this Part H of this Chapter.

* * *

(24) "Retirement" means withdrawal from active service with a retirement allowance granted under the provisions of this Chapter Part.

* * *

(26) "Retirement system" or "system" means the Louisiana School Employees Retirement System established and described in R.S. 11:1001 the Teachers' Retirement System of Louisiana established in this Chapter, comprised of the Teachers' Retirement Plan and the Louisiana School Employees' Retirement Plan.

(27) "Spouse" means a person who is legally married to a member of this system plan and shall not include a person who is legally separated from a member of this system plan by a judgment of separation.

* * *

§1004. False statements or falsification of records; penalty; liability; correction of errors

A. Any person who knowingly makes any false statement or falsifies or permits to be falsified any record or records affecting this retirement system plan in any attempt to defraud the same shall be fined not to exceed three hundred dollars or imprisoned for not more than six months or both. Should any change or error in the records result in any member or beneficiary receiving from the retirement system plan more or less than he would have been entitled to receive had the records been correct, the board of trustees shall make the necessary corrections and adjustments in payment.

* * *

C. In the event payments made to a retired member or to his beneficiary are greater than the member's contribution to the system plan and the member did not actually drive the school bus as indicated on the checklist, then the retired member, his beneficiary, the supervisor of transportation, the parish or city superintendent, the school official signing the checklist, and the school board who have knowingly falsified the reports mentioned in Subsections A and B shall be liable for the excess amounts paid to the retired member or to his beneficiary. The provisions of this Section shall be enforced by the attorney general and the district attorney having proper jurisdiction upon the written request therefor of the board of trustees. In the event action to enforce the provisions of this Section is not taken within a reasonable period of time after the request of the board of trustees, then the district attorney having jurisdiction in the parish where the board of trustees is domiciled shall enforce the provisions of this Section upon the written request of the board of trustees.

* * *

§1006. Reemployment of retirees

A.(1) Any service retiree of the Louisiana School Employees' Retirement System Plan may be reemployed in any position covered by the system plan as a full-time, part-time, temporary, or substitute employee subject to the provisions of this Section.

* * *

B. If the earnings of the reemployed retiree in any fiscal year are in excess of fifty percent of average compensation, an amount equal to the amount of the earnings in excess of fifty percent of average compensation for the fiscal year shall be repaid to the retirement system plan, either through direct reimbursement to the system plan or by suspension of benefits; however, the repayment amount shall not exceed the amount of retirement benefits received by the retiree for the fiscal year.

C. Should any employing agency fail to submit the report required by Subsection A of this Section, the employing agency shall be liable to the retirement system plan for the repayment of any overpayments to the retiree by the system plan.

D. The provisions of this Section shall not apply to any retiree of this system plan who retired from service as a bus driver, who returns to active service in a full-time position as a bus driver covered by the provisions of this Chapter Part, and whose employer chooses to reemploy him pursuant to R.S. 11:1007. The full-time reemployment of such retired bus drivers shall be governed by the provisions of that Section.

§1007. Employment of retired bus drivers

A.(1) Subject to the provisions of Subsection F of this Section, any retiree of this system plan who was retired from service as a bus driver and who returns to active service in a full-time position as a bus driver covered by the provisions of this Chapter Part within the twelve-month period immediately following the effective date of his retirement shall have his retirement benefit suspended for the duration of such active service or the lapse of twelve months after the effective date of his retirement, whichever occurs first, even if such service is based on employment by contract or corporate contract. After the period of suspension of benefits as provided in this Subsection, the retirement benefit of such retiree shall no longer be suspended.

(2) No member of this system plan who retires based on a disability shall return to service pursuant to the provisions of this Section. Disability retirees shall be governed by the provisions of this Chapter Part applicable to disability retirees.

B. During the period of his return to active service, the reemployed bus driver and his employer shall make contributions to the retirement system plan as provided by this Chapter Part. However, the bus driver shall receive no additional service credit and shall not accrue any additional benefits in the retirement system plan. After termination of active service and upon application therefor, the retiree shall be refunded the employee contributions paid during reemployment. The refund shall be without interest. The retirement system plan shall retain all interest and employer contributions.

C.(1) When any retired bus driver returns to active service pursuant to this Section with an employer covered by the provisions of this Chapter Part, the employing agency shall notify the board of trustees in writing within ten days of such employment and the date on which employment began. Upon termination, the employing agency shall also provide the board with information and notice thereof in writing. In addition to the notice required by this Subsection, the employing agency shall also report to the retirement system within forty-five days after June thirtieth of each year the names of all retired persons being paid by the employing agency, their social security numbers, and the amounts of their earnings during the previous fiscal year ending June thirtieth of the reporting year.

* * *

F. Any employer who participates in the reemployment of any retired bus driver pursuant to this Section shall pay the actuarial cost in aggregate attributable to the reemployment of such bus driver in excess of the cost that would have been incurred if the employer had

reemployed the driver or drivers pursuant to R.S.11:1006 as determined by the system's plan's actuary. The actuarial cost to the system plan, if any, shall be included in the annual actuarial report to the board of trustees of the system and shall be submitted to the Public Retirement Systems' Actuarial Committee. Upon approval of the system's plan's actuarial report by the Public Retirement Systems' Actuarial Committee, the participating employers shall be notified of any cost, which shall be paid to the system not later than June thirtieth following such committee's approval of the system's plan's actuarial report.

§1111. Employees employed on December 31, 1946; election of coverage under system plan

A. The membership of this retirement system plan shall be composed of all persons who are employees on December 31, 1946, except those hereinafter specifically excluded, provided that before July 1, 1947, any such employee files with the board of trustees on a form prescribed by such board a notice of election to be covered in the membership of the system plan and also files enrollment as a member on a form prescribed by the board of trustees. Except as hereafter provided, after June 30, 1948, no person who has attained the age of fifty years shall be eligible to become a member.

B. Any person who was not employed on December 31, 1946, by a parish or city school board, but who prior to that time has been so employed, may become a member of the system plan and shall be entitled to receive credit for such prior service upon entering the system plan, provided he applies for membership on or before July 31, 1955.

§1112. Employees employed after December 31, 1946; election of coverage under system plan

All persons who become employees after December 31, 1946, may become members of the retirement system plan provided that within one year from the date of their employment they file with the board of trustees on a form prescribed by it a notice of their election to be covered in the membership of the system plan, together with their enrollment as a member, executed on a form prescribed by the board. Any such employee who fails to file notice of his election and his enrollment may become a member of the system plan at any future date, but he shall not be entitled to any prior service credit. Any employee who has failed to file this notice prior to July 28, 1948, but who does so within sixty days thereafter shall be privileged to become a member and as such shall be entitled to prior service credit.

§1114. Eligibility for membership in other public system; election of coverage

Employees who at the time this system is the Louisiana School Employees' Retirement System was established are or were at any time entitled to become members of any other publicly funded retirement system shall not be entitled to membership in this retirement system plan unless on a date not more than one year next following the establishment of this retirement system the Louisiana School Employees' Retirement System they indicate indicated by a notice filed with the board of trustees, on a form prescribed by it, their individual election and choice to participate in this the retirement system.

* * *

§1118. Other employment; membership

Notwithstanding any other provisions of law to the contrary, any active contributing member of this system plan who becomes engaged in employment which would normally require him to join and become a member of any other public retirement system, plan, or fund shall have the option of joining and becoming a member of such other public retirement system, plan, or fund and thereby cease

to be a contributing member of this system plan. If he terminates the employment which makes him eligible for membership in another public system, plan, or fund he shall again become an active contributing member of this system plan as a condition of employment for as long as he is employed in a position which makes him eligible for membership in this system plan.

§1119. Correction of membership errors

A. If a person is employed in a position in which he should have been enrolled in this system plan on the date of employment but was by error enrolled in another public retirement system or plan, he shall have three years from the date of improper enrollment to transfer to this system plan if he is eligible for membership in this system plan. He shall make application to ~~this system~~ the board for the transfer within three years from the date of improper enrollment and the transferring system or plan shall transfer all employee and employer contributions made on his behalf plus interest compounded annually at the actuarial valuation rate of the transferring system or plan. In the event the amount of employee and employer contributions plus interest transferred are not sufficient to pay the total employee and employer contributions that would have been paid to the system plan plus the interest that would have accrued compounded annually at the actuarial valuation rate had the member been properly enrolled, the employer shall pay any difference in the assets to be transferred to the receiving system plan. In the event the amount of employee and employer contributions plus interest compounded annually at the actuarial valuation rate is more than that required to be transferred to the receiving system, the employee and employer shall be refunded the amount of the overpayment in proportion to their contributions. Upon payment of this sum, all of his service credit will be transferred to this system plan.

B. If a person is employed in a position in which he should have been enrolled in this system plan on the date of employment but was by error enrolled in another public retirement system or plan and has been a member of such system or plan for more than three years but is still eligible for membership in this system plan, he may transfer to this system plan but such transfer shall be totally governed by and be a transfer under the provisions of R.S. 11:143, provided, however that if the enrollment error is the total fault of the employer, the employer shall pay any difference in the assets to be transferred and the actuarial cost to the receiving system plan in order to transfer all eligible service credit. In the event the amount of employee and employer contributions plus interest compounded annually at the actuarial valuation rate is more than that required to be transferred under R.S. 11:143, the employee and the employer shall be refunded the amount of the overpayment in proportion to their contributions.

§1120. Members employed in other state or public employment

A. Notwithstanding any enrollment error occurring prior to January 1, 1992, any person who is a member of the Louisiana School Employees' Retirement System Plan, who has creditable membership service of at least five years in this system plan and who becomes employed in any other state or public employment where he is no longer eligible for membership in this system plan but is eligible for membership in the Teachers' Retirement System of Louisiana Plan or the Louisiana State Employees' Retirement System, shall have the right to remain a member of this system plan in lieu of membership in the Teachers' Retirement System of Louisiana Plan or the Louisiana State Employees' Retirement System by filing a notice of election to remain in this system plan, in writing, with the board of trustees within thirty days after the effective date of employment. Such election shall be irrevocable.

B. Notwithstanding any enrollment error occurring prior to January 1, 1992, any person who has five years of service credit in the Louisiana School Employees' Retirement System Plan, or who has five years of combined service credit in such system and the Teachers' Retirement System of Louisiana Plan, or the Louisiana

State Employees' Retirement System, and who joined and is an active contributing member of the Teachers' Retirement System of Louisiana Plan or the Louisiana State Employees' Retirement System because of a change in state or public employment shall, on January 1, 1992, be allowed for a period of one year from said effective date to again become a contributing member of the Louisiana School Employees' Retirement System Plan and be allowed to transfer his service credit in the Teachers' Retirement System of Louisiana Plan or the Louisiana State Employees' Retirement System to the Louisiana School Employees' Retirement System Plan under the provisions contained in R.S. 11:143.

* * *

§1133. Credit for service as a defined "employee"

Any member of the Louisiana School Employees' Retirement System Plan may receive credit for service as an employee, as defined in R.S. 11:1002, provided credit granted in another public supported retirement system or plan covering the same time is not in effect and provided he meets the requirements set forth below:

(1) Credit for service cancelled by the withdrawal of accumulated contributions by a member may be restored by the payment to the system plan of the amount withdrawn plus interest at the plan's board-approved actuarial valuation rate compounded annually from the date withdrawn until paid.

(2) In order to receive credit for "in service", except the restoration of cancelled credit therefor, for service rendered in any state agency in Louisiana or for service with a parish or city school board, payment shall be made to the retirement system plan an amount which, on an actuarial basis, totally offsets the increase in accrued liability of the system plan resulting from the receipt of the credit by the member. The amount payable shall be calculated by use of the actuarial funding method, assumptions, and tables in use by the system plan at the time of the member's application for credit. The employing agency, in its discretion, may pay not more than fifty percent of this amount. However, if it makes such a payment, it shall then make such payment, in the same percentage, with respect to all employees who make application for this credit.

(3) Payments to be made under the provisions of this Section shall be paid prior to the effective date of retirement.

* * *

§1137. Credit for service as an employee

Any active, contributing member of this system plan may receive credit for service rendered as an employee, for which credit is not maintained in any other publicly supported retirement system or plan. In order to receive credit for such service, payment shall be made to the ~~retirement system~~ plan of an amount calculated in accordance with the provisions of R.S. 11:158; however, the member shall have rendered service as an employee for a minimum of ninety days and shall purchase a minimum of ninety days' service in order to avail himself of the provisions of this Section. The amount of service credit shall be limited to the actual number of days the member was employed by a school board. Credit shall only be allowed for service for which the school board maintained a record, and for which the school board certifies the correctness thereof to the retirement system. All payments to be made under this Section shall be paid prior to the effective date of retirement.

§1138. Reciprocity of credits

The board of trustees may provide for reciprocity of credits between this system plan and any other state, parish, or city retirement system of Louisiana supported partly or wholly by public funds.

§1139. Credit for support personnel service credit in other states

A.(1) Notwithstanding any other provisions of law to the contrary, any member who has six months of creditable service in this system plan shall be eligible to obtain credit for full-time service as an employee, as the term "employee" is defined in R.S. 11:1002(13), rendered in any school system, public or private, of this state or any other state, provided that service shall not be credited to this system plan if the member already has credit for that service in any other retirement system or plan.

(2) In order to receive such credit, the retirement system or plan in which the member was enrolled while employed as an "employee" in another state shall certify that the member does not have credit in that system or plan which duplicates the credit being purchased in this system.

(3) To purchase credit for such service, the member shall apply to the board of trustees of the system and shall furnish a detailed statement of all such service, as the board may require. Additionally, the member shall pay an amount calculated in accordance with the provisions of R.S. 11:158. The cost of such service shall be paid in a lump sum, and the amount paid shall be credited to the member's account in the Annuity Savings Fund.

B. The board of trustees shall promulgate rules and regulations regarding the amount of such service which must be rendered to equal one year of credit in this system plan, but in no event shall more than one year of service be credited for all service rendered in any one fiscal year.

C. Credit for such service shall not be granted in this fund if the member is receiving a regular or disability retirement benefit based on such service.

* * *

§1141. Retirement benefits; application; eligibility requirements; effective date; cancellation

* * *

B. Notwithstanding the provisions of Subsection A of this Section, in the event a member of this system plan files an application for regular retirement, or disability retirement with his employer which is a reporting agency and thereafter terminates his employment, or files an application for retirement to participate in the Deferred Retirement Option Plan with his employer which is a reporting agency and thereafter continues his employment while participating in the Deferred Retirement Option Plan with said employer and through error the application is not promptly sent to this retirement system, upon receipt of the application by this system, the board of trustees is hereby authorized upon satisfactory proof to it, to pay the retirement benefit, to pay the disability retirement benefit, or to begin making payments on behalf of the member into the Deferred Retirement Option Plan Account based on an effective date of retirement not more than ninety days prior to the actual receipt of the application for retirement in the office of the system, but in no event prior to the date of termination of employment.

C.(1)

* * *

(b) Any member who retires under the provisions of this Section shall not be eligible for reemployment by the agency from which he retired, the Louisiana School Employees' Retirement System Teachers' Retirement System of Louisiana, any public school system, or any special education district for a period of five years.

(2) Any person who elects to retire under the provisions of this Section shall have included in the actuarial reduction of his benefits

such an amount, subject to any change in premium amounts or classifications that are applicable to other retirees, which shall be proportionate to the cost to the Louisiana School Employees' Retirement System Plan resulting from retirement under this Section, and that amount shall be transferred to the Louisiana School Employees' Retirement System Plan to offset such cost, until he attains the earliest eligibility for regular retirement, at which time his benefits shall be the same as a person who retired under the provisions of regular retirement.

* * *

§1144. Retirement allowance; regular, minimum, and supplemental

* * *

B.

* * *

(3) In the event that the funded status of this system plan should fall below one hundred percent, the employee contribution rate shall be increased in an amount sufficient to fund any cost to the system resulting from the application of the benefit accrual rates provided for in Paragraphs (1) and (2) of this Subsection, with the loss being amortized in accordance with the provisions of R.S. 11:102(B)(3)(d)(i).

* * *

C. Supplementary allowance. For all members whose service retirement becomes effective on or after July 1, 1971, the following additional or supplementary pension benefit shall be payable: a pension of twenty-four dollars per annum, or two dollars per month for each year of accredited service. This supplementary benefit shall be limited to an amount which when added to the benefit otherwise provided shall provide a total benefit which shall not be in excess of the average compensation, as determined under R.S. 11:231. In the event that the funded status of this system plan should fall below one hundred percent, the employee contribution rate shall be increased in an amount sufficient to fund the additional cost to the system plan of the supplemental allowance, with the loss being amortized in accordance with the provisions of R.S. 11:102(B)(3)(d)(i).

* * *

§1145.1. Employee Experience Account

A.(1) The Employee Experience Account shall be credited as follows:

(a) To the extent permitted by Paragraph (2) of this Subsection, an amount not to exceed fifty percent of the prior year's net investment experience gain as determined by the system's plan's actuary.

(b) To the extent permitted by Paragraph (2) of this Subsection, an amount not to exceed that portion of the system's plan's net investment income attributable to the balance in the Employee Experience Account during the prior year.

* * *

B. The Employee Experience Account shall be debited as follows:

(1) An amount equal to that portion of the system's plan's net investment loss attributable to the balance in the Employee Experience Account during the prior year.

* * *

C.(1) In accordance with the provisions of this Section, the board of trustees may recommend to the president of the Senate and the speaker of the House of Representatives that the system plan be permitted to grant a cost-of-living adjustment to retirees and beneficiaries whenever the balance in the Employee Experience Account is sufficient to fully fund such benefit on an actuarial basis, as determined by the system's plan's actuary. If the legislative actuary disagrees with the determination of the system's plan's actuary, a cost-of-living adjustment shall not be granted. The board of trustees shall not grant a cost-of-living adjustment as provided in this Subsection unless such cost-of-living adjustment has been approved by the legislature by concurrent resolution adopted by the favorable vote of a majority of the elected members of each house. Any such cost-of-living adjustment shall be limited to and shall only be payable based on an amount not to exceed eighty-five thousand dollars of the retiree's annual benefit; however, effective for years after July 1, 2007, the eighty-five thousand dollar limit shall be increased each year in an amount equal to the increase in the Consumer Price Index (United States city average for all urban consumers (CPI-U)), as prepared by the United States Department of Labor, Bureau of Labor Statistics, for the preceding calendar year, if any. Any cost-of-living adjustment granted pursuant to the provisions of this Subsection shall begin on July first following legislative approval, shall be payable annually, and shall equal an amount not to exceed the lesser of:

* * *

(4)

* * *

(c) The provisions of Items (a)(ii) and (b)(ii) of this Paragraph shall not apply to any person who receives disability benefits from this system plan or who receives benefits based on the death of a disability retiree of this system plan.

D. The cost-of-living increase which is authorized by Subsection C of this Section shall be limited to the lesser of either two percent or an amount determined as provided in Paragraph (C)(2) of this Section in or for any year in which the system plan does not earn the required actuarial rate of return as certified by the system's plan's actuary.

* * *

§1147. Disability retirement

* * *

B.

* * *

(3)(a) A person whose system plan membership began on or before June 30, 2006, applying for a disability benefit shall have five years of actual credited service in order to qualify for a disability benefit. A member shall not use credit earned while receiving workers' compensation or while on extended leave, special leave, or advanced leave in order to meet the prescribed minimum five-year eligibility requirement; however, any member receiving workers' compensation prior to January 1, 1991, shall be allowed to use credit earned while receiving workers' compensation to meet the minimum five-year eligibility requirement.

(b) A person whose system plan membership began on or after July 1, 2006, applying for a disability benefit shall have ten years of actual credited service in order to qualify for a disability benefit. A member shall not use credit earned while receiving workers' compensation or while on extended leave, special leave, or advanced leave in order to meet the prescribed minimum ten-year eligibility requirement.

C.

* * *

(2)(a)(i) A disability retiree whose membership in the system plan began on or before June 30, 2006, who is not eligible to receive a regular service retirement allowance shall receive a disability retirement allowance equal to two and one-half percent of his average compensation multiplied by his years of creditable service, but not less than thirty-three and one-third percent of his average compensation, and he shall not be allowed an optional allowance.

(ii) A disability retiree whose membership in the system plan began on or after July 1, 2006, but on or before June 30, 2010, who is not eligible to receive a regular service retirement allowance and who has at least ten years of creditable service, shall receive a disability retirement allowance equal to three percent of his average compensation multiplied by his years of creditable service.

* * *

§1149. Contributions of members out of service for five years

Whenever a member who has less than ten years of service credit has been out of service for five years without having applied for a refund of contributions, the retirement system shall transmit to him by certified mail, return receipt requested, at his last known address, a notification of his rights with respect to the refund of contributions, his rights to leave the contributions in the system plan if he plans to reenter service, and his rights to use the contributions for reciprocity if he becomes a member of another system or plan. If the retirement system does not receive any response to the notification within ninety days of mailing, the contributions to which the member is entitled shall be placed to the credit of the pension accumulation fund. Upon a valid request for a refund of contributions, such refund will be made from the pension accumulation fund.

* * *

§1151.1. Survivors' benefits; members hired on or after July 1, 2010

A. Survivor benefits shall be due and payable by the system plan effective the first day of the next month following the death of a member whose first employment making him eligible for membership in one of the state systems occurred on or after July 1, 2010, but shall not be paid until a properly completed and acceptable application is received by the system and all proper certifications have been received by the system.

* * *

C.(1) In addition to the amount payable in accordance with Subsection B of this Section, for the benefit of the surviving minor child, or children, there shall be paid for each such child, subject to a maximum of two children, per month fifty percent of the benefit to which a spouse would be entitled under Subsection B of this Section. Benefits shall be payable to such children even if no spouse eligible for survivor benefits is present, provided the member had at least five years of service credit. Benefits for a child shall cease when the child is no longer a minor child as defined by this Chapter Part. No surviving minor child shall receive more than one survivor's benefit at any one time. If two benefits are applicable, only the larger shall be paid.

* * *

E. The accumulated contributions of a deceased member shall be paid in a lump sum refund to the natural person or persons that he designated as his beneficiary, or to his succession if there is no designated beneficiary, but only if no benefits under Subsection A, B, C, D, F, or G of this Section are payable. Payment of accumulated

contributions shall be made only upon receipt of the deceased member's death certificate. The payment to the named beneficiary or the estate cancels all liability of the system plan to the deceased member, his named beneficiary, or his estate.

* * *

J. In the case of a death of a member occurring on or after January 1, 2007, while performing qualified military service, as defined in Section 414(u) of the Internal Revenue Code, eligibility for survivor benefits under this Section shall be determined as if the member had resumed employment and then terminated employment on account of death. The retirement system plan will credit the member's qualified military service as service for vesting purposes and for eligibility computation purposes as though the member, if eligible to, had met the definition of employee under the retirement system plan and had resumed employment under the Uniformed Services Employment and Reemployment Rights Act (Chapter 43 of Title 38, United States Code) immediately prior to the member's death. The time spent by the member in unqualified military service shall not count for benefit accrual purposes (creditable service) but will count only for eligibility purposes under this Section.

§1152. Deferred Retirement Option Plan

* * *

E. Upon the effective date of the commencement of participation in the plan, active membership in the regular retirement plan of the system Louisiana School Employees' Retirement Plan shall terminate, and the participant shall be considered by the system board to be in a retired status. Employee and employer contributions to the regular retirement plan shall cease upon the effective date of the person's commencement of participation in the plan. For purposes of this Section, average compensation and creditable service shall remain as they existed on the effective date of commencement of participation in the plan. Creditable service shall not include conversion of sick and annual leave. The monthly retirement benefits that would have been payable, had the person elected to cease employment and receive a service retirement allowance, shall be paid into the Deferred Retirement Option Plan Fund Account which shall be a part of the system plan fund. This account shall not be subject to any fees, costs, or expenses of any kind.

F.(1) A person who participates in the plan shall not be eligible to receive a cost-of-living increase while participating, and shall not be eligible for a cost-of-living increase until the employment which made the person eligible to become a member of the system regular retirement plan has been terminated for at least one full calendar year.

(2) The system board shall maintain subaccounts within this account reflecting the credits attributed to each participant in the plan, but the monies in the account shall remain a part of the fund until disbursed to a participant in accordance with the plan provisions.

(3) Interest shall not be credited to a participant's subaccount during the period of participation. With respect to any individual who was eligible to participate in the Deferred Retirement Option Plan prior to January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be credited with interest at the end of each plan year at a rate equal to the realized return on the system's portfolio for that plan year as certified by the system actuary in his actuarial report, less one-half of one percent. With respect to any individual who becomes eligible to participate in the Deferred Retirement Option Plan on or after January 1, 2004, all amounts which remain credited to the individual's subaccount after termination of participation in the plan shall be placed in liquid asset money market investments at the discretion of the board of trustees. Such subaccounts may be credited

with interest at the actual rate of return earned on such subaccount investments less one-fourth of one percent per annum; or at the option of the system board, the funds may be credited to subaccounts as herein established:

(a) The contributing period shall mean that time period when funds are being credited to the participant's subaccount which is maintained by the system board.

(b) After the contributing period ends, the balance of the subaccount then may be transferred to a self-directed subaccount, which shall be known as the investment period. Both subaccounts shall be within the Deferred Retirement Option Plan established herein. Management of the funds shall be by the system the same as that of the regular retirement plan funds during the contributing period. When the funds are transferred to the self-directed subaccount for the investment period, the system board is authorized to hire a third-party third-party provider. The third-party third-party provider shall act as an agent of the system board for purposes of investing balances in the self-directed subaccounts of the participant as directed by the participant. The participant shall be given such options that comply with federal law for self-directed plans.

(c) The participant in the self-directed portion of this plan agrees that the benefits payable to the participant are not the obligations of the state, the plan, or the system, and that any returns and other rights of the plan are the sole liability and responsibility of the participant and the designated provider to which contributions have been made. Furthermore, each participant, in accordance with this provision, shall expressly waive his rights as set forth in Article X, Section 29(A) and (B) of the Louisiana Constitution as it relates to his subaccount in the self-directed portion of the plan. By participating in the self-directed portion of the plan, the participant agrees that he and the provider shall be responsible for complying with all applicable provisions of the Internal Revenue Code. The participant also agrees that if any violation of the Internal Revenue Code occurs as a result of the participant's participation in the self-directed portion of the plan, it shall be the sole responsibility and liability of the participant and the provider, not the state, the plan, or the system. There shall be no liability on the part of and no cause of action of any nature shall arise against the state, the plan, the system, or its agents or employees, for any action taken by the participant for choices the participant makes in relationship to the funds in which he chooses to place his subaccount balance.

* * *

J. Monthly retirement benefits payable to a participant after termination of participation in the plan and employment shall be calculated as follows:

* * *

(3)(a) If the participant, whose first employment making him eligible for membership in the system plan began on or before June 30, 2006, continues employment after termination of participation in the plan for a period of less than thirty-six months, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the final average compensation used to calculate the monthly credit.

(b) If the participant, whose first employment making him eligible for membership in the system plan began on or after July 1, 2006, continues employment after termination of participation in the plan for a period of less than sixty months, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the final average compensation used to calculate the monthly credit.

(4)(a) If the participant, whose first employment making him eligible for membership in the system plan began on or before June 30, 2006, continues employment after termination of participation in the plan for a period of thirty-six months or more, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the higher of the final average compensation when the member entered the plan or for the period of employment after termination of participation in the plan.

(b) If the participant, whose first employment making him eligible for membership in the system plan began on or after July 1, 2006, continues employment after termination of participation in the plan for a period of sixty months or more, his monthly retirement benefit shall equal his base benefit plus an amount based upon the service credit for the additional employment, together with conversion of the net amount of sick and annual leave accumulated during that period of employment, based upon the higher of the final average compensation when the member entered the plan or for the period of employment after termination of participation in the plan.

* * *

L. If the participant remains employed for a period of less than thirty calendar days after termination of participation in the plan Deferred Retirement Option Plan, the participant shall not be reenrolled in the system Louisiana School Employees' Retirement Plan, contributions to the retirement system shall cease, and no additional service credit shall be credited to the member's account.

* * *

§1172. Deduction of employee benefit contributions from retiree benefit checks

Notwithstanding any other provision of law to the contrary, the retiree contributions for accident and health and life insurance coverage to be paid by any retiree, beneficiary, or survivor participating in a group insurance plan who receives a recurring benefit payment from this system plan may be deducted from the benefit payment if the deduction is made for all retirees and their survivors who participate in the group plan. Such deduction may be affected by the use of magnetic media prepared and furnished by the participating city or parish school board in a form processible by the retirement system's computer facility. The retirement system shall remit such deductions directly to the city or parish school board in periodic lump sums. Such deductions may only be made after approval by the board of trustees of the Louisiana School Employees' Retirement System and only when the system has adequate facilities and staff to make the deductions and only if no additional costs are imposed upon the retirement system plan.

* * *

§1181. Investment of funds by board of trustees; limitations and restrictions; interest

A. The board of trustees shall be the trustees of the several funds of the system plan and shall have full power to invest and reinvest available funds and to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments of the system plan and proceeds thereof provided that the action is taken in compliance with rules and regulations established by the board of trustees and in accordance with the provisions of R.S. 11:263. The board of trustees may adopt rules to further restrict investments of funds.

B. The board of trustees annually shall allow interest on the mean amount for the preceding year in each of the funds except the expense fund and the annuity savings fund. The amount so allowed shall be due and payable to said funds and shall be annually credited

thereto by the board from interest and other earnings on the moneys monies of the retirement system plan. Any additional amount required to meet the interest on the funds of the retirement system plan shall be paid from the pension accumulation fund, and any excess of earnings over such amount required shall be paid to the pension accumulation fund. Interest to be allowed shall be determined by the board on the basis of the interest earnings of the system plan for the preceding year.

* * *

§1193. Pension accumulation fund; description and composition; normal and accrued liability contributions, determination

A. The pension accumulation fund is the fund in which shall be accumulated all reserves for the payment of all pensions and other benefits payable from contributions made by the state of Louisiana and by local school boards. Contributions to and payments from the pension accumulation fund shall be made as follows:

(1)

* * *

(b) The rate per centum of said contributions shall be fixed on the basis of the liabilities of the retirement system plan as shown by actuarial valuation.

(2)(a) On the basis of regular interest and of such mortality and other tables as shall be adopted by the board of trustees, the actuary engaged to make each valuation required by this Chapter Part during the period over which the accrued liability contribution is payable, immediately after making such valuation, shall determine the uniform and constant percentage of the earnable compensation of the average new entrant, which, if contributed on the basis of compensation of such new entrant throughout his entire period of active service, would be sufficient to provide for the payment of any pension payable on his account. The rate per centum so determined shall be known as the "normal contribution" rate.

* * *

(4) Each employer shall transmit monthly, by the fifteenth day after the end of each month, a checklist report setting forth necessary salary and deduction information as shall be required by the board of trustees. If any reporting agency submits a checklist which is in error as to the salary of any member and such error results in overpayment of benefits by the system plan, the agency shall be liable to the Louisiana School Employees' Retirement System plan for the amount of the overpayment and shall reimburse the system plan for the full amount of all such overpayments within thirty days after discovery of the error of overpayment.

B. The pension accumulation fund shall be credited as follows:

* * *

(3) Interest, dividends, profits, and other income derived from investment of the system's plan's funds.

* * *

§1195.1. Unfunded accrued liability; payment by employer

A. Notwithstanding any other provision of law, if an employer terminates a group of employees belonging to this system plan by eliminating the positions held by those employees through privatizing, outsourcing, contracting the service with a private employer, or any other means, then the employer shall remit that portion of the unfunded accrued liability existing on June thirtieth, immediately prior to the date of termination attributable to the employees being terminated.

B. Each employer shall report to the retirement plan on all employees whose positions have been eliminated as provided in Subsection A of this Section. Such reports shall be submitted by October fifteenth of each year on a form provided by the retirement plan. In order to ensure compliance and accuracy of the report, the plan shall have the right to audit the records of the employer upon reasonable notice.

~~B. C.~~ The amount due shall be determined by the actuary employed by the system for the plan and shall be amortized over ten years. The amount shall be paid in equal monthly payments, in the same manner as regular payroll payments to the system plan.

~~C. D.~~ Should the employer fail to make a payment timely, then the amount due shall be collected in the same manner as authorized by R.S. 11:1202.

§1195.2. Unfunded accrued liability; payment by employer; any position

A. Notwithstanding any other provision of law, if an employer eliminates any position covered by this plan through privatizing, outsourcing, contracting the service with a private employer, or any other means, then the employer shall remit that portion of the unfunded accrued liability existing on June thirtieth, immediately prior to the date of termination of the employee in that position, which is attributable to that position.

B. Each employer shall report to the retirement plan on all positions that have been eliminated as provided in Subsection A of this Section. Such reports shall be submitted by October fifteenth of each year on a form provided by the retirement plan. In order to ensure compliance and accuracy of the report, the plan shall have the right to audit the records of the employer upon reasonable notice.

~~B. C.~~ The amount due shall be determined by the actuary employed by the system for the plan and shall be amortized over ten years. The amount may be paid in a lump sum or equal monthly payments with interest at the actuarial rate in the same manner as regular payroll payments to the system, at the option of the employer.

~~C. D.~~ Should the employer fail to make a payment timely, then the amount due shall be collected in the same manner as authorized by R.S. 11:1202.

* * *

§1202. Failure to timely remit contributions; effect

A.

* * *

(2) Upon a certification to the state treasurer or the Department of Education by the board of trustees of the School Employees' Retirement System of Louisiana that a payment is delinquent, the state treasurer or the Department of Education shall deduct the amount thereof from any monies then available for distribution to or for the benefit of that parish or city school board, college or university, or vocational and technical school or other agency or employer and shall transmit said amount directly to the board of trustees.

* * *

(4) In like manner the board of trustees of the system, upon receipt of said funds, shall credit such funds to the account of the members affected thereby and shall notify the school board or other authority thereof.

* * *

C. All payments of employers' contributions and employees' contributions, including any payments due from the state of Louisiana, which are paid after becoming delinquent shall include interest to be paid to the retirement system plan at the system's plan's assumed actuarial valuation rate of interest computed from the date the payment became delinquent.

Section 2. R.S. 701(33)(d) as enacted by and 728(C)(1)(a) and (b)(ii) and (iii) and (2)(a) as amended and reenacted by Act No. 999 of the 2010 Regular Session of the Legislature are hereby amended and reenacted to read as follows:

§701. Definitions

As used in this Chapter, the following words and phrases have the meanings ascribed to them in this Section unless a different meaning is plainly required by the context:

* * *

(33)

* * *

(d) "Teacher" shall also mean any employee of a charter school whose approved charter agreement requires continued active membership in the system plan for the duration of the member's charter school employment.

* * *

§728. Prior service credit

* * *

C.(1)(a) Notwithstanding any other provision of this Chapter Part or of any other law to the contrary, any person who is a member of this system plan shall be eligible to obtain credit in this system plan for teaching service rendered in any charter school, nonpublic college or university in Louisiana, or state approved elementary or secondary nonpublic or parochial school in Louisiana.

(b)

* * *

(ii) In addition, if the member is eligible to retire at the time he establishes credit for such service, there shall be paid into the system plan an amount equal to the present value of the additional retirement benefit payable on account of his service in charter schools or nonpublic or parochial schools or colleges should he retire at the time credit for such service is established.

(iii) If the member is not eligible to retire at the time he establishes credit for service in charter schools or nonpublic or parochial schools or colleges, there shall be paid into the system plan an amount which, if invested at regular interest, would accumulate to an amount equal to the present value of the additional retirement benefit payable on account of his service in charter schools or nonpublic or parochial schools or colleges should the member continue until the earliest date he is eligible to retire.

(2)(a) In determining the present value of the additional benefit payable on account of service in charter schools or nonpublic or parochial schools or colleges and the amounts to be paid for credit for such service, regular interest, salary scales used to project future salary increases, and the tables of the system plan as adopted by the board of trustees shall be utilized.

* * *

Section 3. R.S. 11:4(A)(1)(c), 22(B)(5), 42(B)(4), 62(4), 154(A)(3), 158(B)(6), 173(A)(3), 174(B)(3), 181(A)(3), 185(A)(3), 234(A)(5), 262(5), 272(A)(3), 281(A)(2), 312(A)(5), 323(A)(1), 730, 831, 1001(C), 1162 through 1165, 1166 through 1171, and 1173 are hereby repealed in their entirety.

Section 4. Notwithstanding any provision of this Act to the contrary, members elected pursuant to R.S. 11:1162(A)(6) who are serving on June 29, 2012 shall serve as elected members representing the Louisiana School Employees' Retirement Plan members under this Act for the remainder of their terms. Upon expiration of any such term, the vacancy shall be filled pursuant to the provisions of this Act.

Section 5. The terms of office of any member serving on the Louisiana School Employees' Retirement System board of trustees upon the effective date of this Act are terminated upon the effective date of this Act and the board shall be dissolved and its duties and functions assumed by the Teachers' Retirement System of Louisiana as provided in this Act.

Section 6.(A) Upon the effective date of this Act, all obligations, property, records, and employees of the Louisiana School Employees' Retirement System shall transfer to the Teachers' Retirement System of Louisiana, as amended by this Act. No provision of this Act shall be construed to impair any contract of the Louisiana School Employees' Retirement System in place on the effective date of this Act. Any such contract shall be honored by the Teachers' Retirement System of Louisiana as though the board of trustees had obligated itself to such contract.

(B) The board of trustees for the Teachers' Retirement System of Louisiana, as amended by this Act, shall complete the transfer of all administrative functions from the Louisiana School Employees' Retirement System within one year after the effective date of this Act.

(C) Upon the effective date of this Act, all members of the Teachers Retirement System of Louisiana as it existed on June 29, 2012, shall automatically become members of the Teachers' Retirement Plan. Upon the effective date of this Act, all members of the Louisiana School Employees' Retirement System as it existed on June 29, 2012, shall automatically become members of the Louisiana School Employees' Retirement Plan. Each member's creditable service in his system shall be transferred to his respective plan.

Section 7. The board of trustees, as defined in this Act, shall eliminate a total of at least thirty administrative positions within eighteen months after the effective date of this Act. At least fifteen positions shall be eliminated within nine months after the effective date of this Act, and at least an additional fifteen positions shall be eliminated by the end of the subsequent nine-month period. The director of the Teachers' Retirement System of Louisiana, as amended by this Act, shall have the authority to terminate the employment of any employee merged into the Teachers' Retirement System.

Section 8. The board of trustees, as defined in this Act, shall prepare a report on consolidation of the plans and experience accounts of both plans within the system and shall include estimates for the savings resulting from such consolidation and any other relevant considerations. The report shall be presented to the Public Retirement Systems' Actuarial Committee no later than June 28, 2013, and the Public Retirement Systems' Actuarial Committee shall consider the report and issue recommendations to the legislature no later than December 31, 2013.

Section 9.(A) As soon as practicable after the effective date of this Act, the Public Retirement Systems' Actuarial Committee shall meet to adopt a revised valuation for the system prepared as provided in R.S. 11:102. This valuation shall include a revised employer contribution rate for each plan within the system to be utilized in the

fiscal year which begins on July 1, 2012. This valuation shall incorporate all changes enacted by the legislature in the 2012 Regular Session of the Legislature of Louisiana.

(B) The Public Retirement Systems Actuarial Committee is hereby authorized to adopt an actuarial valuation or revised employer contribution rate to be utilized in the fiscal year which begins on July 1, 2012, calculated in accordance with R.S. 11:102, which has been prepared on behalf of the division of administration by a Member of the American Academy of Actuaries who meets the qualification requirements of the academy to issue a particular Statement of Actuarial Opinion.

Section 10. Because the legislature finds and declares that questions of law may be raised concerning provisions of this Act, the public welfare requires that such questions of law be expeditiously resolved prior to such time as its provisions take effect to avoid disruption of the orderly implementation of its provisions. Therefore, the legislature finds that an expedited hearing schedule for actions filed relative to this Act should be immediately made available in order to avoid confusion by the public. Venue for any action shall be in the Nineteenth Judicial District. In there interest of further expediting this procedure, courts are urged to minimize all unnecessary delays and to resolve any questions of law no later than thirty days prior to the prefiling deadline for retirement legislation for the 2013 regular legislative session. The courts may suspend all applicable rules of court for this limited purpose.

Section 11. The Louisiana State Law Institute shall redesignate the Parts of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950 as Subparts of Part I and shall redesignate the Parts of Chapter 3 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950 as Subparts of Part II of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950. The Institute shall further make appropriate technical changes to Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, as amended by this Act, as are necessary to accomplish the consolidation of the Teachers' Retirement System of Louisiana and the Louisiana School Employees' Retirement System as provided in this Act including but not limited to redesignating existing Parts as Subparts and existing Subparts as Divisions.

Section 12. No provision of this Act shall affect the effectiveness of the provisions of Part VII-A, Part VII-B, Part VII-C, Subpart B of Part VIII, Part X, or Part XI of Chapter 2 of Subtitle II of Title 11 of the Revised Statutes of 1950, as such provisions were designated prior to redesignation pursuant to Section 11 of this Act, except that to the extent provisions thereof remain effective, they shall do so as components of the Teachers' Retirement Plan as created in this Act.

Section 13.(A) The provisions of Section 2 of this Act shall become effective when the Teachers' Retirement System of Louisiana is in receipt of a private letter ruling issued by the Internal Revenue Service, pursuant to request dated March 15, 2010, concluding that the provisions of Act No. 999 of the 2010 Regular Session of the Legislature will not adversely affect the status of the Teachers' Retirement System of Louisiana as a qualified governmental plan under the Internal Revenue Code.

(B) The provisions of this Act except for Section 2 shall become effective at midnight on June 30, 2012."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 6 by Senator Guillory

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AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 4, line 39, change "Worker's" to "Workers"

AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 4, line 43, change "worker's" to "workers"

AMENDMENT NO. 3

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 4, lines 47 and 50, change "worker's" to "workers"

AMENDMENT NO. 4

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 4, line 47, change "only receive" to "receive only"

AMENDMENT NO. 5

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 9, line 51, at the beginning of the line delete "and/"

AMENDMENT NO. 6

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 10, line 7, following "Louisiana" delete "and/"

AMENDMENT NO. 7

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 11, line 42, change "system" to "plan"

AMENDMENT NO. 8

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 11, line 52, change "system" to "plan"

AMENDMENT NO. 9

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 12, line 30, change "system" to "plan"

AMENDMENT NO. 10

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 13, line 45, change "Said" to "The"

AMENDMENT NO. 11

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 15, line 15, following "system" and before "on" insert "and plan"

AMENDMENT NO. 12

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator

Guillory, on page 16, line 1, following "A" and before "was" change "hereof" to "of this Section"

AMENDMENT NO. 13

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 20, lines 44 and 45, following "deduction shall" delete "only" and on line 45, following "be effected" insert "only"

AMENDMENT NO. 14

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 21, line 39, change "only be applicable" to "be applicable only"

AMENDMENT NO. 15

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 24, line 14, change "shall only be applicable" to "shall be applicable only"

AMENDMENT NO. 16

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 26, line 32, following "to this" change "system" to "plan"

AMENDMENT NO. 17

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 27, line 4, change "only establish service credit" to "establish service credit only"

AMENDMENT NO. 18

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 27, line 58, change "can only be elected" to "can be elected only"

AMENDMENT NO. 19

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 31, line 55, change "system" to "plan"

AMENDMENT NO. 20

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 32, line 10, change "hereof" to "of this Section"

AMENDMENT NO. 21

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 33, line 26, change "system" to "plan"

AMENDMENT NO. 22

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 33, line 26, change "Employees" to "Employees"

AMENDMENT NO. 23

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 34, line 26, following "B" and before "shall" insert "of this Section"

AMENDMENT NO. 24

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 38, line 16, change "only be allowed" to "be allowed only"

AMENDMENT NO. 25

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 38, line 18, change "retirement system" to "plan"

AMENDMENT NO. 26

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 40, lines 16 and 17, change "only be payable" to "be payable only"

AMENDMENT NO. 27

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 44, line 11, following "may be" change "affected" to "effected"

AMENDMENT NO. 28

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Engrossed Senate Bill No. 6 by Senator Guillory, on page 48, line 5, following "In" change "there" to "the"

On motion of Rep. Pearson, the amendments were adopted.

On motion of Rep. Pearson, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 50—
BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:242(E)(introductory paragraph) and 2178(K) and to enact R.S. 11:2175.1(C)(4), relative to the Sheriffs' Pension and Relief Fund; to provide relative to permanent benefit increases; to provide for credits to the funding deposit account; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pearson, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 52—
BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 11:62(5)(a), (c), and (e) and (11)(c) and to enact R.S. 11:62(11)(d) and 102(D), relative to certain

members of the Louisiana State Employees' Retirement System and certain postsecondary education members of the Teachers' Retirement System of Louisiana; to increase employee contribution rates; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Re-engrossed Senate Bill No. 52 by Senator Guillory

AMENDMENT NO. 1

On page 2, delete lines 3 through 18 and insert the following:

"(ii)(aa) Employees other than judges and court officers in Item (i) of this Subparagraph whose first employment making them eligible for membership in one of the state systems occurred on or before December 31, 2010 - 11.5%.

(bb) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this condition for the first time. However, the employee shall not pay any increase provided for in this Subitem if the most recent valuation of the system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded.

(iii) (ii)(aa) Employees, other than judges in Item (iii) (iv) of this Subparagraph, whose first employment making them eligible for membership in one of the state systems occurred on or after January 1, 2011 - 8%.

(bb) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012 or what it was upon first employment if his first employment occurred after July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this condition for the first time. However, the employee shall not pay any increase provided for in this Subitem if the most recent valuation of the system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded."

AMENDMENT NO. 2

On page 2, delete lines 25 through 29 and on page 3, delete lines 1 through 9 and insert the following:

"(i)(aa) Employees whose first employment making them eligible for membership in one of the state systems occurred on or before December 31, 2010 - 9.5%.

(bb) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this condition for the first time. However, the employee shall not pay any increase provided for in this Subitem if the most recent valuation of the

system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded.

(ii)(aa) Employees whose first employment making them eligible for membership in one of the state systems occurred on or after January 1, 2011 - 8%.

(bb) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012 or what it was on first employment if his first employment occurred after July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this condition for the first time. However, the employee shall not pay any increase provided for in this Subitem if the most recent valuation of the system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded.

AMENDMENT NO. 3

On page 3, delete lines 13, through 26, and insert the following:

"(ii)(aa) ~~Employed~~ Employees who are not members of the optional retirement plan employed on or before June 30, 2006 - 7.5%

(bb) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this condition for the first time. However, the employee shall not pay any increase provided for in this Subitem if the most recent valuation of the system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded.

(ii) (iii)(aa) ~~Employed~~ Employees who are not members of the optional retirement plan employed on or after July 1, 2006 - 8%

(bb) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012 or what it was when he was employed if he was employed after July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this condition for the first time. However, the employee shall not pay any increase provided for in this Subitem if the most recent valuation of the system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded.

AMENDMENT NO. 4

On page 4, delete lines 1 through 9, and insert the following:

"(c)(i) Except as provided in Subparagraph (d) of this Paragraph, members who are employees of an institution of postsecondary education, the Board of Regents, or a postsecondary education management board who are not members of the optional retirement plan - 8%.

(ii) In addition, if an employee's base pay has increased by four percent or more above what it was on July 1, 2012 or what it was on first employment in a position making him eligible for membership in one of the state systems if such first employment occurred after July 1, 2012, his contribution rate shall increase by 0.5% each fiscal year for four consecutive years; the first of the four consecutive contribution rate increases shall become effective on the July first immediately following the date on which his base pay meets this

condition for the first time. However, the employee shall not pay any increase provided for in this Item if the most recent valuation of the system approved by Public Retirement System Actuarial Committee indicates that the system is at least eighty percent funded."

AMENDMENT NO. 5

On page 4, line 21, after "from" delete the remainder of the line and on line 22, delete "Senate Bill No. 52 of the 2012 Regular Session," and insert "R.S. 11:62(5)(a)(ii)(bb) and (iii)(bb), (c)(i)(bb) and (ii)(bb), (e)(ii)(bb) and (iii)(bb) and (11)(c)(i)."

AMENDMENT NO. 6

On page 5, line 28, after "fiduciaries" delete the comma "," and insert "and if approved by the Public Retirement Systems' Actuarial Committee,"

AMENDMENT NO. 7

On page 6, line 1, change "June 30, 2013," to "September 30, 2012,"

AMENDMENT NO. 8

On page 6, delete lines 10 thorough 13 and at the beginning of line 14, change "Section 7." to "Section 6."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Re-Reengrossed Senate Bill No. 52 by Senator Guillory

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 1, line 14, following "by" insert "the" and following "Retirement" change "System" to "Systems"

AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 1, line 27, following "by" insert "the" and on line 28, following "Retirement" change "System" to "Systems"

AMENDMENT NO. 3

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 1, line 43, following "by" insert "the" and following "Retirement" change "System" to "Systems"

AMENDMENT NO. 4

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 2, line 9, following "by" insert "the" and on line 10, following "Retirement" change "System" to "Systems"

AMENDMENT NO. 5

In House Committee Amendment No. 2 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 2, line 23, following "by" insert "the" and following "Retirement" change "System" to "Systems"

AMENDMENT NO. 6

In House Committee Amendment No. 3 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 2, line 35, following "by" insert "the" and following "Retirement" change "System" to "Systems"

AMENDMENT NO. 7

In House Committee Amendment No. 4 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 2, line 53, following "by" insert "the"

AMENDMENT NO. 8

In House Committee Amendment No. 4 proposed by the House Committee on Retirement to Re-Reengrossed Senate Bill No. 52 by Senator Guillory, page 3, line 1, following "Retirement" change "System" to "Systems"

On motion of Rep. Pearson, the amendments were adopted.

On motion of Rep. Pearson, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 430—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 23:1209(A)(3), and to enact R.S. 23:1209(A)(4), relative to workers' compensation; provides for the prescriptive period of developmental injury; to provide for payout of temporary total disability benefits under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 430 by Senator Murray

AMENDMENT NO. 1

On page 1, line 16, following "in all" and before "cases" delete "such"

AMENDMENT NO. 2

On page 1, line 16, following "Paragraph (3)" change "above" to "of this Subsection"

On motion of Rep. Dixon, the amendments were adopted.

On motion of Rep. Dixon, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 524—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:180(B), relative to annexation of territory owned by a public body; to provide for the authority to

exclude certain territory from annexation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial, and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Girod Jackson, the bill was ordered passed to its third reading.

Under the rules, placed on the local and consent calendar.

SENATE BILL NO. 761 (Substitute of Senate Bill No. 517 by Senator Morrell)—
BY SENATOR MORRELL

AN ACT

To enact Children's Code Article 412.1, relative to children; to require the collection and remittance of certain data; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 761 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, change "require" to "authorize"

AMENDMENT NO. 2

On page 1, line 8, after "jurisdiction" and before "biennially" change "shall" to "may"

AMENDMENT NO. 3

On page 2, line 3, after "courts" and before "also" change "shall" to "may"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 761 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 9, following "Court and" and before "local" change "their" to "its"

AMENDMENT NO. 2

On page 1, line 13, following "custody of" and before "parents" change "their" to "his"

AMENDMENT NO. 3

On page 2, line 12, following "sheriff, at" and before "expense" change "their" to "his"

On motion of Rep. Arnold, the amendments were adopted.

On motion of Rep. Arnold, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 93—
BY REPRESENTATIVE HARRISON

A RESOLUTION

To urge and request the Board of Regents to review the current placement of Louisiana public colleges and universities that offer academic degrees at the baccalaureate level and higher in either the Louisiana State University System, the Southern University System, or the University of Louisiana System, to study the benefits to public postsecondary education in our state and to the citizens of Louisiana that can be achieved by reorganizing the existing structure to the organizational structure proposed by House Bill No. 927 of the 2012 Regular Session of the Legislature of Louisiana, and to report in writing on study findings, conclusions, and recommendations.

Read by title.

On motion of Rep. Harrison, the resolution was adopted.

HOUSE RESOLUTION NO. 112—
BY REPRESENTATIVES CARMODY AND HENRY BURNS

A RESOLUTION

To provide legislative findings relative to the Louisiana State University Shreveport Commitment Plan as unanimously endorsed by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College on April 27, 2012, to urge and request all public postsecondary education institutions in the region to fully cooperate and support plan implementation; and to specify that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College shall make certain written reports to the legislature, the legislative education committees, and the Board of Regents for the next three academic years on its progress in plan implementation.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carmody to Engrossed House Resolution No. 112 by Representative Carmody

AMENDMENT NO. 1

On page 3, line 14, change "17:771" to "24:771"

On motion of Rep. Carmody, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carmody to Engrossed House Resolution No. 112 by Representative Carmody

AMENDMENT NO. 1

On page 3, between lines 11 and 12, insert the following:

"BE IT FURTHER RESOLVED that the authority of the Board of Regents to formulate and make timely revision of a master plan for postsecondary education and the process for so doing as provided by R.S. 17:3128 is hereby recognized, and the board is urged and requested to continue to apply its policies and procedures in evaluating the proposed role, scope, and mission statements of any public postsecondary education institution."

On motion of Rep. Carmody, the amendments were adopted.

On motion of Rep. Carmody, the resolution, as amended, was adopted.

HOUSE CONCURRENT RESOLUTION NO. 112—
BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to assess the viability of establishing public health research centers in medically underserved areas of the state through public-private partnerships for the purpose of studying certain prevalent diseases and to report its findings to the legislative committees on health and welfare.

Read by title.

On motion of Rep. Hunter, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 145—
BY REPRESENTATIVE NANCY LANDRY

A CONCURRENT RESOLUTION

To urge and request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues relative to meetings of public bodies, particularly requirements regarding public comment at meetings, vote requirements for a public body to go into executive session or take up a matter not on the agenda, and the creation of committees and subcommittees by public bodies.

Read by title.

On motion of Rep. Nancy Landry, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 168—
BY REPRESENTATIVES CARMODY AND HENRY BURNS

A CONCURRENT RESOLUTION

To provide legislative findings relative to the Louisiana State University Shreveport Commitment Plan as unanimously endorsed by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College on April 27, 2012, to urge and request all public postsecondary education institutions in the region to fully cooperate and support plan implementation; and to specify that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College shall make certain written reports to the legislature, the legislative education committees, and the Board of Regents for the next three academic years on its progress in plan implementation.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carmody to Engrossed House Concurrent Resolution No. 168 by Representative Carmody

AMENDMENT NO. 1

On page 3, line 10, change "17:771" to "24:771"

On motion of Rep. Carmody, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carmody to Engrossed House Concurrent Resolution No. 168 by Representative Carmody

AMENDMENT NO. 1

On page 3, between lines 7 and 8, insert the following:

"BE IT FURTHER RESOLVED that the authority of the Board of Regents to formulate and make timely revision of a master plan for postsecondary education and the process for so doing as provided by R.S. 17:3128 is hereby recognized, and the board is urged and requested to continue to apply its policies and procedures in evaluating the proposed role, scope, and mission statements of any public postsecondary education institution."

On motion of Rep. Carmody, the amendments were adopted.

On motion of Rep. Carmody, the resolution, as amended, was adopted.

Ordered to the Senate.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 61

The conference committee reports for the above legislative instruments lie over under the rules.

Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility of authorizing the collection of tolls to complete I-49 South.

Read by title.

Rep. Thompson moved the concurrence of the resolution.

Rep. Edwards objected.

By a vote of 79 yeas and 14 nays, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR MURRAY

A CONCURRENT RESOLUTION

To create a special committee to study the process of redistricting or reapportionment including, creation of precincts, demographer certification, notice requirements for changes in voting, reapportionment and redistricting plans, electronic data requirements for Geographic Information Systems (GIS), submission deadlines for changes in voting and to develop recommendations for changes to the Louisiana Election Code to implement such changes.

Read by title.

Motion

On motion of Rep. Leger, the resolution was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Leger gave notice of his intention to call Senate Concurrent Resolution No. 11 from the calendar on Wednesday, May 30, 2012.

SENATE CONCURRENT RESOLUTION NO. 93—

BY SENATOR PERRY

A CONCURRENT RESOLUTION

To urge and request the Integrated Criminal Justice Information System (ICJIS) Policy Board to meet and coordinate the integration of the various criminal justice automated information systems

Read by title.

On motion of Rep. Pylant, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 104 (Substitute of Senate Concurrent Resolution No. 66 by Senator Buffington)—

BY SENATOR BUFFINGTON

A CONCURRENT RESOLUTION

To establish an advisory work group within the Department of Insurance to examine options that may be available to allow an annuity to fund long-term care benefits.

Read by title.

Motion

On motion of Rep. Jim Morris, the resolution was returned to the calendar.

SENATE CONCURRENT RESOLUTION NO. 107—

BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To authorize and direct public agencies to provide in-service education and training on sexual harassment for its public servants.

Read by title.

Rep. Pope moved the concurrence of the resolution.

By a vote of 95 yeas and 0 nays, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 104 (Substitute of Senate Concurrent Resolution No. 66 by Senator Buffington)—

BY SENATOR BUFFINGTON

A CONCURRENT RESOLUTION

To establish an advisory work group within the Department of Insurance to examine options that may be available to allow an

insured under a life insurance policy or contract holder of an annuity to fund long-term care benefits.

Called from the calendar.

Read by title.

On motion of Rep. Cromer, the resolution was concurred in.

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 79—
BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Community and Technical Colleges to submit a written report relative to the status of the reconstruction and reopening of the Sidney N. Collier Technical Division site of Delgado Community College to the House Committee on Education and the Senate Committee on Education by not later than May 15, 2012.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Concurrent Resolution No. 79 by Representative Badon

AMENDMENT NO. 1

On page 1, at the end of line 6, change "2012" to "2013"

AMENDMENT NO. 2

On page 2, at the end of line 14, change "2012" to "2013"

On motion of Rep. Badon, the amendments proposed by the Senate were concurred in.

HOUSE CONCURRENT RESOLUTION NO. 108—
BY REPRESENTATIVE SIMON
A CONCURRENT RESOLUTION

To create a study committee to study inpatient transfers between hospitals, public and private, and make recommendations on the establishment of hospital to hospital transfer agreements.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dorsey-Colomb to Engrossed House Concurrent Resolution No. 108 by Representative Simon

AMENDMENT NO. 1

On page 3, between lines 2 and 3, insert the following:

"(7) A member of Our Lady of the Lake Regional Medical Center appointed by the president and chief executive officer."

On motion of Rep. Simon, the amendments proposed by the Senate were concurred in.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 544—
BY REPRESENTATIVE MONTOU CET
AN ACT

To amend and reenact R.S. 32:424(A), relative to driver's licenses; to require a suspected unqualified licensee to retake the skills and knowledge test; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gallot to Engrossed House Bill No. 544 by Representative Montoucet

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 32:424(A)" to "R.S. 32:415.1(A)(1) and 424(A) and to repeal R.S. 32:414(R)(3)"

AMENDMENT NO. 2

On page 1, line 3 after "test;" insert "to allow a tax debtor to apply for a hardship license;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." change "R.S. 32:424(A) is" to "R.S. 32:415.1(A)(1) and 424(A) are"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"§415.1. Economic and medical hardship appeal of driver's license suspension

A.(1) Except as provided in R.S. 32:378.2(A), 414, and 415(B)(2), upon suspension, revocation, or cancellation of a person's driver's license for the first time only as provided for under R.S. 32:414 and 415 and R.S. 47:296.2, the person, after initial notice from the department, shall have the right to apply to the department for a restricted license. In the event that the department fails or refuses to issue the restricted license, the person shall have the right to file a petition for a restricted driver's license in the district court of the parish in which the applicant is domiciled. Such application or petition for a restricted license shall allege that revocation of his driving privileges will deprive him or his family of the necessities of life, will prevent him from earning a livelihood, or prevent him from obtaining proper medical treatment if disabled. The district court is vested with jurisdiction to set the matter for contradictory hearing in open court upon ten days written notice to the department, and thereupon to determine whether the allegations of hardship have merit. Upon determination by the department or the court that the lack of a license would deprive the person or his family of the necessities of life or prevent the licensee from obtaining proper medical treatment if disabled, the department may grant or the court may order that the person be granted, by the department, a restricted license to enable the person to continue to support his family or to

obtain such medical treatment as provided for in this Section. The restrictions of said license shall be determined by the department or the court and shall include the following:

(a) Licensee shall be permitted to operate a motor vehicle only on such streets or watercraft on the waterways of the state as would enable him to earn his livelihood or for treatment of his debilitating condition as provided for in Subparagraph (e) of this Paragraph.

(b) Such operation is restricted to such times during which he is involved in earning a livelihood or for treatment of his debilitating condition as provided for in Subparagraph (e) of this Paragraph.

(c) During the period of suspension, licensee shall be responsible for applying to the court in the event that either earning his livelihood or treatment of his debilitating condition as provided for in Subparagraph (e) of this Paragraph necessitates a change in the original restrictions proposed by the department or the court.

(d) Any other restrictions that the court determines to be necessary and proper.

(e) If the licensee is disabled and such disability is a physical impairment that substantially limits one or more of the major life activities of the licensee, such licensee shall be permitted to operate a motor vehicle only on such streets and at such times as would enable him to obtain medical treatment for his debilitating condition.

(f) In addition to any other restrictions determined necessary and proper by the department or the court, a license ordered issued and restricted under this Section must include the requirement of installation and maintenance of an ignition interlock device upon a motor vehicle to be used by the licensee during the course of the term of the restricted license, when the suspension of driving privileges arises from operating a vehicle under the influence of alcoholic beverages.

* * *

AMENDMENT NO. 5

On page 2, after line 3, insert "Section 2. R.S. 32:414(R)(3) is hereby repealed."

Rep. Montoucet moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lopinto
Abramson	Gaines	Lorusso
Adams	Garofalo	Mack
Anders	Geymann	Miller
Armes	Gisclair	Montoucet
Arnold	Greene	Moreno
Badon	Guillory	Morris, Jay
Barras	Guinn	Morris, Jim
Barrow	Harris	Norton
Berthelot	Havard	Ortego
Billiot	Hazel	Pearson
Bishop, S.	Henry	Pierre
Bishop, W.	Hensgens	Ponti
Broadwater	Hill	Pope
Brossett	Hodges	Price
Brown	Hoffmann	Pylant
Burford	Hollis	Reynolds
Burns, H.	Honore	Ritchie
Burns, T.	Howard	Robideaux

Burrell	Hunter	Schexnayder
Carmody	Huval	Schroder
Carter	Jackson, G.	Seabaugh
Champagne	Jackson, K.	Shadoin
Chaney	James	Smith
Connick	Jefferson	St. Germain
Cox	Johnson	Talbot
Danahay	Jones	Thierry
Dixon	Landry, N.	Thompson
Dove	Landry, T.	Whitney
Edwards	LeBas	Williams, P.
Fannin	Leger	Willmott
Foil	Ligi	

Total - 95

NAYS

Total - 0

ABSENT

Cromer	Pugh	Thibaut
Harrison	Richard	Williams, A.
Lambert	Richardson	
Leopold	Simon	

Total - 10

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 631—
BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 17:176(H), relative to extracurricular interscholastic athletic activities; to provide for eligibility for participation in extracurricular interscholastic athletic activities by certain students whose parents are in the uniformed services; to provide conditions; to provide for effectiveness; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 631 by Representative Lorusso

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:176(H)" and before ", relative to" insert "and (I)"

AMENDMENT NO. 2

On page 1, line 4, after "certain students" delete the remainder of the line, and insert "to provide"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 17:176(H)" and before "hereby enacted" change "is" to "and (I) are"

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:

"I. (1) Notwithstanding Subsection F of this Section or any policy, guideline, rule, or regulation to the contrary adopted by any legal entity that administers or regulates high school extracurricular interscholastic athletic activities in this state, if a student transfers

from a nonpublic school to another nonpublic school, the student shall be deemed eligible to participate in extracurricular interscholastic athletic activities immediately upon transfer, provided that the principal of the student's former school does not make an objection in writing to the legal entity that administers or regulates high school extracurricular interscholastic athletic activities in this state regarding the student's participation at the nonpublic school to which the student transferred within seven days after the student's transfer or August 1, 2012, whichever is later.

(2) If the principal of the student's former school makes a timely objection as set forth in Paragraph (1) of this Subsection, the legal entity that administers or regulates high school extracurricular interscholastic athletic activities in this state shall provide for a policy, guideline, rule, or regulation governing resolution of the student's eligibility.

(3) This Section shall apply to all students that transferred from a nonpublic school to another nonpublic school on or after September 1, 2011."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cortez to Reengrossed House Bill No. 631 by Representative Lorusso

AMENDMENT NO. 1

On page 1, line 11, after "H." insert "(1)"

AMENDMENT NO. 2

On page 1, line 18, delete "(1)" and insert "(a)"

AMENDMENT NO. 3

On page 2, line 1, delete "(2)" and insert "(b)"

AMENDMENT NO. 4

On page 2, line 3, delete "(3)" and insert "(c)"

AMENDMENT NO. 5

On page 2, between lines 4 and 5, insert the following:

"(2) The Louisiana High School Athletic Association shall annually submit a written report to the Senate Committee on Education and the House Committee on Education detailing the number of students who were deemed eligible to participate in extracurricular interscholastic athletic activities pursuant to the provisions of this Subsection, the schools from which such students transferred, the schools in which such students subsequently enrolled, and the athletic activities in which such students participated."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Reengrossed House Bill No. 631 by Representative Lorusso

AMENDMENT NO. 1

Delete the Senate Committee Amendments Nos. 1 through 4 proposed by the Senate Committee on Education and adopted by the Senate on May 14, 2012.

Rep. Lorusso moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lorusso
Abramson	Garofalo	Mack
Adams	Geymann	Miller
Anders	Gisclair	Montoucet
Armes	Greene	Moreno
Arnold	Guillory	Morris, Jay
Badon	Guinn	Morris, Jim
Barras	Harris	Norton
Barrow	Harrison	Ortego
Berthelot	Havard	Pearson
Billiot	Hazel	Pierre
Bishop, S.	Henry	Pope
Bishop, W.	Hensgens	Price
Broadwater	Hill	Pugh
Brossett	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burford	Hollis	Ritchie
Burns, H.	Honore	Robideaux
Burns, T.	Howard	Schexnayder
Burrell	Hunter	Schroder
Carmody	Huval	Seabaugh
Carter	Jackson, G.	Shadoin
Champagne	Jackson, K.	Simon
Chaney	James	Smith
Connick	Jefferson	St. Germain
Cox	Johnson	Talbot
Cromer	Jones	Thierry
Danahay	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Foil	Ligi	Willmott
Franklin	Lopinto	
Total - 98		

NAYS

Total - 0

ABSENT

Fannin	Ponti	Thibaut
Lambert	Richard	
Leopold	Richardson	
Total - 7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 652—
BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 34:3460 and R.S. 38:2318.1(B) and to enact R.S. 34:3523, relative to contracts let by ports pursuant to a pilot program; to authorize ports to use the design-build method as a pilot program on a limited number of construction projects; to provide for a selection process for the design-builder; to provide for requirements, rights, and powers for the design-builder; to provide for notice and advertisement procedures; to authorize a private design professional to develop project descriptions; to establish an evaluation committee and its responsibilities; to establish a technical review committee and its responsibilities; to provide procedures for selection of the successful proposal; to provide a review process; to provide guidelines relative to legal action; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 652 by Representative Leger

AMENDMENT NO. 1

On page 9, line 7, change "2017" to "2015"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 652 by Representative Leger

AMENDMENT NO. 1

On page 3, line 27, after "shall be" delete "distributed by the port through advertisement" and insert "advertised"

AMENDMENT NO. 2

On page 3, line 28, after "port." change "The port" to "Additionally, the port"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 652 by Representative Leger

AMENDMENT NO. 1

On page 9, lines 16 and 17, delete "R.S. 29:42 relating to the authority of the Military Department to enter into design-build contracts,"

Rep. Leger moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Lopinto
Abramson	Geymann	Lorusso
Adams	Gisclair	Mack
Armes	Greene	Miller
Arnold	Guillory	Montoucet
Badon	Guinn	Moreno
Barras	Harris	Morris, Jay
Barrow	Harrison	Morris, Jim
Berthelot	Havard	Norton
Billiot	Hazel	Ortego
Bishop, S.	Henry	Pearson
Bishop, W.	Hensgens	Pierre
Broadwater	Hill	Ponti
Brossett	Hodges	Pope
Brown	Hoffmann	Price
Burford	Hollis	Pugh
Burns, H.	Honore	Pylant
Burrell	Howard	Reynolds
Carmody	Hunter	Ritchie
Carter	Huval	Schexnayder
Champagne	Jackson, G.	Seabaugh
Chaney	Jackson, K.	Shadoin
Connick	James	Smith
Cox	Jefferson	St. Germain
Cromer	Johnson	Talbot
Danahay	Jones	Thibaut
Dixon	Landry, N.	Thierry

Dove	Landry, T.	Thompson
Edwards	LeBas	Whitney
Foil	Leger	Williams, A.
Franklin	Leopold	Williams, P.
Gaines	Ligi	Willmott
Total - 96		

NAYS

Simon
Total - 1

ABSENT

Anders	Lambert	Robideaux
Burns, T.	Richard	Schroder
Fannin	Richardson	
Total - 8		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 656—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 49:214.24(C) and (D) and 214.34(A)(introductory paragraph), (1), and (5) and (B) and to enact R.S. 49:214.34(C), relative to the coastal zone boundary; to redraw the coastal zone boundary; to provide relative to determination of fastlands within the coastal zone; to provide relative to required coastal use permits within the coastal zone; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chabert to Reengrossed House Bill No. 656 by Representative Dove

AMENDMENT NO. 1

On page 11, after line 27, insert the following:

"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."

Rep. Dove moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lorusso
Abramson	Gaines	Mack
Adams	Garofalo	Miller
Anders	Gisclair	Montoucet
Armes	Greene	Moreno
Arnold	Guillory	Norton
Badon	Harris	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti

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Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Ritchie
Burford	Hunter	Schexnayder
Burns, H.	Huval	Seabaugh
Burns, T.	Jackson, G.	Simon
Burrell	James	Smith
Carmody	Jefferson	St. Germain
Carter	Johnson	Talbot
Chaney	Jones	Thibaut
Connick	Landry, N.	Thierry
Cox	Landry, T.	Thompson
Cromer	LeBas	Whitney
Dixon	Leger	Williams, A.
Dove	Leopold	Williams, P.
Edwards	Ligi	Willmott
Foil	Lopinto	

Total - 89

NAYS

Champagne	Geymann	Hensgens
Danahay	Guinn	Robideaux

Total - 6

ABSENT

Fannin	Morris, Jay	Schroder
Harrison	Morris, Jim	Shadoin
Jackson, K.	Richard	
Lambert	Richardson	

Total - 10

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 818— BY REPRESENTATIVE ST. GERMAIN AN ACT

To amend and reenact the heading of Part II-A of Chapter 7 of Title 40 of the Louisiana Revised Statutes of 1950 and R.S. 40:1541 and to enact R.S. 36:651(S) and R.S. 40:1541.1 through 1541.3, relative to firemen training and certification; to create the Louisiana Fire and Emergency Training Commission within Louisiana State University and provide for its membership, powers, and duties; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 818 by Representative St. Germain

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 36:651(S)" insert a comma "," and delete the remainder of the line and on line 4, delete "40:1541.1 through 1541.3,"

AMENDMENT NO. 2

On page 1, at the end of line 5, delete "within Louisiana State" and at the beginning of line 6, delete "University"

AMENDMENT NO. 3

On page 1, at the end of line 14, after "(R.S. 40:1541" insert ")"

AMENDMENT NO. 4

On page 1, line 15, delete "et seq.) is placed within Louisiana State University and"

AMENDMENT NO. 5

On page 1, at the end of line 16, delete "et seq." and insert a period "."

AMENDMENT NO. 6

On page 1, line 18, after "reenacted" delete the remainder of the line and on line 19, delete "through 1541.3 are hereby enacted"

AMENDMENT NO. 7

On page 2, line 2 insert:

"LOUISIANA STATE UNIVERSITY;"

AMENDMENT NO. 8

On page 2, line 4, after "training" delete the remainder of the line and delete line 5

AMENDMENT NO. 9

On page 2, line 9, after "to coordinate" and before "other" insert "and conduct"

AMENDMENT NO. 10

On page 2, line 9, between "programs" and "as" insert "at other training locations"

AMENDMENT NO. 11

On page 2, line 13, after "University shall" delete the remainder of the line and on line 14, delete "through" and insert in lieu thereof "conduct training programs and perform its functions as provided in this Part with the advice and guidance of"

AMENDMENT NO. 12

On page 2, at the end of line 14, delete "R.S." and delete line 15 and insert in lieu thereof "this Section."

AMENDMENT NO. 13

On page 2, delete lines 16 through 29, delete pages 3 and 4, and on page 5, delete lines 1 and 2 and insert in lieu thereof:

"C.(1) The Louisiana Fire and Emergency Training Commission, referred to in this Part as the "commission", is hereby created.

(2) The commission shall be composed of nine members as follows:

(a) One member shall be the state fire marshal or his designee.

(b) One member shall be the Louisiana State University-Baton Rouge chancellor or his designee.

(c) Two members shall be selected by the Louisiana State Firemen's Association.

(d) Two members shall be selected by the Louisiana State Fire Chief's Association.

(e) Two members shall be selected by the Professional Firefighters' Association of Louisiana.

(f) One member shall be a Louisiana citizen with knowledge and experience in the field of fire and emergency services appointed by the governor.

(3) Members shall serve at the pleasure of the appointing authority. A vacancy shall be filled in the manner of the original appointment.

(4) Members shall serve without compensation or reimbursement for expenses.

(5) The commission annually, at the first meeting of the calendar year, shall elect from its members a chairman and vice chairman. The chairman and vice chairman shall serve as such for a period of one year from the date of election.

(6) Commission members shall be considered state officers for purposes of R.S. 9:2798.1 and Chapter 16-A of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950.

(7) The commission shall meet at least once each month. Other meetings may be called by the chairman on his own initiative and shall be called by him at the request of three or more members of the commission within fourteen days of such request. Each member shall be notified by the chairman in writing of the time and place of a meeting at least seven days before the meeting.

(8) The commission shall adopt rules for the conduct of commission functions. Any decision of the commission may be made only by the favorable vote of at least two-thirds of those members in attendance at the meeting provided that a quorum is established prior to the vote. A majority of members of the commission shall constitute a quorum.

D.(1) The Louisiana Fire and Emergency Training Commission shall advise and provide guidance to Louisiana State University relative to the conduct of training programs and performance of the university's functions pursuant to this Part.

(2) The commission shall provide advice and guidance to the university relative to but not limited to the following:

(a) Hiring a qualified person to serve as executive director, including review of candidates for the position, and fixing the salary of and defining the duties of the executive director.

(b) Employment of clerical, technical, legal, and other assistance for the conduct of the university's functions pursuant to this Part.

(c) All aspects of the conduct fire and emergency training, including curricula.

(d) Prioritization of training throughout the state.

(e) The annual budget for the conduct of the university's functions pursuant to this Part, including management of funds and recovery of the cost of classes.

(f) Recommendations to be made by the university to the legislature relative to the university's functions pursuant to this Part."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 818 by Representative St. Germain

AMENDMENT NO. 1

In Senate Committee Amendment No. 13 proposed by the Senate Committee on Education and adopted by the Senate on May 14, 2012, on page 2, line 48, following "conduct" and before "fire" insert "of"

Rep. St. Germain moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Moreno
Armes	Greene	Morris, Jay
Arnold	Guillory	Norton
Badon	Guinn	Ortego
Barras	Harris	Pearson
Barrow	Harrison	Pierre
Berthelot	Havard	Ponti
Billiot	Hazel	Pope
Bishop, S.	Henry	Price
Bishop, W.	Hensgens	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Ritchie
Burford	Honore	Robideaux
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, G.	Shadoin
Carter	Jackson, K.	Simon
Champagne	James	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Fannin	Ligi	Willmott
Foil	Lopinto	
Franklin	Lorusso	
Total - 100		

NAYS

Total - 0

ABSENT

Hill	Morris, Jim	Richardson
Lambert	Richard	
Total - 5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 839—
BY REPRESENTATIVE HENRY
AN ACT

To amend and reenact R.S. 32:1713(3) and (5), 1717(A)(1), 1717.1(A), 1718(A)(introductory paragraph), (1), (2), and (3), 1719(A), 1720(A), 1728(A) and (D)(4), 1728.2(D)(4) and (G)(2), and 1736(A)(2), (C), and (D), to enact R.S. 32:1713(7) and (8), 1717(A)(4), and 1735(D), and to repeal R.S.

32:1714(6), relative to the Louisiana Towing and Storage Act; to provide for certain qualifications; to provide for the licensing of towing and storage facilities; to provide for notification of a towed vehicle to law enforcement; to provide for notification of a towed or stored vehicle to the Department of Transportation and Development; to provide for notification of a towed or stored vehicle to the vehicle owner and lienholder; to provide for the disposal of a stored vehicle; to provide for the waiver of fees when disposing a vehicle; to provide for gate fees; to provide for the towing of vehicles from private property; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 839 by Representative Henry

AMENDMENT NO. 1

On page 2, delete lines 20 through 24 and insert the following:

"agencies. Whenever an owner or operator of a vehicle requests a law enforcement officer or other public agency to initiate a tow, such tow shall be considered non-consensual and subject to Louisiana Public Service Commission tow rates."

AMENDMENT NO. 2

On page 7, line 4, delete "initiate or" and after "vehicle" insert "owner or"

AMENDMENT NO. 3

On page 7, line 7, after "owner" insert "or operator" and after "their" change "right" to "option"

Rep. Henry moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Lopinto
Abramson	Gaines	Lorusso
Adams	Garofalo	Miller
Anders	Geymann	Moreno
Armes	Gisclair	Morris, Jim
Arnold	Greene	Norton
Badon	Guillory	Ortego
Barras	Harris	Pearson
Barrow	Havard	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hill	Pope
Bishop, W.	Hodges	Price
Broadwater	Hoffmann	Pugh
Brossett	Hollis	Reynolds
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, G.	Shadoin
Carter	Jackson, K.	Simon
Champagne	James	Smith

Chaney	Jefferson	St. Germain
Connick	Jones	Thibaut
Cox	Landry, N.	Thierry
Cromer	Landry, T.	Thompson
Danahay	LeBas	Whitney
Dixon	Leger	Williams, A.
Dove	Leopold	Williams, P.
Edwards	Ligi	Willmott

Total - 87

NAYS

Berthelot	Hazel	Montoucet
Brown	Johnson	Pylant
Franklin	Mack	Schexnayder

Total - 9

ABSENT

Fannin	Hensgens	Richard
Guinn	Lambert	Richardson
Harrison	Morris, Jay	Talbot

Total - 9

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 896—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 38:2(A) and (B), 3, 90.4(B)(1), 214(B), 218(B), 301(B) and (C)(2)(c), 306(C), 313(B)(2), 315, 319, 3074(A)(4) and (D)(4) and (9)(c), 3087.134(E)(5), and 3097.4(A)(9), relative to the coastal area; to provide the respective responsibilities of the Department of Transportation and Development and the Coastal Protection and Restoration Authority; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chabert to Reengrossed House Bill No. 896 by Representative Dove

AMENDMENT NO. 1

On page 1, line 3 and line 9, change "313(B)(2)" to "313(B)(introductory paragraph) and (2)"

AMENDMENT NO. 2

On page 6, delete lines 26 and 27 in their entirety and insert in lieu thereof the following:

"B. Within six months after the end of the five-year period delineated in Subsection A of this Section, The the Louisiana legislative auditor shall certify within six months after August 15, 1997, the following:"

Rep. Dove moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mack
Abramson	Gaines	Miller

Adams	Garofalo	Montoucet
Anders	Geymann	Moreno
Arnes	Gisclair	Morris, Jay
Arnold	Greene	Morris, Jim
Badon	Guillory	Norton
Barras	Harris	Ortego
Barrow	Havard	Pearson
Berthelot	Hazel	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hensgens	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Reynolds
Brown	Hollis	Ritchie
Burford	Honore	Robideaux
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, G.	Shadoin
Carter	Jackson, K.	Simon
Champagne	James	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Thibaut
Cox	Jones	Thierry
Cromer	Landry, N.	Thompson
Danahay	Landry, T.	Whitney
Dixon	LeBas	Williams, A.
Dove	Leger	Williams, P.
Edwards	Ligi	Willmott
Fannin	Lopinto	
Foil	Lorusso	

Total - 97

NAYS

Total - 0

ABSENT

Guinn	Leopold	Richardson
Harrison	Pylant	Talbot
Lambert	Richard	

Total - 8

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 916—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 36:4(Z), R.S. 38:81(C), 101(A) and (B), 102, 103, 107(A), 108, 109, 213(A) and (D), and 330.1(K)(6), R.S. 49:214.1(E) and (F), 214.2(1) through (12), 214.3.1(A)(3), 214.4.2(A)(introductory paragraph) and (C)(1), 214.5.1(A), (B)(introductory paragraph) and (15), and (C), 214.5.2(A)(introductory paragraph), (5) and (11), (B) (introductory paragraph), (1), (3), and (5), (C), (D), (E), and (F), 214.5.3(A)(1), (B), (D)(2)(introductory paragraph), (E)(1), (4), and (5), 214.5.4(G)(8), 214.5.7, 214.6.1, 214.6.2(A), (B), (C), (D)(introductory paragraph) and (1), and (E), 214.6.3(A)(4) and (B), 214.6.6(A) (introductory paragraph), (C), and (D), 214.6.7(A), (B), (E)(3), and (F), 214.6.9, and 214.61(A) and (D)(2), R.S. 56:421(B)(13) and (E)(4), 424(H), 432.1(A), (B), (C)(introductory paragraph) and (1), and (D)(1), and 432.2 and to repeal R.S. 49:214.3.1(A)(4) and 214.6.8, relative to the Coastal Protection and Restoration Authority and the Office of Coastal Protection and Restoration; to change the names of each entity; to provide relative to the powers, duties, and authorities of each entity; to provide relative to appointment to the Coastal Protection and Restoration Authority Board; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 916 by Representative St. Germain

AMENDMENT NO. 1

On page 19, delete lines 5 through 16

AMENDMENT NO. 2

On page 27, line 12, after "banking", insert:

" , property where at least seventy-five percent of the owners have voluntarily offered the property, or property where the record or apparent owner has voluntarily offered the property but does not have clear title. Subject to any contrary law or terms, conditions, or stipulations in the act of sale, donation, contract or other agreement by which the property was acquired, current property interests or future property interests acquired for the Comite River Diversion Canal Project or associated acquisitions may only be leased in accordance with the provisions of Chapter 10 of Title 41 of the Louisiana Revised Statutes of 1950 and additionally, such opportunity to lease shall first be offered to the original grantor, donor, vendor, or his successors in title for the same terms, conditions, and price as the highest successful bidder"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 916 by Representative St. Germain

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Natural Resources to Reengrossed House Bill No. 916 and adopted by the Senate on May 14, 2012, on page 1, line 11, following "may" and before "in" change "only be leased" to "be leased only"

AMENDMENT NO. 2

On page 10, line 8, following "the" and before "ascribed" change "meaning" to "meanings"

Rep. St. Germain moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lorusso
Abramson	Garofalo	Mack
Adams	Geymann	Miller
Anders	Gisclair	Montoucet
Arnes	Greene	Moreno
Arnold	Guillory	Morris, Jay
Badon	Guinn	Morris, Jim
Barras	Harris	Norton
Barrow	Harrison	Ortego
Berthelot	Havard	Pearson
Billiot	Hazel	Pierre
Bishop, S.	Henry	Ponti
Bishop, W.	Hensgens	Pope
Broadwater	Hill	Price

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Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burford	Hollis	Reynolds
Burns, H.	Honore	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hunter	Schexnayder
Carmody	Huval	Seabaugh
Carter	Jackson, G.	Shadoin
Champagne	Jackson, K.	Simon
Chaney	James	Smith
Connick	Jefferson	St. Germain
Cox	Johnson	Thibaut
Cromer	Jones	Thierry
Danahay	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Ligi	
Franklin	Lopinto	

Total - 100

NAYS

Total - 0

ABSENT

Lambert	Richardson	Talbot
Richard	Schroder	

Total - 5

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 918—

BY REPRESENTATIVE GUINN

AN ACT

To enact R.S. 38:216.1, relative to unauthorized openings of water control structures; to prohibit the unauthorized opening of a water control structure; to provide for penalties; to provide for revocation of licenses and permits; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Reengrossed House Bill No. 918 by Representative Guinn

AMENDMENT NO. 1

On page 1, line 8, delete "Public" and change "water" to "Water"

AMENDMENT NO. 2

On page 1, at the end of line 13, delete "The" and delete lines 14 and 15 in their entirety

Rep. Guinn moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Montoucet
Abramson	Geymann	Moreno

Adams	Gisclair	Morris, Jay
Anders	Greene	Morris, Jim
Armes	Guillory	Norton
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hill	Pugh
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Jackson, G.	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Johnson	St. Germain
Connick	Jones	Talbot
Cox	Landry, N.	Thibaut
Cromer	Landry, T.	Thierry
Danahay	LeBas	Thompson
Dixon	Leger	Whitney
Dove	Ligi	Williams, A.
Edwards	Lopinto	Williams, P.
Fannin	Lorusso	Willmott
Foil	Mack	
Franklin	Miller	

Total - 100

NAYS

Total - 0

ABSENT

Garofalo	Lambert	Richardson
Harrison	Leopold	

Total - 5

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 957—

BY REPRESENTATIVE EDWARDS

AN ACT

To enact R.S. 30:4(L), relative to hydraulic fracturing; to provide for the authority of the commissioner of conservation to promulgate rules, regulations, and orders; to provide for the reporting of additives and ingredients of hydraulic fracturing fluid; to provide for reporting of certain ingredients with trade secret protection; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 957 by Representative Edwards

AMENDMENT NO. 1

On page 2, delete lines 16 and 17 and insert:

"(4) The provisions of this Subsection shall not apply to operations conducted solely for the purposes of sand control or reduction of near wellbore damage."

Rep. Edwards moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Moreno
Abramson	Gaines	Morris, Jay
Adams	Garofalo	Morris, Jim
Armes	Geymann	Norton
Arnold	Gisclair	Ortego
Badon	Greene	Pearson
Barras	Guinn	Pierre
Barrow	Harris	Ponti
Berthelot	Harrison	Pope
Billiot	Havard	Price
Bishop, S.	Hensgens	Pugh
Bishop, W.	Hill	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Jackson, G.	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Jones	St. Germain
Connick	Landry, N.	Thibaut
Cox	Landry, T.	Thierry
Cromer	LeBas	Thompson
Danahay	Leger	Whitney
Dixon	Ligi	Williams, A.
Dove	Lorusso	Williams, P.
Edwards	Mack	Willmott
Fannin	Miller	
Foil	Montoucet	
Total - 94		

NAYS

Total - 0

ABSENT

Anders	Hodges	Lopinto
Guillory	Johnson	Richardson
Hazel	Lambert	Talbot
Henry	Leopold	
Total - 11		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1048—

BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 11:701(10), 761(A)(3)(b), 768(A)(2) and (B)(2)(introductory paragraph), and 786(A)(1) and to enact R.S. 11:785 and 927(E), relative to the Teachers' Retirement System of Louisiana; to provide with respect to tax-qualification of such system; to make certain changes to such system's provisions in conformity with federal tax-qualification provisions; to provide effective dates; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1048 by Representative Pope

AMENDMENT NO. 1

On page 4, line 26, delete "*" * *

Rep. Pope moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Miller
Abramson	Gaines	Montoucet
Adams	Garofalo	Moreno
Anders	Geymann	Morris, Jay
Armes	Gisclair	Morris, Jim
Arnold	Greene	Norton
Badon	Guillory	Ortego
Barras	Harris	Pearson
Barrow	Harrison	Pierre
Billiot	Havard	Ponti
Bishop, S.	Hensgens	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Robideaux
Burrell	Huval	Schexnayder
Carmody	Jackson, G.	Schroder
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Jones	St. Germain
Cox	Landry, N.	Thibaut
Cromer	Landry, T.	Thierry
Danahay	LeBas	Whitney
Dixon	Leger	Williams, A.
Dove	Leopold	Williams, P.
Edwards	Ligi	Willmott
Fannin	Lorusso	
Foil	Mack	
Total - 94		

NAYS

Total - 0

ABSENT

Berthelot	Johnson	Seabaugh
Guinn	Lambert	Talbot
Hazel	Lopinto	Thompson
Henry	Richardson	
Total - 11		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1050—

BY REPRESENTATIVE RITCHIE

AN ACT

To enact R.S. 11:2220(I) and 2225(B) and to repeal R.S. 11:2220.1, 2220.2, 2220.3, and 2234, relative to the Municipal Police Employees' Retirement System; to provide relative to

compliance with applicable federal tax qualification requirements; to provide an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guillory to Engrossed House Bill No. 1050 by Representative Ritchie

AMENDMENT NO. 1

On page 2, line 10, delete "may" and insert in lieu thereof:

"that do not require legislative action shall"

Rep. Ritchie moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Miller
Abramson	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Arnes	Guillory	Morris, Jim
Badon	Guinn	Norton
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Hazel	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hensgens	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Robideaux
Burrell	Huval	Schexnayder
Carmody	Jackson, G.	Schroder
Carter	Jackson, K.	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Simon
Cromer	Jones	Smith
Danahay	Landry, N.	St. Germain
Dixon	Landry, T.	Thibaut
Dove	LeBas	Thierry
Edwards	Leger	Whitney
Fannin	Leopold	Williams, A.
Foil	Ligi	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	

NAYS

Total - 95

ABSENT

Arnold	Johnson	Talbot
Connick	Lambert	Thompson
Cox	Lopinto	
Havard	Richardson	

Total - 10

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1130—
BY REPRESENTATIVES CROMER AND JAMES
AN ACT

To amend and reenact R.S. 32:851, 862(B)(1), (G)(1) and (3), and (H), 863(B)(1), 863.1(A)(1)(a)(introductory paragraph) and (G)(1), and 874(B)(2) and to enact R.S. 32:862(I) and (J) and 874(C), relative to proof of insurance; to allow for the usage of mobile electronic devices as a method of providing proof of insurance; to authorize the commissioner of the Department of Public Safety and Corrections to compel a motor vehicle operator to provide a paper copy of proof insurance; to provide relative to a court's authority to compel a motor vehicle operator to provide a paper copy of proof of insurance; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1130 by Representative Cromer

AMENDMENT NO. 1

On page 1, line 7, following "proof" and before "insurance" insert "of"

Rep. Cromer moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Moreno
Arnes	Greene	Morris, Jay
Arnold	Guillory	Morris, Jim
Badon	Guinn	Ortego
Barras	Harris	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Richard
Burford	Howard	Ritchie
Burns, H.	Hunter	Robideaux
Burns, T.	Huval	Schexnayder
Burrell	Jackson, G.	Schroder
Carmody	Jackson, K.	Seabaugh
Carter	James	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Landry, N.	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Dove	Leger	Whitney

Edwards	Leopold	Williams, A.
Fannin	Ligi	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	
Total - 98		

NAYS

Total - 0

ABSENT

Connick	Lambert	Thompson
Harrison	Norton	
Havard	Richardson	
Total - 7		

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Brossett, the rules were suspended in order to take up and consider Senate Bills and Joint Resolutions on Third Reading and Final Passage at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Local and Consent Calendar

SENATE BILL NO. 637 (Substitute of Senate Bill No. 83 by Senator Murray)—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 37:2862 (7), (8), (11), and (12), 2864(C), (D), and (E), 2865(A) and (C), 2866, and 2870(A)(1), to enact R.S. 37:2865(E) and 2869(A)(3), and to repeal R.S. 37:2862(13) and 2864(F), relative to Polysomnographic Practice Act; to provide for definitions; to remove term limits on the advisory committee members; to provide for technologist; to provide for technicians; to provide with respect to exemptions from state licensure and permit requirements; to provide for prohibitions; and to provide for related matters

Read by title.

Motion

On motion of Rep. Brossett, the bill was returned to the calendar.

SENATE BILL NO. 183—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 33:102.1(B), relative to amateur radio antennas; to provide for regulations related to amateur radio antennas; to prohibit the establishment of a limit less than a certain height; and to provide for related matters.

Read by title.

Rep. Nancy Landry sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed Senate Bill No. 183 by Senator Appel

AMENDMENT NO. 1

On page 1, line 17, after "buildings" and before "codes" delete "under any" and insert "located in the zone or district where the antenna is located under applicable"

On motion of Rep. Nancy Landry, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed Senate Bill No. 183 by Senator Appel

AMENDMENT NO. 1

On page 1, line 4, after "height;" and before "and" insert "to provide an exception for historic districts;"

AMENDMENT NO. 2

On page 1, line 17, after "ordinances." add the following:

"The provisions of this Paragraph shall not apply to historic districts."

On motion of Rep. Leger, the amendments were adopted.

Rep. Nancy Landry moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mack
Abramson	Gisclair	Miller
Adams	Greene	Montoucet
Armes	Guillory	Moreno
Arnold	Guinn	Morris, Jay
Badon	Harris	Morris, Jim
Barras	Harrison	Norton
Barrow	Havard	Ortego
Berthelot	Hazel	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hensgens	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brown	Hoffmann	Pylant
Burford	Hollis	Reynolds
Burns, H.	Honore	Richard
Burns, T.	Howard	Ritchie
Burrell	Hunter	Robideaux
Carmody	Huval	Schexnayder
Carter	Jackson, G.	Seabaugh
Champagne	Jackson, K.	Shadoin
Chaney	James	Simon
Connick	Jefferson	Smith
Cox	Johnson	St. Germain
Danahay	Jones	Talbot
Dixon	Landry, N.	Thibaut
Dove	Landry, T.	Thierry
Edwards	LeBas	Thompson
Fannin	Leger	Whitney
Foil	Leopold	Williams, A.
Franklin	Ligi	Williams, P.
Gaines	Lopinto	Willmott
Garofalo	Lorusso	
Total - 98		

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NAYS

Cromer
Total - 1

ABSENT

Anders
Brossett
Total - 6

Lambert
Pearson

Richardson
Schroder

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 405—
BY SENATOR BUFFINGTON

AN ACT

To enact R.S. 33:2481.5 and 2541.2, relative to the municipal fire civil service; to authorize the municipal governing authority to create the position of chief of administration of fire department; to provide that the position is appointed on a competitive basis; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to the qualifications, duties, and responsibilities for such position; to provide relative to reinstatement to previous class of positions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Jim Morris, the bill was returned to the calendar.

SENATE BILL NO. 564—
BY SENATOR GALLOT

AN ACT

To enact R.S. 33:9038.66, relative to the city of Grambling; to create the Grambling Legends Square Taxing District; to provide for the governing authority of the city of Grambling to create a special taxing district; to provide relative to the purpose and boundaries of the district; to provide for the governance, powers, and duties of the district; to provide for definitions; to provide for taxes to be levied by the district; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Jefferson, the bill was returned to the calendar.

SENATE BILL NO. 589—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 33:4562.3(D) and to enact R.S. 33:4562.3(F) and (G), relative to the Evangeline-Ville Platte Recreation District; to remove certain requirements relative to the district's budget; to provide for district's authority and duties; and to provide for related matters.

Read by title.

Rep. LeBas moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abramson
Adams
Anders
Armes
Arnold
Badon
Barras
Barrow
Berthelot
Bishop, S.
Bishop, W.
Broadwater
Brossett
Brown
Burford
Burns, H.
Burrell
Carmody
Carter
Chaney
Connick
Cox
Cromer
Danahay
Dixon
Dove
Edwards
Fannin
Total - 87

Foil
Franklin
Gaines
Garofalo
Gisclair
Guillory
Harris
Harrison
Havard
Hazel
Henry
Hensgens
Hill
Hodges
Hoffmann
Hollis
Honore
Howard
Hunter
Huval
Jackson, G.
Jackson, K.
James
Johnson
Jones
Landry, T.
Leopold
Ligi
Lopinto

Lorusso
Mack
Miller
Montoucet
Moreno
Morris, Jay
Morris, Jim
Norton
Ortego
Pierre
Ponti
Price
Pugh
Pylant
Reynolds
Richard
Ritchie
Robideaux
Schexnayder
Seabaugh
Shadoin
Simon
Smith
St. Germain
Talbot
Thibaut
Thierry
Whitney
Williams, P.

NAYS

Champagne
Geymann
Total - 4

Guinn
Landry, N.

ABSENT

Billiot
Burns, T.
Greene
Jefferson
Lambert
Total - 14

LeBas
Leger
Pearson
Pope
Richardson

Schroder
Thompson
Williams, A.
Willmott

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 615—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 33:9613(A)(2) and (3) and 9614(B) and (C), to enact R.S. 33:9613(A)(4) and 9614(D) and (E), relative to local ethics entities, including but not limited to an ethics review board or office of inspector general in the parishes of East Baton Rouge, Jefferson, and Orleans; to provide relative to subpoena powers; to provide for protective orders; to provide relative to enforcement of subpoenas; to provide relative to the privileged nature of certain documents; to provide relative to public access to public documents; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brossett to Reengrossed Senate Bill No. 615 by Senator Appel

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:9613(A)(2) and (3)" to "R.S. 33:9613(A)(3)"

AMENDMENT NO. 2

On page 1, line 11, change "R.S. 33:9613(A)(2) and (3)" to "R.S. 33:9613(A)(3)"

AMENDMENT NO. 3

On page 1, delete lines 16 and 17 and on page 2, delete lines 1 through 7

AMENDMENT NO. 4

On page 3, line 1, after "Jefferson may" delete "also"

AMENDMENT NO. 5

On page 3, line 5, after "provided by" delete "respective"

AMENDMENT NO. 6

On page 3, at the beginning of line 6, change "in" to "by"

AMENDMENT NO. 7

On page 3, line 6, after "Section" delete the comma ","

AMENDMENT NO. 8

On page 5, line 3, between "certify" and "and" insert a comma ","

AMENDMENT NO. 9

On page 5, delete line 15

On motion of Rep. Brossett, the amendments were adopted.

Rep. Brossett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Gisclair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Morris, Jim
Badon	Harris	Norton
Barras	Havard	Ortego
Barrow	Hazel	Pearson
Berthelot	Henry	Pierre
Billiot	Hensgens	Ponti
Bishop, S.	Hill	Pope
Bishop, W.	Hodges	Price
Broadwater	Hoffmann	Pugh
Brossett	Hollis	Pylant
Brown	Honore	Reynolds
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Robideaux

Burrell	Huval	Schexnayder
Carmody	Jackson, G.	Schroder
Carter	Jackson, K.	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Simon
Connick	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Landry, N.	Talbot
Danahay	Landry, T.	Thibaut
Dixon	LeBas	Thierry
Dove	Leger	Thompson
Edwards	Leopold	Whitney
Fannin	Ligi	Williams, A.
Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott

Total - 99

NAYS

Total - 0

ABSENT

Burford	Harrison	Richard
Geymann	Lambert	Richardson
Total - 6		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 405—

BY SENATOR BUFFINGTON

AN ACT

To enact R.S. 33:2481.5 and 2541.2, relative to the municipal fire civil service; to authorize the municipal governing authority to create the position of chief of administration of fire department; to provide that the position is appointed on a competitive basis; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to the qualifications, duties, and responsibilities for such position; to provide relative to reinstatement to previous class of positions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Jim Morris moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Harris	Norton
Badon	Havard	Ortego
Berthelot	Hazel	Pearson
Billiot	Henry	Pierre
Bishop, S.	Hill	Ponti
Bishop, W.	Hodges	Pope
Broadwater	Hoffmann	Price
Brossett	Hollis	Pugh
Brown	Honore	Pylant
Burns, H.	Howard	Reynolds
Burns, T.	Hunter	Ritchie

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Table with 3 columns of names: Burrell, Carmody, Carter, Chaney, Connick, Cox, Cromer, Danahay, Dixon, Dove, Edwards, Fannin, Foil, Franklin, Huval, Jackson, G., Jackson, K., James, Jefferson, Johnson, Jones, Landry, T., LeBas, Leger, Leopold, Ligi, Lopinto, Lorusso, Robideaux, Schexnayder, Schroder, Seabaugh, Shadoin, Simon, St. Germain, Talbot, Thibaut, Thierry, Thompson, Williams, A., Willmott

NAYS

Table with 3 columns of names: Geymann, Guinn, Hensgens, Landry, N., Smith

ABSENT

Table with 3 columns of names: Barras, Barrow, Burford, Champagne, Harrison, Lambert, Montoucet, Richard, Richardson, Whitney, Williams, P.

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 653— BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 47:338.1(D), relative to sales tax of political subdivisions; to provide for the use of the tax proceeds of a sales tax district in the municipality of Breaux Bridge; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Huval to Reengrossed Senate Bill No. 653 by Senator Mills

AMENDMENT NO. 1

On page 2, line 20, after "(i)" and before "percent" change "Ten" to "Twenty"

AMENDMENT NO. 2

On page 2, line 22, after "municipality" and before the period "." insert the following:

"provided that an Annual Plan for Repair and Maintenance of Municipality Infrastructure is approved by the adoption of an ordinance of the governing authority of the municipality, by a two-thirds vote."

AMENDMENT NO. 3

On page 2, line 23, after "(ii)(aa)" and before "percent" change "Ninety" to "Eighty"

AMENDMENT NO. 4

On page 3, at the beginning of line 4, delete "held at least three open and public meetings" and insert "a public meeting"

AMENDMENT NO. 5

On page 3, line 11, after "hearing." add the following:

"The master plan for the Construction of Municipal Infrastructure shall be approved by the adoption of an ordinance, of the governing authority of the municipality, by a two-thirds vote."

AMENDMENT NO. 6

On page 3, between lines 15 and 16, insert the following:

"(dd) As used in this Section, "infrastructure" means transportation and communication systems, gas systems, roads, bridges, drainage, parks, sidewalks and similar public utilities."

On motion of Rep. Huval, the amendments were adopted.

Rep. Huval moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. Speaker, Abramson, Adams, Arnold, Badon, Barras, Barrow, Berthelot, Billiot, Bishop, S., Bishop, W., Broadwater, Brossett, Brown, Burford, Burns, H., Burns, T., Carmody, Carter, Champagne, Chaney, Connick, Cox, Cromer, Danahay, Dixon, Dove, Edwards, Fannin, Foil, Franklin, Gaines, Garofalo, Geymann, Gisclair, Greene, Guillory, Guinn, Harris, Harrison, Havard, Hazel, Henry, Hensgens, Hodges, Hoffmann, Hollis, Honore, Howard, Hunter, Huval, Jackson, G., Jackson, K., James, Jefferson, Johnson, Jones, Landry, N., Landry, T., LeBas, Leger, Leopold, Ligi, Lopinto, Lorusso, Mack, Miller, Moreno, Morris, Jay, Norton, Pearson, Pierre, Ponti, Pope, Price, Pugh, Richard, Ritchie, Robideaux, Schexnayder, Schroder, Seabaugh, Shadoin, Simon, Smith, St. Germain, Talbot, Thibaut, Thierry, Thompson, Whitney, Williams, A., Williams, P., Willmott

Total - 94

NAYS

Reynolds Total - 1

ABSENT

Table with 3 columns of names: Anders, Arnes, Lambert, Montoucet, Pylant, Richardson

Burrell Morris, Jim
Hill Ortego
Total - 10

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 683—
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 38:1607(C) and to repeal Section 2 of Act 319 of the 2011 Regular Session of the Louisiana Legislature, relative to the Sunset Drainage District in St. Charles Parish; to require a request of the board of commissioners of the Sunset Drainage District before the parish council begins process to become the district's governing authority; to repeal the sunset date for parish council to act; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Miller, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Miller gave notice of his intention to call Senate Bill No. 683 from the calendar on Wednesday, May 30, 2012.

SENATE BILL NO. 714—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 40:600.87(8), and 600.91(A)(18)(c), and (27), to enact R.S. 40:600.91(A)(28)(b)(ii)(oo) and (pp) and (E), and to repeal R.S. 40:600.91(A)(28)(b)(ii)(ii), relative to the Louisiana Housing Corporation Act; to provide for the definition of "persons or families of low or moderate income"; to provide for the powers and duties of the corporation; to provide for members on the commission; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow to Reengrossed Senate Bill No. 714 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:600.87(8)" delete the comma ","

AMENDMENT NO. 2

On page 1, line 2, after "600.91(A)(18)(c)" delete the comma ","

AMENDMENT NO. 3

On page 1, line 3, after "40:600.91(A)(28)(b)(ii)(oo)" and before "and (E)," delete "and (pp)" and insert a comma "," and "(pp), and (qq)"

AMENDMENT NO. 4

On page 1, line 6, after "corporation;" delete the remainder of the line and at the beginning of line 7, delete "commission;" and insert "to provide relative to the membership of an advisory committee;"

AMENDMENT NO. 5

On page 1, line 9, after "R.S. 40:600.87(8)" delete the comma ","

AMENDMENT NO. 6

On page 1, line 9, after "600.91(A)(18)(c)" delete the comma ","

AMENDMENT NO. 7

On page 1, line 10, after "R.S. 40:600.91(A)(28)(b)(ii)(oo)" and before "and (E)" delete "and (pp)" and insert a comma "," and "(pp), and (qq)"

AMENDMENT NO. 8

On page 3, between lines 7 and 8, insert the following:

"(qq) One member appointed by the Louisiana Association of Affordable Housing Providers."

On motion of Rep. Barrow, the amendments were adopted.

Rep. Barrow moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Mack
Abramson	Gisclair	Miller
Anders	Greene	Montoucet
Armes	Guillory	Moreno
Arnold	Guinn	Morris, Jay
Badon	Harris	Norton
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Reynolds
Brossett	Honore	Richard
Brown	Howard	Ritchie
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Jackson, G.	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cromer	Jones	Talbot
Danahay	Landry, N.	Thierry
Dove	Landry, T.	Thompson
Edwards	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Ligi	Willmott
Gaines	Lopinto	
Garofalo	Lorusso	

Total - 91

NAYS

Total - 0

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ABSENT

Adams Henry Pylant
Burford Hensgens Richardson
Champagne Lambert Robideaux
Cox Morris, Jim Thibaut
Dixon Ortego
Total - 14

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 725— BY SENATOR GALLOT

AN ACT

To enact Subpart B-47 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.851, relative to economic and industrial development districts; to provide for the inclusion of municipal areas in certain parish economic and industrial development districts; and to provide for related matters.

Read by title.

Rep. Brown moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Gisclair Mack
Abramson Greene Miller
Adams Guillory Montoucet
Anders Guinn Moreno
Arnold Harris Morris, Jay
Badon Harrison Morris, Jim
Barras Havard Norton
Barrow Hazel Pearson
Berthelot Henry Pierre
Billiot Hensgens Ponti
Bishop, S. Hill Pope
Bishop, W. Hodges Price
Broadwater Hoffmann Pugh
Brossett Hollis Pylant
Brown Honore Reynolds
Burns, H. Howard Richard
Burns, T. Hunter Ritchie
Burrell Huval Schexnayder
Carmody Jackson, G. Schroder
Carter Jackson, K. Seabaugh
Chaney James Shadoin
Connick Jefferson Simon
Cox Johnson Smith
Danahay Jones St. Germain
Dove Landry, N. Talbot
Edwards Landry, T. Thierry
Fannin LeBas Whitney
Foil Leger Williams, A.
Franklin Leopold Williams, P.
Gaines Ligi Willmott
Garofalo Lopinto
Geymann Lorusso

Total - 94

NAYS

Total - 0

ABSENT

Armes Dixon Robideaux
Burford Lambert Thibaut
Champagne Ortego Thompson
Cromer Richardson
Total - 11

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 730— BY SENATORS THOMPSON AND RISER AN ACT

To enact Chapter 4-A of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:1401, relative to the creation of the Bunches Bend Protection District; to provide for the purposes, powers, duties, and governance of the district; to provide for the authority to levy taxes under certain conditions; to provide for the issuance of indebtedness; to authorize cooperative endeavors with the owners of certain land; to provide for certain penalties; and to provide for related matters.

Read by title.

Rep. Anders moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Franklin Mack
Abramson Gaines Miller
Adams Garofalo Montoucet
Anders Gisclair Moreno
Armes Greene Morris, Jay
Arnold Guillory Norton
Badon Guinn Pearson
Barras Harris Pierre
Barrow Havard Ponti
Berthelot Hazel Pope
Billiot Henry Price
Bishop, S. Hensgens Pugh
Bishop, W. Hill Pylant
Broadwater Hodges Reynolds
Brossett Hoffmann Richard
Brown Hollis Ritchie
Burns, H. Honore Schexnayder
Burns, T. Howard Schroder
Burrell Hunter Seabaugh
Carmody Huval Shadoin
Carter Jackson, G. Simon
Champagne James Smith
Chaney Jefferson St. Germain
Connick Johnson Thierry
Cox Jones Whitney
Cromer Landry, T. Williams, A.
Danahay LeBas Williams, P.
Edwards Leopold Willmott
Fannin Ligi
Foil Lorusso

Total - 88

NAYS

Total - 0

ABSENT

Burford	Lambert	Richardson
Dixon	Landry, N.	Robideaux
Dove	Leger	Talbot
Geymann	Lopinto	Thibaut
Harrison	Morris, Jim	Thompson
Jackson, K.	Ortego	
Total - 17		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 397—
BY SENATOR GALLOT

AN ACT

To amend and reenact R.S. 47:1991(A), relative to ad valorem property tax assessments; to provide relative to the cancellation of certain assessments; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Ligi
Abramson	Garofalo	Lopinto
Adams	Geymann	Lorusso
Armes	Gisclair	Mack
Arnold	Greene	Miller
Badon	Guillory	Montoucet
Barras	Guinn	Moreno
Barrow	Harris	Morris, Jay
Berthelot	Harrison	Norton
Billiot	Havard	Pearson
Bishop, S.	Hazel	Pierre
Bishop, W.	Hensgens	Ponti
Broadwater	Hill	Pope
Brossett	Hodges	Price
Brown	Hoffmann	Pugh
Burns, H.	Hollis	Pylant
Burns, T.	Honore	Reynolds
Burrell	Howard	Richard
Carmody	Hunter	Ritchie
Carter	Huval	Schexnayder
Champagne	Jackson, G.	Schroder
Chaney	Jackson, K.	Seabaugh
Connick	James	Shadoin
Cox	Jefferson	Simon
Cromer	Johnson	Smith
Danahay	Jones	St. Germain
Dove	Landry, N.	Thierry
Edwards	Landry, T.	Whitney
Fannin	LeBas	Williams, A.
Foil	Leger	Willmott
Franklin	Leopold	
Total - 92		

NAYS

Total - 0

ABSENT

Anders	Morris, Jim	Thibaut
Burford	Ortego	Thompson

Dixon	Richardson	Williams, P.
Henry	Robideaux	
Lambert	Talbot	
Total - 13		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 637 (Substitute of Senate Bill No. 83 by Senator Murray)—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 37:2862 (7), (8), (11), and (12), 2864(C), (D), and (E), 2865(A) and (C), 2866, and 2870(A)(1), to enact R.S. 37:2865(E) and 2869(A)(3), and to repeal R.S. 37:2862(13) and 2864(F), relative to Polysomnographic Practice Act; to provide for definitions; to remove term limits on the advisory committee members; to provide for technologist; to provide for technicians; to provide with respect to exemptions from state licensure and permit requirements; to provide for prohibitions; and to provide for related matters

Called from the calendar.

Read by title.

Rep. Arnold moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lopinto
Abramson	Gaines	Lorusso
Adams	Garofalo	Mack
Anders	Gisclair	Miller
Armes	Greene	Montoucet
Arnold	Guillory	Moreno
Badon	Guinn	Morris, Jay
Barras	Harris	Norton
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Ponti
Bishop, S.	Henry	Pope
Bishop, W.	Hensgens	Price
Broadwater	Hill	Pugh
Brossett	Hodges	Pylant
Brown	Hoffmann	Richard
Burns, H.	Hollis	Ritchie
Burns, T.	Honore	Schexnayder
Burrell	Howard	Schroder
Carmody	Hunter	Seabaugh
Carter	Huval	Shadoin
Champagne	Jackson, G.	Simon
Chaney	Jackson, K.	Smith
Connick	James	St. Germain
Cox	Jefferson	Talbot
Cromer	Johnson	Thierry
Danahay	Jones	Whitney
Dixon	Landry, N.	Williams, A.
Dove	Landry, T.	Williams, P.
Edwards	LeBas	Willmott
Fannin	Leopold	
Foil	Ligi	
Total - 94		

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NAYS		
Total - 0		
ABSENT		
Burford	Morris, Jim	Robideaux
Geymann	Ortego	Thibaut
Lambert	Reynolds	Thompson
Leger	Richardson	
Total - 11		
<p>The Chair declared the above bill was finally passed.</p> <p>Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.</p>		
Regular Calendar		
SENATE BILL NO. 62—		
BY SENATOR APPEL AND REPRESENTATIVE CARTER AN ACT		
<p>To enact R.S. 49:191(6)(a) and to repeal R.S. 49:191(4)(h), relative to the Department of Education, including provisions to provide for the re-creation of the Department of Education and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.</p>		
Read by title.		
Rep. Carter moved the final passage of the bill.		
ROLL CALL		
The roll was called with the following result:		
YEAS		
Mr. Speaker	Foil	Leopold
Abramson	Franklin	Ligi
Adams	Gaines	Lorusso
Anders	Garofalo	Mack
Armes	Geymann	Miller
Arnold	Gisclair	Montoucet
Badon	Greene	Moreno
Barras	Guillory	Morris, Jay
Barrow	Guinn	Norton
Berthelot	Harris	Pearson
Billiot	Harrison	Pierre
Bishop, S.	Havard	Ponti
Bishop, W.	Hazel	Pope
Broadwater	Hensgens	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burns, H.	Hollis	Reynolds
Burns, T.	Honore	Richard
Burrell	Howard	Ritchie
Carmody	Hunter	Schexnayder
Carter	Huval	Schroder
Champagne	Jackson, G.	Seabaugh
Chaney	Jackson, K.	Shadoin
Connick	James	Simon
Cox	Jefferson	Smith
Cromer	Johnson	St. Germain
Danahay	Jones	Thibaut
Dixon	Landry, N.	Thierry
Dove	Landry, T.	Whitney
Edwards	LeBas	Williams, P.
Fannin	Leger	Willmott
Total - 93		

NAYS		
Total - 0		
ABSENT		
Burford	Lopinto	Robideaux
Henry	Morris, Jim	Talbot
Hill	Ortego	Thompson
Lambert	Richardson	Williams, A.
Total - 12		
<p>The Chair declared the above bill was finally passed.</p> <p>Rep. Carter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.</p>		
SENATE BILL NO. 71—		
BY SENATOR MARTINY AN ACT		
<p>To amend and reenact R.S. 40:2266.3, relative to criminalistics laboratories operated by sheriffs; to exempt the criminalistics laboratory operated by the sheriff of Jefferson Parish from certain requirements; and to provide for related matters.</p>		
Read by title.		
Rep. Lopinto moved the final passage of the bill.		
ROLL CALL		
The roll was called with the following result:		
YEAS		
Mr. Speaker	Franklin	Ligi
Abramson	Gaines	Lopinto
Adams	Garofalo	Lorusso
Anders	Geymann	Mack
Armes	Gisclair	Miller
Arnold	Greene	Montoucet
Badon	Guillory	Moreno
Barras	Guinn	Morris, Jay
Barrow	Harris	Norton
Berthelot	Harrison	Pearson
Billiot	Havard	Pierre
Bishop, S.	Hazel	Ponti
Bishop, W.	Hensgens	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burns, H.	Hollis	Reynolds
Burns, T.	Honore	Ritchie
Burrell	Howard	Schexnayder
Carmody	Hunter	Schroder
Carter	Huval	Seabaugh
Champagne	Jackson, G.	Shadoin
Chaney	Jackson, K.	Simon
Connick	James	Smith
Cox	Jefferson	St. Germain
Cromer	Johnson	Thibaut
Danahay	Jones	Thierry
Dixon	Landry, N.	Thompson
Dove	Landry, T.	Whitney
Edwards	LeBas	Williams, A.
Fannin	Leger	Williams, P.
Foil	Leopold	Willmott
Total - 96		
NAYS		
Total - 0		

ABSENT

Burford	Morris, Jim	Richardson
Henry	Ortego	Robideaux
Lambert	Richard	Talbot
Total - 9		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 84—
BY SENATOR MARTINY

AN ACT

To enact R.S. 42:1123(18)(e), relative to the Code of Governmental Ethics; to provide for an exception to certain prohibitions of physicians as public servants; and to provide for related matters.

Read by title.

Rep. Ligi moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Ligi
Adams	Geymann	Lopinto
Armes	Gisclair	Lorusso
Arnold	Greene	Mack
Badon	Guillory	Montoucet
Barras	Guinn	Moreno
Barrow	Harris	Pearson
Berthelot	Harrison	Pierre
Billiot	Havard	Ponti
Bishop, S.	Hazel	Pope
Bishop, W.	Henry	Price
Broadwater	Hensgens	Pugh
Brossett	Hill	Pylant
Brown	Hodges	Reynolds
Burns, H.	Hoffmann	Richard
Burrell	Hollis	Ritchie
Carmody	Honore	Schexnayder
Carter	Howard	Schroder
Champagne	Hunter	Seabaugh
Chaney	Huval	Shadoin
Connick	Jackson, G.	Simon
Cox	Jackson, K.	Smith
Cromer	James	St. Germain
Danahay	Jefferson	Talbot
Dixon	Johnson	Thibaut
Dove	Jones	Thierry
Edwards	Landry, N.	Thompson
Fannin	Landry, T.	Whitney
Foil	LeBas	Williams, P.
Franklin	Leger	Willmott
Gaines	Leopold	
Total - 92		

NAYS

Abramson
Total - 1

ABSENT

Anders	Miller	Ortego
Burford	Morris, Jay	Richardson
Burns, T.	Morris, Jim	Robideaux
Lambert	Norton	Williams, A.
Total - 12		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 88—
BY SENATOR BUFFINGTON

AN ACT

To amend and reenact R.S. 49:968(D)(2)(a) and to enact R.S. 49:968(D)(1)(c), relative to the Administrative Procedure Act; to require agencies to provide written notice to the office of state register upon submission of certain reports to the legislature; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Whitney moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Moreno
Armes	Greene	Morris, Jay
Arnold	Guillory	Morris, Jim
Badon	Guinn	Norton
Barras	Harris	Pearson
Barrow	Harrison	Pierre
Berthelot	Havard	Ponti
Billiot	Hazel	Pope
Bishop, S.	Henry	Price
Bishop, W.	Hensgens	Pugh
Broadwater	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burns, H.	Hollis	Richard
Burns, T.	Honore	Ritchie
Burrell	Howard	Schexnayder
Carmody	Hunter	Schroder
Carter	Huval	Seabaugh
Champagne	Jackson, G.	Shadoin
Chaney	Jackson, K.	Simon
Connick	James	St. Germain
Cox	Jefferson	Talbot
Cromer	Johnson	Thibaut
Danahay	Landry, N.	Thierry
Dixon	Landry, T.	Thompson
Dove	LeBas	Whitney
Edwards	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lopinto	
Franklin	Lorusso	
Total - 94		

NAYS

Total - 0

ABSENT

Brossett	Lambert	Robideaux
Burford	Ligi	Smith
Hill	Ortego	Williams, A.
Jones	Richardson	
Total - 11		

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Pierre requested the House consent to record his vote on final passage of Senate Bill No. 88 as yea, which consent was unanimously granted.

SENATE BILL NO. 119—
BY SENATOR MORRELL

AN ACT

To enact R.S. 17:436.1(K), relative to the administration of medication to public school students; to require public school governing authorities to adopt a policy allowing school nurses to administer certain medication to students under certain circumstances; to provide for definitions; to provide for limitation of liability; to provide for notification of policy; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 119 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 4, after "nurses" and before "to administer" insert "and trained school employees"

AMENDMENT NO. 2

On page 1, line 13, after "nurse" and before "to" insert "or trained school employee"

AMENDMENT NO. 3

On page 1, line 15, after "school" and before "in" change "nurse." to "nurse or trained school employee."

AMENDMENT NO. 4

On page 1, at the end of line 17, add the following:

"At least one employee at each school shall receive training from a registered nurse or a licensed medical physician in the administration of auto-injectable epinephrine. The school nurse or trained employee may administer the auto-injectable epinephrine to respond to a student's anaphylactic reaction, under a standing protocol from a physician licensed to practice medicine in the state."

On motion of Rep. Arnold, the amendments were adopted.

Rep. Brossett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Ligi
Abramson	Gaines	Lopinto
Adams	Garofalo	Lorusso
Anders	Gisclair	Mack

Armes	Greene	Miller
Arnold	Guillory	Montoucet
Badon	Guinn	Moreno
Barras	Harris	Morris, Jay
Barrow	Harrison	Norton
Berthelot	Havard	Pearson
Billiot	Hazel	Pierre
Bishop, S.	Henry	Ponti
Bishop, W.	Hensgens	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pugh
Brown	Hoffmann	Pylant
Burford	Hollis	Reynolds
Burns, H.	Honore	Ritchie
Burns, T.	Howard	Schexnayder
Burrell	Hunter	Schroder
Carmody	Huval	Seabaugh
Carter	Jackson, G.	Shadoin
Chaney	Jackson, K.	Simon
Connick	James	Smith
Cox	Jefferson	St. Germain
Cromer	Johnson	Talbot
Danahay	Jones	Thibaut
Dixon	Landry, N.	Thierry
Dove	Landry, T.	Whitney
Edwards	LeBas	Williams, P.
Fannin	Leger	Willmott
Foil	Leopold	

Total - 95

NAYS

Total - 0

ABSENT

Champagne	Ortego	Thompson
Geymann	Richard	Williams, A.
Lambert	Richardson	
Morris, Jim	Robideaux	
Total - 10		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 198—
BY SENATOR MORRELL

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:302(A)(5), relative to video draw poker; to provide with respect to legislative oversight of games of video draw poker and other such card games; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 198 by Senator Morrell

AMENDMENT NO. 1

In Amendment No. 3 proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 17, 2012, on page 1, line 18, after "restored." delete the remainder of the line and delete lines 19 through 21 in their entirety and insert the following:

"The division shall obtain approval from the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary B prior to awarding any new central computer system contract."

On motion of Rep. Lopinto, the amendments were adopted.

Rep. Lopinto moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Ligi
Abramson	Gaines	Lopinto
Adams	Geymann	Lorusso
Anders	Gisclair	Mack
Arnes	Greene	Miller
Arnold	Guillory	Montoucet
Badon	Guinn	Moreno
Barras	Harris	Norton
Barrow	Harrison	Ortego
Berthelot	Havard	Pearson
Billiot	Hazel	Pierre
Bishop, S.	Henry	Ponti
Bishop, W.	Hensgens	Price
Broadwater	Hill	Pugh
Brossett	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burford	Hollis	Ritchie
Burns, H.	Honore	Schexnayder
Burns, T.	Howard	Schroder
Burrell	Hunter	Seabaugh
Carmody	Huval	Shadoin
Carter	Jackson, G.	Simon
Champagne	Jackson, K.	Smith
Chaney	James	St. Germain
Connick	Jefferson	Talbot
Cox	Johnson	Thibaut
Danahay	Jones	Thierry
Dixon	Landry, N.	Thompson
Dove	Landry, T.	Whitney
Edwards	LeBas	Williams, P.
Fannin	Leger	Willmott
Foil	Leopold	

Total - 95

NAYS

Total - 0

ABSENT

Cromer	Morris, Jim	Robideaux
Garofalo	Pope	Williams, A.
Lambert	Richard	
Morris, Jay	Richardson	

Total - 10

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 248—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 42:1132(B)(4)(c), relative to the Board of Ethics; to provide for changes relative to persons eligible for nomination to the board; and to provide for related matters.

Read by title.

Rep. Henry Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Lorusso
Abramson	Geymann	Mack
Adams	Gisclair	Miller
Anders	Greene	Montoucet
Arnes	Guillory	Moreno
Arnold	Guinn	Morris, Jay
Badon	Harris	Morris, Jim
Barras	Harrison	Norton
Barrow	Havard	Ortego
Berthelot	Hazel	Pearson
Billiot	Henry	Pierre
Bishop, S.	Hensgens	Ponti
Bishop, W.	Hill	Pope
Broadwater	Hodges	Price
Brossett	Hoffmann	Pugh
Brown	Hollis	Pylant
Burford	Honore	Reynolds
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Chaney	James	Simon
Connick	Jefferson	Smith
Cox	Johnson	St. Germain
Cromer	Jones	Talbot
Danahay	Landry, N.	Thierry
Dove	Landry, T.	Thompson
Edwards	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Ligi	Willmott
Gaines	Lopinto	

Total - 98

NAYS

Total - 0

ABSENT

Champagne	Richard	Thibaut
Dixon	Richardson	
Lambert	Robideaux	

Total - 7

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 253—
BY SENATOR WALSWORTH
AN ACT

To amend and reenact R.S. 49:220.22(D), relative to the office of the state inspector general; to provide for legal counsel; to provide for additional legal representation as the office deems necessary; and to provide for related matters.

Read by title.

Rep. Tim Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Mack
Abramson	Geymann	Miller
Adams	Gisclair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jim
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Ponti
Bishop, S.	Henry	Pope
Bishop, W.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Ritchie
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Jackson, G.	Shadoin
Carter	Jackson, K.	Simon
Chaney	James	Smith
Connick	Jefferson	St. Germain
Cromer	Johnson	Talbot
Danahay	Jones	Thibaut
Dixon	Landry, N.	Thierry
Dove	Landry, T.	Thompson
Edwards	Leger	Whitney
Fannin	Leopold	Williams, P.
Foil	Ligi	Willmott
Franklin	Lopinto	
Gaines	Lorusso	
Total - 94		

NAYS

Hensgens
Total - 1

ABSENT

Barrow	LeBas	Robideaux
Champagne	Morris, Jay	Williams, A.
Cox	Richard	
Lambert	Richardson	
Total - 10		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 268—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 25:376, 379.4 and 1245, and to enact R.S. 25:380.3(C), 380.24(C), 380.34(C), 380.44(C), 380.54(C), 380.64(C), 380.74(C), 380.84(C), 380.94(C), 380.104(C), 380.114(C), 380.124(C), 380.134(C), 380.154(C) and 380.165(C), relative to operations of the Old State Capitol and certain museums; to authorize the Department of State to temporarily close the Old State Capitol and certain museums under its jurisdiction when no funds are appropriated for the operation of such facilities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed Senate Bill No. 268 by Senator LaFleur

AMENDMENT NO. 1

On page 1, line 2, after "379.4," and before "and 1245" insert a comma "," and insert "745(A)(2),"

AMENDMENT NO. 2

On page 1, line 5, after "relative to" and before "the" delete "operations of "and insert "historical preservation districts,"

AMENDMENT NO. 3

On page 1, line 8, after "facilities;" and before "and to" insert "to provide for the exemption of certain properties or collection of properties within certain historic preservation districts;"

AMENDMENT NO. 4

On page 1, line 10, after "379.4" and before "and 1245" insert a comma "," and insert "745(A)(2),"

AMENDMENT NO. 5

On page 9, between lines 20 and 21, insert the following:

"§745. Exemptions

A.

* * *

(2) None of the provisions of this Chapter shall apply to or affect in any way any property or collection of properties under common ownership having any lot line on the northerly side of St. Charles Avenue between Jena Street and Carrollton Avenue Calhoun Street and Law Road, or on the southerly side of St. Charles Avenue between Broadway Street and Lowerline Street, or on St. Charles Avenue between Jena Street and Carrollton Avenue in the city of New Orleans, Louisiana unless the respective property owners consent.

* * *

On motion of Rep. Arnold, the amendments were adopted.

Rep. Jim Morris sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jim Morris to Engrossed Senate Bill No. 268 by Senator LaFleur

AMENDMENT NO. 1

Delete Committee Amendment Nos. 8 and 9 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on May 17, 2012.

AMENDMENT NO. 2

On page 1, at the beginning line 3, delete "380.24(C),"

AMENDMENT NO. 3

On page 1, line 11, after "25:380.3(C)," and before "380.34(C)," delete "380.24(C),"

AMENDMENT NO. 4

On page 3, delete lines 11 through 23 in their entirety

Rep. Jim Morris moved the adoption of the amendments.

Rep. Ligi objected.

By a vote of 62 yeas and 29 nays, the amendments were adopted.

Rep. Ligi moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Geymann	Moreno
Armes	Gisclair	Morris, Jim
Arnold	Greene	Ortego
Badon	Guillory	Pierre
Barras	Harris	Ponti
Berthelot	Harrison	Pope
Billiot	Havard	Price
Bishop, S.	Hazel	Pugh
Broadwater	Henry	Pylant
Burford	Hensgens	Richard
Burns, H.	Hodges	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Hollis	Schexnayder
Carmody	Honore	Schroder
Carter	Howard	Seabaugh
Champagne	Huval	Simon
Chaney	Jackson, G.	St. Germain
Connick	Jefferson	Talbot
Cromer	Johnson	Thibaut
Danahay	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leopold	Williams, P.
Fannin	Ligi	Willmott
Foil	Lorusso	
Franklin	Mack	
Total - 82		

NAYS

Anders	Guinn	Reynolds
Barrow	Hunter	Shadoin
Brown	Jackson, K.	
Cox	Norton	
Total - 10		

ABSENT

Bishop, W.	Lambert	Richardson
Brossett	Leger	Smith
Hill	Lopinto	Thierry
James	Morris, Jay	
Jones	Pearson	
Total - 13		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 290—

BY SENATORS MURRAY, ALLAIN, BROOME, BROWN, CHABERT, DORSEY-COLOMB, LAFLEUR, LONG, MORRELL, PETERSON, GARY SMITH AND TARVER

AN ACT

To amend and reenact R.S. 17:3451, 3453(B), (D) and (E), and 3456, to enact R.S. 17:3453.1, and to repeal R.S. 17:3453(F), relative to the Louisiana Universities Marine Consortium for Research and Education; to provide relative to the purpose of the consortium and the membership of the executive board; to establish and provide for the membership and duties of an advisory council; to provide relative to development of a master plan; to provide for annual reporting requirements; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Reengrossed Senate Bill No. 290 by Senator Murray

AMENDMENT NO. 1

Delete the set of amendments proposed by the House Committee on Education and adopted by the House on May 15, 2012.

Rep. Harrison moved the adoption of the amendments.

Rep. Chaney objected.

By a vote of 59 yeas and 32 nays, the amendments were adopted.

Acting Speaker Arnold in the Chair

Rep. Brossett moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Norton
Armes	Guillory	Ortego
Arnold	Guinn	Pearson
Badon	Harris	Pierre
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Berthelot	Henry	Price
Billiot	Hensgens	Pugh
Bishop, S.	Hill	Pylant
Broadwater	Hodges	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Robideaux
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Jackson, G.	Seabaugh
Carmody	Jackson, K.	Shadoin
Carter	James	Simon
Champagne	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot

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Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	Leger	Thompson
Dove	Leopold	Whitney
Edwards	Ligi	Williams, A.
Fannin	Lopinto	Williams, P.
Foil	Lorusso	Willmott
Franklin	Mack	

Total - 95

NAYS

Total - 0

ABSENT

Bishop, W.	Hoffmann	Morris, Jim
Chaney	Lambert	Richardson
Geymann	LeBas	
Havard	Morris, Jay	

Total - 10

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 330—
BY SENATOR WARD

AN ACT

To enact R.S. 14:32.9 and 32.9.1, relative to abortion; to create the crime of criminal abortion; to create the crime of aggravated criminal abortion; to prohibit any individual who is not a licensed physician from performing an abortion; to prohibit the dismemberment of an unborn child by an abortionist who is not a licensed physician; to provide for definitions; to provide for exceptions; to provide for construction; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Katrina Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adams	Geymann	Miller
Anders	Gisclair	Montoucet
Armes	Greene	Moreno
Arnold	Guillory	Morris, Jay
Badon	Guinn	Morris, Jim
Barras	Harris	Norton
Barrow	Harrison	Ortego
Berthelot	Hazel	Pearson
Billiot	Henry	Pierre
Bishop, S.	Hensgens	Ponti
Broadwater	Hill	Pope
Brossett	Hodges	Price
Brown	Hoffmann	Pugh
Burford	Hollis	Pylant
Burns, H.	Honore	Reynolds
Burns, T.	Howard	Richard
Burrell	Hunter	Ritchie
Carmody	Huval	Robideaux
Carter	Jackson, G.	Schexnayder
Champagne	Jackson, K.	Schroder
Chaney	James	Seabaugh
Connick	Jefferson	Shadoin
Cox	Johnson	Simon

Cromer	Jones	Smith
Danahay	Landry, N.	St. Germain
Dixon	Landry, T.	Talbot
Dove	LeBas	Thibaut
Edwards	Leger	Thierry
Fannin	Leopold	Thompson
Foil	Ligi	Whitney
Franklin	Lopinto	Williams, A.
Gaines	Lorusso	Williams, P.
Garofalo	Mack	Willmott

Total - 99

NAYS

Total - 0

ABSENT

Mr. Speaker	Bishop, W.	Lambert
Abramson	Havard	Richardson

Total - 6

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Jim Morris requested the House consent to record his vote on final passage of Senate Bill No. 330 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Geymann requested the House consent to record his vote on final passage of Senate Bill No. 330 as yea, which consent was unanimously granted.

SENATE BILL NO. 362—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii)(introductory paragraph), (aa), and (bb), relative to the operation of video draw poker devices at qualified truck stop facilities; to provide with respect to certain amenity requirements of a qualified truck stop facility; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Reengrossed Senate Bill No. 362 by Senator Morrell

AMENDMENT NO. 1

In Amendment No. 5 in the set of Amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 15, 2012, on page 1, line 19, delete "on Sundays and"

On motion of Rep. Lopinto, the amendments were adopted.

Rep. Lopinto moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Norton
Abramson	Gisclair	Ortego
Adams	Guillory	Pierre
Anders	Hollis	Price
Armes	Honore	Pylant
Arnold	Jackson, G.	Reynolds
Badon	Jackson, K.	Ritchie
Barras	James	Robideaux
Berthelot	Jefferson	Schexnayder
Billiot	Johnson	Seabaugh
Brossett	Landry, T.	Simon
Brown	LeBas	Smith
Burrell	Leger	St. Germain
Carmody	Leopold	Thibaut
Connick	Ligi	Thierry
Dixon	Lopinto	Thompson
Edwards	Lorusso	Williams, A.
Foil	Moreno	Williams, P.
Franklin	Morris, Jay	Willmott
Total - 57		

NAYS

Bishop, S.	Harris	Mack
Broadwater	Harrison	Miller
Burford	Havard	Morris, Jim
Burns, H.	Hazel	Pearson
Carter	Henry	Ponti
Champagne	Hensgens	Pope
Chaney	Hodges	Richard
Cromer	Hoffmann	Schroder
Danahay	Howard	Shadoin
Fannin	Hunter	Talbot
Geymann	Huval	Whitney
Greene	Jones	
Guinn	Landry, N.	
Total - 37		

ABSENT

Barrow	Dove	Montoucet
Bishop, W.	Garofalo	Pugh
Burns, T.	Hill	Richardson
Cox	Lambert	
Total - 11		

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Greene requested the House consent to record his vote on final passage of Senate Bill No. 362 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Guinn requested the House consent to correct his vote on final passage of Senate Bill No. 362 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Miller requested the House consent to correct his vote on final passage of Senate Bill No. 362 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Ponti requested the House consent to record his vote on final passage of Senate Bill No. 362 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Talbot requested the House consent to correct his vote on final passage of Senate Bill No. 362 from yea to nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Whitney requested the House consent to correct her vote on final passage of Senate Bill No. 362 from yea to nay, which consent was unanimously granted.

SENATE BILL NO. 363—
BY SENATOR MARTINY

AN ACT

To enact R.S. 27:306(A)(4)(e), relative to the operation of video draw poker devices; to provide relative to amenities required of qualified truck stop facilities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lopinto to Engrossed Senate Bill No. 363 by Senator Martiny

AMENDMENT NO. 1

In Amendment No. 2 in the set of amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 15, 2012, on page 1, delete lines 21 and 22 in their entirety and insert the following:

"(ii) For a third or subsequent violation, a license revocation hearing shall be conducted at which time the board shall determine whether or not there are extenuating circumstances pursuant to which a license suspension or revocation should not be imposed."

AMENDMENT NO. 2

In Amendment No. 2 in the set of amendments proposed by the House Committee on the Administration of Criminal Justice and adopted by the House on May 15, 2012, on page 1, delete lines 31 and 32 in their entirety and insert the following:

"(iii) For a third or subsequent violation, a license revocation hearing shall be conducted at which time the board shall determine whether or not there are extenuating circumstances pursuant to which a license suspension or revocation should not be imposed."

On motion of Rep. Lopinto, the amendments were adopted.

Rep. Lopinto moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Pierre
Adams	Gaines	Price

Anders	Gisclair	Pylant
Armes	Guillory	Reynolds
Arnold	Harrison	Richard
Badon	Honore	Ritchie
Berthelot	Jackson, G.	Robideaux
Billiot	James	Schexnayder
Brossett	Jefferson	Seabaugh
Burford	Johnson	Shadoin
Burrell	Jones	Simon
Carmody	Landry, T.	Smith
Connick	Leger	St. Germain
Cox	Leopold	Thierry
Danahay	Ligi	Thompson
Dixon	Lopinto	Williams, A.
Dove	Lorusso	Williams, P.
Edwards	Moreno	Willmott
Foil	Norton	
Total - 56		

NAYS

Barras	Guinn	Landry, N.
Barrow	Harris	LeBas
Bishop, S.	Havard	Mack
Broadwater	Hazel	Miller
Brown	Henry	Morris, Jay
Burns, H.	Hensgens	Morris, Jim
Burns, T.	Hill	Pearson
Carter	Hodges	Ponti
Champagne	Hoffmann	Pope
Chaney	Hollis	Schroder
Fannin	Howard	Talbot
Geymann	Hunter	Thibaut
Greene	Huval	Whitney
Total - 39		

ABSENT

Abramson	Jackson, K.	Pugh
Bishop, W.	Lambert	Richardson
Cromer	Montoucet	
Garofalo	Ortego	
Total - 10		

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Greene requested the House consent to record his vote on final passage of Senate Bill No. 363 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Ponti requested the House consent to record his vote on final passage of Senate Bill No. 363 as nay, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Whitney requested the House consent to correct her vote on final passage of Senate Bill No. 363 from yea to nay, which consent was unanimously granted.

SENATE BILL NO. 365—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 27:306(A)(4)(b)(introductory paragraph), relative to the operation of video draw poker devices at

qualified truck stop facilities; to provide with respect to the calculation of fuel sales; and to provide for related matters.

Read by title.

Rep. Lopinto moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Ortego
Abramson	Gaines	Pierre
Adams	Gisclair	Price
Anders	Harrison	Pugh
Armes	Honore	Pylant
Arnold	Jackson, G.	Reynolds
Badon	James	Richard
Berthelot	Jefferson	Ritchie
Billiot	Johnson	Robideaux
Brossett	Jones	Schexnayder
Brown	Landry, T.	Seabaugh
Burrell	LeBas	Shadoin
Carmody	Leger	Simon
Carter	Leopold	Smith
Connick	Ligi	Thierry
Cox	Lopinto	Thompson
Dixon	Lorusso	Williams, A.
Dove	Montoucet	Williams, P.
Edwards	Moreno	Willmott
Foil	Norton	
Total - 59		

NAYS

Barras	Greene	Huval
Barrow	Guinn	Landry, N.
Bishop, S.	Harris	Mack
Broadwater	Havard	Miller
Burford	Hazel	Morris, Jay
Burns, H.	Henry	Morris, Jim
Burns, T.	Hensgens	Pearson
Champagne	Hill	Ponti
Chaney	Hodges	Pope
Cromer	Hoffmann	Schroder
Danahay	Hollis	Talbot
Fannin	Howard	Thibaut
Geymann	Hunter	Whitney
Total - 39		

ABSENT

Bishop, W.	Jackson, K.	St. Germain
Garofalo	Lambert	
Guillory	Richardson	
Total - 7		

The Chair declared the above bill was finally passed.

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

Consent to Correct a Vote Record

Rep. Whitney requested the House consent to correct her vote on final passage of Senate Bill No. 365 from yea to nay, which consent was unanimously granted.

SENATE BILL NO. 381—
BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 24:972(A)(22), R.S. 36:4(N) and the heading of 802.14, the title of Chapter 17 of Title 49 of the Louisiana Revised Statutes of 1950, the introductory paragraph of R.S. 49:1112(A) and (B)(2)(a) and 1122 and to repeal R.S. 49:1121, relative to the Louisiana Serve Commission; to provide for a change in the name of the commission; and to provide for related matters.

Read by title.

Rep. Barrow moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Gisclair	Montoucet
Anders	Greene	Moreno
Armes	Guillory	Morris, Jay
Arnold	Guinn	Morris, Jim
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Ligi	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	

Total - 101

NAYS

Total - 0

ABSENT

Geymann	Norton
Lambert	Richardson

Total - 4

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 412—
BY SENATOR CLAITOR

AN ACT

To enact R.S. 17:3361(A)(6), relative to colleges and universities; to provide relative to leases of college and university properties; to provide relative to leases to certain organizations; to authorize leases to Louisiana businesses to be located in an area of property designated by the college or university as a business incubator or research park; to provide certain terms, conditions, requirements, and definitions; and to provide for related matters.

Read by title.

Rep. Foil moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Miller
Abramson	Gaines	Montoucet
Adams	Garofalo	Moreno
Anders	Gisclair	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	Jefferson	Simon
Chaney	Johnson	Smith
Connick	Jones	St. Germain
Cox	Landry, N.	Talbot
Cromer	Landry, T.	Thierry
Danahay	LeBas	Thompson
Dixon	Leger	Whitney
Dove	Leopold	Williams, A.
Edwards	Ligi	Williams, P.
Fannin	Lorusso	Willmott
Foil	Mack	

Total - 98

NAYS

Total - 0

ABSENT

Geymann	Lambert	Thibaut
Greene	Lopinto	
James	Richardson	

Total - 7

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 422—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 49:953(B)(1) and (4)(a), relative to the Administrative Procedure Act; to provide for legislative review of emergency rules or fees; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Foil, the bill was returned to the calendar.

SENATE BILL NO. 526—

BY SENATORS ERDEY, APPEL, DONAHUE, GUILLORY AND WHITE
AN ACT

To enact R.S. 17:1681.1(C), relative to scholarships for children of certain public employees; to add children of state investigators killed or permanently disabled in the performance of duty; and to provide for related matters.

Read by title.

Rep. Pope moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Arnold	Guillory	Morris, Jim
Badon	Guinn	Norton
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Pope
Bishop, S.	Henry	Price
Bishop, W.	Hensgens	Pugh
Brossett	Hill	Pylant
Brown	Hodges	Reynolds
Burford	Hoffmann	Richard
Burns, H.	Hollis	Ritchie
Burns, T.	Honore	Schexnayder
Burrell	Howard	Schroder
Carmody	Huval	Seabaugh
Carter	Jackson, G.	Shadoin
Champagne	Jackson, K.	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Fannin	Ligi	Willmott
Foil	Lopinto	
Franklin	Lorusso	
Total - 95		

NAYS

Total - 0

ABSENT

Armes	James	Richardson
Broadwater	Lambert	Robideaux

Geymann	Mack
Hunter	Ponti
Total - 10	

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 536—

BY SENATOR PETERSON
AN ACT

To amend and reenact Children's Code Art. 901.1(A), relative to probation and parole supervision fees; to provide with respect to a reduction in supervision fees; and to provide for related matters.

Read by title.

Rep. Moreno moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dixon	LeBas
Abramson	Edwards	Leger
Adams	Franklin	Lopinto
Anders	Gaines	Moreno
Armes	Guillory	Norton
Arnold	Harris	Ortego
Badon	Hensgens	Pierre
Barrow	Hill	Pope
Berthelot	Hodges	Price
Billiot	Hoffmann	Reynolds
Bishop, W.	Honore	Ritchie
Brossett	Howard	Shadoin
Burford	Hunter	Smith
Burns, H.	Huval	St. Germain
Burrell	Jackson, G.	Thierry
Carmody	Jefferson	Williams, A.
Chaney	Jones	Williams, P.
Cox	Landry, T.	Willmott
Total - 54		

NAYS

Barras	Havard	Pearson
Bishop, S.	Hazel	Pugh
Brown	Henry	Pylant
Burns, T.	Hollis	Richard
Carter	Johnson	Schexnayder
Connick	Landry, N.	Schroder
Cromer	Leopold	Seabaugh
Danahay	Ligi	Simon
Fannin	Lorusso	Talbot
Foil	Miller	Thibaut
Garofalo	Montoucet	Thompson
Geymann	Morris, Jay	Whitney
Gisclair	Morris, Jim	
Total - 38		

ABSENT

Broadwater	Harrison	Ponti
Champagne	Jackson, K.	Richardson
Dove	James	Robideaux
Greene	Lambert	
Guinn	Mack	
Total - 13		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 639—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 14:30(A)(10) and to enact R.S. 14:30(A)(11), relative to the crime of first degree murder; to provide that first degree murder includes the killing of a taxicab driver under certain circumstances; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Lopinto moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Montoucet
Abramson	Gaines	Moreno
Adams	Garofalo	Morris, Jay
Anders	Gisclair	Morris, Jim
Armes	Greene	Norton
Arnold	Guillory	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Havard	Pope
Berthelot	Hazel	Price
Billiot	Henry	Pugh
Bishop, S.	Hensgens	Pylant
Bishop, W.	Hill	Reynolds
Brossett	Hoffmann	Richard
Brown	Hollis	Ritchie
Burford	Honore	Schexnayder
Burns, H.	Howard	Schroder
Burns, T.	Hunter	Seabaugh
Burrell	Huval	Shadoin
Carmody	Jackson, G.	Simon
Carter	James	Smith
Champagne	Jefferson	St. Germain
Chaney	Johnson	Talbot
Connick	Jones	Thibaut
Cox	Landry, N.	Thierry
Cromer	Landry, T.	Thompson
Danahay	LeBas	Whitney
Dixon	Leger	Williams, A.
Dove	Leopold	Williams, P.
Edwards	Ligi	Willmott
Fannin	Lopinto	
Foil	Lorusso	

Total - 94

NAYS

Total - 0

ABSENT

Broadwater	Jackson, K.	Ponti
Geymann	Lambert	Richardson
Guinn	Mack	Robideaux
Hodges	Miller	

Total - 11

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 645—

BY SENATORS THOMPSON, RISER AND WALSWORTH AND REPRESENTATIVES ANDERS, CHANEY, HOFFMANN, KATRINA JACKSON, JEFFERSON, JAY MORRIS, PYLANT, GREENE AND SHADOIN

AN ACT

To enact R.S. 17:1994(C) and 3217.3, relative to community and technical colleges; to provide for the merger of the certain Louisiana Technical College campuses with Louisiana Delta 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 Louisiana Delta Community College; to provide relative to performance agreements with the Board of Regents; to provide for effectiveness; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hoffmann to Engrossed Senate Bill No. 645 by Senator Thompson

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Education and adopted by the House of Representatives on May 17, 2001, on page 1, line 5, after "Supervisors of" and before "Community" delete "the"

On motion of Rep. Hoffmann, the amendments were adopted.

Rep. Hoffmann moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Abramson	Gisclair	Moreno
Adams	Greene	Morris, Jay
Anders	Guillory	Norton
Armes	Harris	Ortego
Arnold	Harrison	Pearson
Badon	Havard	Pierre
Barras	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richard
Burford	Hunter	Ritchie
Burns, H.	Huval	Schexnayder
Burns, T.	Jackson, G.	Schroder
Burrell	Jackson, K.	Seabaugh
Carmody	James	Shadoin
Carter	Jefferson	Simon
Champagne	Johnson	Smith
Chaney	Jones	St. Germain
Cox	Landry, N.	Talbot
Cromer	Landry, T.	Thibaut
Danahay	LeBas	Thierry

Dixon	Leger	Thompson
Dove	Leopold	Whitney
Edwards	Ligi	Williams, A.
Foil	Lorusso	Williams, P.
Gaines	Miller	Willmott
Total - 90		

NAYS

Fannin
Total - 1

ABSENT

Barrow	Guinn	Mack
Bishop, W.	Hill	Morris, Jim
Connick	Hodges	Richardson
Franklin	Lambert	Robideaux
Geymann	Lopinto	
Total - 14		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 686—
BY SENATORS ADLEY AND THOMPSON
AN ACT

To amend and reenact R.S. 14:106(A)(7)(a) and to enact R.S. 14:106(A)(8), relative to the crime of obscenity; to add the intentional transmission of sexually explicit text messages to the definition of the crime of obscenity; to provide for additional definitions; to provide for penalties; and to provide for related matters.

Read by title.

Rep. Henry Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Moreno
Adams	Gisclair	Morris, Jay
Anders	Greene	Morris, Jim
Armes	Guillory	Norton
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hill	Pugh
Broadwater	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Jackson, G.	Seabaugh
Carter	Jackson, K.	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson

Dove	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Ligi	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	
Total - 95		

NAYS

Total - 0

ABSENT

Bishop, W.	Hodges	Richardson
Brossett	Lambert	Robideaux
Geymann	Mack	
Guinn	Montoucet	
Total - 10		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 729—
BY SENATOR CLAITOR
AN ACT

To amend and reenact R.S. 42:1113(D)(2)(b), relative to the Code of Governmental Ethics; to provide for an exception to the prohibition of contractual arrangements for any contract with any plan providing medicaid services to medicaid recipients; and to provide for related matters.

Read by title.

Rep. Tim Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Miller
Adams	Greene	Montoucet
Anders	Guillory	Moreno
Armes	Guinn	Morris, Jay
Arnold	Harris	Norton
Badon	Harrison	Ortego
Barrow	Havard	Pearson
Berthelot	Hazel	Pierre
Billiot	Henry	Ponti
Bishop, S.	Hensgens	Pope
Brossett	Hill	Price
Brown	Hodges	Pugh
Burford	Hoffmann	Pylant
Burns, H.	Hollis	Reynolds
Burns, T.	Honore	Richard
Burrell	Howard	Ritchie
Carmody	Hunter	Schexnayder
Carter	Huval	Schroder
Champagne	Jackson, G.	Seabaugh
Chaney	Jackson, K.	Shadoin
Connick	James	Simon
Cox	Jefferson	Smith
Cromer	Johnson	St. Germain
Danahay	Jones	Talbot
Dixon	Landry, N.	Thibaut
Dove	Landry, T.	Thierry
Edwards	Leger	Thompson
Fannin	Leopold	Whitney
Foil	Ligi	Williams, A.
Franklin	Lopinto	Williams, P.

Gaines Lorusso Willmott
Garofalo Mack
Total - 95

NAYS

Abramson
Total - 1

ABSENT

Barras Geymann Morris, Jim
Bishop, W. Lambert Richardson
Broadwater LeBas Robideaux
Total - 9

The Chair declared the above bill was finally passed.

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

Explanation of Vote

Rep. Broadwater disclosed a possible conflict of interest and recused himself from casting his vote on the final passage of the above bill.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jefferson gave notice of his intention to call Senate Bill No. 564 from the calendar on Wednesday, May 30, 2012.

SENATE BILL NO. 735—
BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 36:696(A), and (C), relative to the deputy commissioner of consumer advocacy; to provide relative to the commissioner's appointment; to provide for the commissioner's salary; to provide for staff; to provide for the offices; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jones to Reengrossed Senate Bill No. 735 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 2, after reenact insert "R.S. 22:2303(C) and"

AMENDMENT NO. 2

On page 1, line 5, at the beginning of the line insert "to provide relative to premium increases by Louisiana Citizens Property Insurance Corporation"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 22:2303(C) is hereby amended and reenacted to read as follows:

§2303. Rates, rating plans, and rate rules applicable

* * *

C. The corporation shall make a rate filing at least once a year for the plans, with the rates to be effective within twelve months of the previous rate filing's effective date. Nothing in this Section shall require or permit the corporation to adopt a rate that is inadequate or unfairly discriminatory under R.S. 22:1451 et seq. Rate filings that will result in an increase in premium for any parish that is substantially higher than the preceding year's premium for that parish shall be phased in over such period of years that will reduce the increase to an amount which is not higher than ten percent per year. For the purposes of this Subsection, a rate increase shall be deemed to be "substantially higher" if it equals more than five percent of the premium charged in the preceding year. Subject to the provisions of Subsections A and B of this Section, the rates shall be approved by the commissioner of insurance.

* * *

AMENDMENT NO. 4

On page 1, line 7, after "Section" delete "1" and insert "2"

Point of Order

Rep. Cromer asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Jones, the amendments were withdrawn.

Rep. Brossett moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Edwards	Johnson
Adams	Franklin	Landry, T.
Armes	Gaines	Moreno
Arnold	Guillory	Norton
Badon	Hoffmann	Pierre
Barrow	Honore	Price
Bishop, W.	Hunter	Ritchie
Brossett	Jackson, G.	Smith
Champagne	Jackson, K.	St. Germain
Dixon	James	Thierry
Total - 30		

NAYS

Anders	Gisclair	Montoucet
Barras	Greene	Morris, Jay
Berthelot	Guinn	Morris, Jim
Billiot	Harris	Ortego
Bishop, S.	Havard	Pearson
Broadwater	Hazel	Ponti
Brown	Henry	Pope
Burford	Hensgens	Pugh
Burns, H.	Hill	Pylant
Burns, T.	Hodges	Reynolds
Burrell	Hollis	Richard
Carmody	Howard	Schexnayder
Carter	Huval	Schroder
Chaney	Jefferson	Seabaugh
Connick	Jones	Shadoin
Cox	Landry, N.	Simon

Cromer	LeBas	Talbot
Danahay	Leopold	Thibaut
Dove	Ligi	Thompson
Fannin	Lopinto	Whitney
Foil	Lorusso	Williams, P.
Garofalo	Mack	Willmott
Geymann	Miller	
Total - 68		

ABSENT

Mr. Speaker	Leger	Williams, A.
Harrison	Richardson	
Lambert	Robideaux	
Total - 7		

The Chair declared the above bill failed to pass.

Rep. Jones moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Consent to Correct a Vote Record

Rep. Hoffmann requested the House consent to correct his vote on final passage of Senate Bill No. 735 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Willmott requested the House consent to correct his vote on final passage of Senate Bill No. 735 from yea to nay, which consent was unanimously granted.

SENATE BILL NO. 747 (Substitute of Senate Bill No. 108 by Senator Morrell)—
BY SENATOR MORRELL

AN ACT

To enact R.S. 27:19(D), relative to video poker; to prohibit persons and entities advising the state from representing any business or legal entity seeking to be engaged in or who is engaged in any activity regulated by the Video Draw Poker Devices Control Law; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Lopinto, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Lopinto gave notice of his intention to call Senate Bill No. 747 from the calendar on Thursday, May 31, 2012.

SENATE BILL NO. 750 (Substitute of Senate Bill No. 328 by Senator Broome)—
BY SENATOR BROOME

AN ACT

To enact R.S. 49:953(A)(1)(a)(ix) and 973, relative to administrative procedure; to provide that prior to the adoption, amendment, or repeal of any rule by any state agency that a poverty impact statement be issued; to provide for contents of the poverty impact statement; and to provide for related matters.

Read by title.

Rep. Gaines moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Lopinto
Adams	Gaines	Lorusso
Anders	Garofalo	Mack
Arnes	Gisclair	Miller
Arnold	Greene	Montoucet
Badon	Guillory	Moreno
Barras	Guinn	Morris, Jim
Barrow	Harris	Norton
Berthelot	Harrison	Ortego
Billiot	Havard	Pearson
Bishop, S.	Hazel	Pierre
Bishop, W.	Henry	Ponti
Broadwater	Hensgens	Price
Brossett	Hill	Reynolds
Brown	Hodges	Richard
Burns, H.	Hoffmann	Ritchie
Burns, T.	Hollis	Robideaux
Burrell	Honore	Schexnaydet
Carmody	Howard	Schroder
Carter	Hunter	Seabaugh
Champagne	Huval	Shadoin
Chaney	Jackson, G.	Smith
Connick	Jackson, K.	St. Germain
Cox	Jefferson	Talbot
Cromer	Johnson	Thibaut
Danahay	Jones	Thierry
Dixon	Landry, N.	Thompson
Dove	Landry, T.	Whitney
Edwards	LeBas	Williams, P.
Fannin	Leopold	Willmott
Foil	Ligi	
Total - 92		

NAYS

Burford	Pope	Pylant
Morris, Jay	Pugh	Simon
Total - 6		

ABSENT

Mr. Speaker	Lambert	Williams, A.
Geymann	Leger	
James	Richardson	
Total - 7		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 754 (Substitute of Senate Bill No. 81 by Senator Mills)—
BY SENATOR MILLS

AN ACT

To enact R.S. 42:1123(42), relative to the Code of Governmental Ethics; to provide for an exception to the provisions of law relative to ethical standards for public servants; to provide relative to a public servant doing business with a person who has a business relationship with the agency of the public servant under certain circumstances; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adams	Franklin	Mack
Anders	Gaines	Miller
Armes	Garofalo	Montoucet
Arnold	Gisclair	Moreno
Badon	Greene	Ortego
Barras	Guillory	Pearson
Barrow	Guinn	Pierre
Berthelot	Harris	Ponti
Billiot	Harrison	Pope
Bishop, S.	Havard	Price
Bishop, W.	Hazel	Pugh
Broadwater	Henry	Pylant
Brossett	Hensgens	Reynolds
Brown	Hill	Ritchie
Burford	Hodges	Robideaux
Burns, H.	Hoffmann	Schexnayder
Burns, T.	Hollis	Schroder
Burrell	Honore	Seabaugh
Carmody	Hunter	Shadoin
Carter	Huval	St. Germain
Champagne	Jackson, G.	Talbot
Chaney	Jefferson	Thibaut
Connick	Johnson	Thierry
Cromer	Jones	Thompson
Danahay	Landry, T.	Whitney
Dixon	LeBas	Williams, A.
Dove	Leopold	Williams, P.
Edwards	Ligi	Willmott
Fannin	Lopinto	
Foil	Lorusso	

Total - 88

NAYS

Abramson Landry, N.
Total - 2

ABSENT

Mr. Speaker	James	Norton
Cox	Lambert	Richard
Geymann	Leger	Richardson
Howard	Morris, Jay	Simon
Jackson, K.	Morris, Jim	Smith

Total - 15

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 422—
BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 49:953(B)(1) and (4)(a), relative to the Administrative Procedure Act; to provide for legislative review of emergency rules or fees; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Foil to Engrossed Senate Bill No. 422 by Senator Claitor

AMENDMENT NO. 1

On page 2, at the end of line 11, insert "electronic transmission if such means are available. If electronic means are not available, the agency statement shall be submitted to the office of the speaker of the House of Representatives and the president of the Senate in the state capitol by certified mail with the return receipt requested or by messenger who shall provide a receipt for signature. The return receipt, the receipt for signature, or the electronic confirmation receipt shall be proof of receipt of the agency statement by the respective offices." and delete lines 12-14.

On motion of Rep. Foil, the amendments were adopted.

Rep. Foil moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Mack
Abramson	Franklin	Miller
Adams	Gaines	Montoucet
Anders	Garofalo	Moreno
Armes	Gisclair	Morris, Jay
Arnold	Guillory	Morris, Jim
Badon	Guinn	Norton
Barras	Harris	Ortego
Barrow	Harrison	Pearson
Berthelot	Havard	Pierre
Billiot	Hazel	Ponti
Bishop, S.	Henry	Pope
Bishop, W.	Hensgens	Price
Broadwater	Hill	Pugh
Brossett	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burford	Hollis	Ritchie
Burns, H.	Honore	Robideaux
Burns, T.	Howard	Schexnayder
Burrell	Hunter	Schroder
Carmody	Huval	Seabaugh
Carter	Jackson, G.	Shadoin
Champagne	Jackson, K.	Simon
Chaney	Jefferson	St. Germain
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Ligi	Williams, A.
Edwards	Lopinto	Williams, P.
Fannin	Lorusso	Willmott

Total - 96

NAYS

Total - 0

ABSENT

Geymann	Lambert	Richard
Greene	Leger	Richardson
James	Leopold	Smith

Total - 9

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 386—
BY SENATOR WARD

AN ACT

To amend and reenact R.S. 23:1201(E), relative to timely payment of medical bills; to provide for a shorter time frame for timely payment for providers who utilize the electronic billing rules and regulations; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broadwater to Reengrossed Senate Bill No. 386 by Senator Ward

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 23:1201(E)" and before the comma ", " insert "and to enact R.S. 23:1203.2(D)"

AMENDMENT NO. 2

On page 1, line 4, after "regulations;" and before "and" insert "to provide relative to the adoption of rules and regulations relative to medical billing and payment;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" delete the remainder of the line and insert "and R.S. 23:1203.2(D) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 2, after line 1, add the following:

"§1203.2. Electronic medical billing and payment

* * *

D. Nothing shall prohibit the director from promulgating and adopting rules and regulations, in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., regarding the development and implementation of a centralized data warehouse for the collection of medical billing and payment data."

On motion of Rep. Broadwater, the amendments were adopted.

Rep. Broadwater moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Franklin	Mack
Adams	Gaines	Miller
Anders	Garofalo	Montoucet
Armes	Geymann	Moreno
Arnold	Gisclair	Morris, Jay
Badon	Greene	Ortego
Barras	Guillory	Pearson
Barrow	Harris	Pierre
Berthelot	Harrison	Ponti
Billiot	Havard	Pope

Bishop, S.	Hazel	Price
Bishop, W.	Henry	Pugh
Broadwater	Hensgens	Pylant
Brossett	Hodges	Reynolds
Brown	Hoffmann	Ritchie
Burford	Hollis	Robideaux
Burns, H.	Honore	Schexnayder
Burns, T.	Howard	Schroder
Burrell	Hunter	Seabaugh
Carmody	Huval	Shadoin
Carter	Jackson, G.	Simon
Champagne	Jackson, K.	Smith
Chaney	Jefferson	St. Germain
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leopold	Williams, A.
Edwards	Ligi	Williams, P.
Fannin	Lopinto	Willmott
Foil	Lorusso	

Total - 95

NAYS

Total - 0

ABSENT

Mr. Speaker	Lambert	Richard
Guinn	Leger	Richardson
Hill	Morris, Jim	
James	Norton	

Total - 10

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 404—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 38:2211(A)(12), relative to public contracts; to provide relative to letting contracts for public works; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Edwards to Engrossed Senate Bill No. 404 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 3, after "works;" and before "and" insert "to provide for prospective application;"

AMENDMENT NO. 2

On page 1, after line 13, add the following:

"Section 2. The provisions of this Act shall have prospective application only."

Rep. Edwards moved the adoption of the amendments.

Rep. Ligi objected.

By a vote of 63 yeas and 31 nays, the amendments were adopted.

Rep. Ligi moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Moreno
Adams	Geymann	Morris, Jay
Arnold	Gisclair	Morris, Jim
Barras	Greene	Norton
Barrow	Guillory	Ortego
Berthelot	Guinn	Pearson
Billiot	Harris	Pierre
Bishop, S.	Harrison	Ponti
Bishop, W.	Hazel	Pope
Broadwater	Henry	Price
Brossett	Hensgens	Pugh
Brown	Hill	Pylant
Burford	Hoffmann	Reynolds
Burns, H.	Hollis	Ritchie
Burns, T.	Honore	Robideaux
Burrell	Howard	Schexnayder
Carmody	Hunter	Schroder
Carter	Huval	Seabaugh
Champagne	Jackson, G.	Shadoin
Chaney	Jefferson	Simon
Connick	Johnson	Smith
Cox	Jones	St. Germain
Cromer	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leopold	Whitney
Edwards	Ligi	Williams, A.
Fannin	Lopinto	Williams, P.
Foil	Lorusso	Willmott

Total - 90

NAYS

Total - 0

ABSENT

Anders	Hodges	Mack
Armes	Jackson, K.	Montoucet
Badon	James	Richard
Franklin	Lambert	Richardson
Havard	Leger	Talbot

Total - 15

The Chair declared the above bill was finally passed.

Rep. Ligi moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Leger, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 139—
BY REPRESENTATIVE KATRINA JACKSON
A RESOLUTION

To commend Lieutenant Colonel Garry Hines of Monroe upon his retirement from the United States Army Reserves.

Read by title.

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

HOUSE RESOLUTION NO. 140—
BY REPRESENTATIVE SIMON
A RESOLUTION

To extend the work of the Study Group on Chronic Care Management in the Community, herein referred to as the "study group", to study and make recommendations for improving the coordination of care and support services so that persons with chronic diseases can remain in their homes and communities as long as possible.

Read by title.

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

HOUSE RESOLUTION NO. 141—
BY REPRESENTATIVE SEABAUGH
A RESOLUTION

To commend Colonel William D. Andersen, United States Air Force, for his extraordinary service to his country.

Read by title.

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

HOUSE RESOLUTION NO. 142—
BY REPRESENTATIVE WESLEY BISHOP
A RESOLUTION

To commend the Make It Right Foundation and its founder, Brad Pitt, for their contributions to New Orleans' recovery following Hurricane Katrina.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 186—
BY REPRESENTATIVE BARROW
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to adopt rules and regulations to control fugitive emission impacts from rock, concrete, and asphalt crushing operations on human health and the environment.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 187—
BY REPRESENTATIVE SIMON AND SENATOR HEITMEIER
A CONCURRENT RESOLUTION

To commend Dr. Randall L. Lemoine for thirty-five years of dedicated service to the citizens of the state of Louisiana as an employee of the Louisiana Department of Health and Hospitals.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 188—
BY REPRESENTATIVES BURRELL, BURFORD, HENRY BURNS, CARMODY, COX, JEFFERSON, JIM MORRIS, NORTON, REYNOLDS, SEABAUGH, THOMPSON, AND PATRICK WILLIAMS
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to ensure that the Northwest Louisiana Council of Governments (NLCOG), the Coordinating and Development Corporation (CDC), the North Delta Regional Planning and Development District, Incorporated, Ouachita Council of Governments (OCOG), and the Louisiana Department of Economic Development are included in the ongoing Interstate 20 high speed rail corridor study by the East Texas Corridor Council (ETCC).

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 29, 2012

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 247, by Long
Reported favorably. (13-0) (Regular)

Senate Bill No. 284, by Cortez
Reported favorably. (13-0) (Regular)

Senate Bill No. 590, by Alario
Reported with amendments. (13-0) (Regular)

Senate Bill No. 765, by Morrish
Reported favorably. (17-0) (Regular)

JAMES R. "JIM" FANNIN
Chairman

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

Report of the Committee on Civil Law and Procedure

May 29, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

Senate Bill No. 337, by Amedee (Joint Resolution)
Reported without amendments. (10-0) (Regular)

JEFFERY "JEFF" C. ARNOLD
Acting Chairman

The above Senate Bill reported without amendments was referred to the Legislative Bureau.

**RULE 6.8(A) REPORT
OF THE HOUSE COMMITTEE ON CIVIL LAW AND
PROCEDURE
ON SENATE BILL NO. 337**

May 29, 2012

I. SUMMARY OF JOINT RESOLUTION

This report is for Senate Bill No. 337 of the 2012 Regular Session by Senator Amedee, proposing to amend Const. Art. VII, Section 21(K)(1) of the Constitution.

Provides for the property tax exemption for certain disabled veterans to apply to the spouses of such veterans if the veterans passed away prior to the enactment of the exemption.

II. CONCLUSION

The proposed measure cannot be accomplished statutorily.

Since the existing exemption from ad valorem taxes relative to property owned and occupied by veterans is provided by the constitution, changes to that exemption would also require a constitutional amendment.

III. OTHER PENDING MEASURES

Total joint resolutions introduced: 49

Total joint resolutions reported
by other standing committees: 24

There are no other instruments amending Art. VII, Section 21(K)(1) of the Constitution and no apparent conflicts.

IV. RECOMMENDATION

With Amendments _____

Without Amendments X

Report of the Committee on Commerce

May 29, 2012

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 273, by Peacock
Reported favorably. (13-0) (Regular)

Senate Bill No. 423, by Claitor
Reported favorably. (12-0) (Regular)

ERICH E. PONTI
Chairman

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

**Report of the Committee on
Ways and Means**

Tuesday, May 29, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

Senate Bill No. 351, by Murray
Reported with amendments. (16-0) (Regular)

Senate Bill No. 361, by Morrell
Reported with amendments. (15-2) (Regular)

Senate Bill No. 605, by Gallot
Reported with amendments. (17-0) (Regular)

JOEL C. ROBIDEAUX
Chairman

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

Suspension of the Rules

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

**Petitions, Memorials, and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 29, 2012

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 126 and 127

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 29, 2012

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 68, 75, 82, 96, 107, 111, 121, 122, 176, 199, 202, 213, 219, 224, 263, 264, 285, 304, 306, 345, 354, 370, 376, 378, 421, 427, 429, 489, 531, 538, 549, 596, 634, 652, and 661

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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

Privileged Report of the Legislative Bureau

May 29, 2012

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 577
Reported without amendments.

Respectfully submitted,

REGINA BARROW
Chairman

Privileged Report of the Committee on Enrollment

May 29, 2012

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 133—
BY REPRESENTATIVE BROADWATER
A RESOLUTION

To urge and request the Workers' Compensation Advisory Council to study reemployment and retraining programs for injured workers, to project the amount of funding that is needed, to look for sources of funding, and to report its findings to the House Committee on Labor and Industrial Relations no later than December 31, 2012.

HOUSE RESOLUTION NO. 134—
BY REPRESENTATIVE BARROW
A RESOLUTION

To urge and request the Louisiana Student Financial Assistance Commission, in consultation with the Board of Regents, to study the feasibility of requiring drug testing for students to qualify for a Taylor Opportunity Program for Students (TOPS) award and to report its findings and recommendations to the House Committee on Education prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

Respectfully submitted,

HAROLD RITCHIE
Chairman

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

Privileged Report of the Committee on Enrollment

May 29, 2012

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVE GAINES

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the possible installation of crosswalks controlled by "walk" and "do not walk" indicators at two intersections in LaPlace, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 124—

BY REPRESENTATIVE DIXON

A CONCURRENT RESOLUTION

To urge and request that Innocence Project New Orleans submit an application to the Judicial Council of the Supreme Court of Louisiana for review of a new court cost to fund the Innocence Compensation Fund.

HOUSE CONCURRENT RESOLUTION NO. 146—

BY REPRESENTATIVE CONNICK

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Transportation and Development to study the need for the creation of local transportation districts by parishes and municipalities in order to assist the department in addressing transportation needs in Louisiana and to report its findings to the House Committee on Transportation, Highways and Public Works, the Senate Committee on Transportation, Highways and Public Works, the House Committee on Municipal, Parochial and Cultural Affairs, and the Senate Committee on Local and Municipal Affairs prior to the convening of the 2013 Regular Session of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 176—

BY REPRESENTATIVE CARTER

A CONCURRENT RESOLUTION

To commend the Council for A Better Louisiana upon the celebration of its fiftieth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 177—

BY REPRESENTATIVES LAMBERT, BERTHELOT, PRICE, SCHEXNAYDER, AND ST. GERMAIN AND SENATORS AMEDEE AND BROWN

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the feasibility and costs of the four lane widening of LA 30 from its intersection with LA 42 in East Baton Rouge Parish to its intersection with US Highway 61 in Ascension Parish.

Respectfully submitted,

HAROLD RITCHIE
Chairman

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

Privileged Report of the Committee on Enrollment

May 29, 2012

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

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

The following House Bills have been properly enrolled:

HOUSE BILL NO. 39—

BY REPRESENTATIVE MONTOUCEZ

AN ACT

To enact R.S. 11:2254(E), 2256(B)(5), and 2271(7), relative to the Firefighters' Retirement System; to provide for compliance with federal tax qualification requirements; to provide relative to benefits accrued during military service; and to provide for related matters.

HOUSE BILL NO. 41—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:1532 and to enact R.S. 11:1518, 1521.2, 1524(C), and 1533(F), relative to the Clerks' of Court Retirement and Relief Fund; to provide relative to federal tax qualification status; to authorize changes to be made using the Administrative Procedure Act; and to provide for related matters.

HOUSE BILL NO. 50—

BY REPRESENTATIVE PEARSON

AN ACT

To enact R.S. 11:1404(F), 1411(E), and 1446, relative to the Assessors' Retirement Fund; to provide for compliance with federal tax qualification requirements; to provide relative to benefits accrued during military service; and to provide for related matters.

HOUSE BILL NO. 106—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 33:2481.3(C), relative to the city of Houma; to provide relative to the position of police chief in the city; to provide relative to provisions that place the position in the unclassified service; to provide relative to the date on which such provisions shall terminate; and to provide for related matters.

HOUSE BILL NO. 124—

BY REPRESENTATIVES EDWARDS, CHAMPAGNE, GISCLAIR, HILL, HODGES, HONORE, HOWARD, LEOPOLD, MACK, RICHARDSON, AND ST. GERMAIN

AN ACT

To enact R.S. 47:490.25, relative to military honor license plates; to provide for the Korean Defense Service license plate; to provide for qualified applicants; to provide for rules and regulations; and to provide for related matters.

HOUSE BILL NO. 295—

BY REPRESENTATIVES WESLEY BISHOP AND SMITH

AN ACT

To amend and reenact R.S. 37:2950(A) and to enact R.S. 37:2950(D)(1)(a)(xv), (xvi), and (xvii), relative to employment restrictions; to provide relative to criminal record; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 317—BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 48:264.1, relative to salvaged material; to authorize the use of salvage material in coastal protection and restoration projects; to provide for the powers and duties of the secretary of the Department of Transportation and Development and the Office of Coastal Protection and Restoration; and to provide for related matters.

HOUSE BILL NO. 321—BY REPRESENTATIVE FANNIN AND SENATOR WALSWORTH
AN ACT

To amend and reenact R.S. 42:1170(A)(3), relative to mandatory ethics education and training; to exempt uncompensated volunteer firemen and uncompensated auxiliary or reserve law enforcement officers from such education and training; and to provide for related matters.

HOUSE BILL NO. 361—BY REPRESENTATIVE PONTI AND SENATOR WALSWORTH
AN ACT

To amend and reenact R.S. 35:191(A)(2), relative to notaries; to provide for parish commissioned notary jurisdiction; and to provide for related matters.

HOUSE BILL NO. 367—BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 38:2212(A)(3)(g), relative to construction managers; to remove certain restrictions on the use of construction managers or third-party consultants in Orleans Parish; and to provide for related matters.

HOUSE BILL NO. 373—BY REPRESENTATIVE TIM BURNS
AN ACT

To enact R.S. 49:191(5)(n) and to repeal R.S. 49:191(4)(g), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

HOUSE BILL NO. 413—BY REPRESENTATIVE HARRISON
AN ACT

To amend and reenact R.S. 38:3086.24(H)(1) and 3086.26 and to enact R.S. 38:3086.24(L), relative to the Bayou Lafourche Fresh Water District; to authorize the board of such district to control and regulate the activities on the banks of Bayou Lafourche; to authorize the Coastal Protection and Restoration Authority to assist the district; to authorize the board to contract for services related to integrated coastal protection; and to provide for related matters.

HOUSE BILL NO. 435—

BY REPRESENTATIVES LORUSSO, ABRAMSON, ADAMS, ANDERS, ARMES, ARNOLD, BADON, BARRAS, BARROW, BERTHELOT, BILLIOT, STUART BISHOP, WESLEY BISHOP, BROADWATER, BROSSETT, BROWN, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, DANAHAY, DIXON, DOVE, EDWARDS, FANNIN, FOIL, FRANKLIN, GAINES, GAROFALO, GEYMAN, GISCLAIR, GREENE, GULLORY, GUINN, HARRIS, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOLLIS, HONORE, HOWARD, HUNTER, HUVAL, GIROD JACKSON, KATRINA JACKSON, JAMES, JEFFERSON, JOHNSON, JONES, KLECKLEY, LAMBERT, LANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LIGI, LOPINTO, MACK, MILLER, MONTUCET, MORENO, JAY MORRIS, JIM MORRIS, NORTON, ORTEGO, PEARSON, PIERRE, PONTI, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, RITCHIE, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, ST. GERMAIN, TALBOT, THIBAUT, THIERRY, THOMPSON, WHITNEY, ALFRED WILLIAMS, PATRICK WILLIAMS, AND WILLMOTT AND SENATOR JOHN SMITH

AN ACT

To enact R.S. 17:2137(E), relative to resident classification for tuition purposes at public colleges and universities; to provide

that certain veterans shall be entitled to resident classification for such purposes without regard to length of time of residency in the state; to provide conditions and limitations; to provide relative to implementation; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 478—BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact Section 1(A) of Act No. 57 of the 2005 Regular Session of the Legislature, as amended by Act No. 79 of the 2007 Regular Session of the Legislature, relative to the Grand Isle Port Commission; to provide relative to the use of certain waters for seafood production research; to provide relative to the specification of the boundaries and size of the area in which the research will be done; and to provide for related matters.

HOUSE BILL NO. 480—BY REPRESENTATIVE BARROW
AN ACT

To enact R.S. 33:9097.13, relative to East Baton Rouge Parish; to create the Glen Oaks Crime Prevention and Improvement District within the parish; to provide relative to the purpose, boundaries, 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.

HOUSE BILL NO. 504—BY REPRESENTATIVE DOVE
AN ACT

To amend and reenact R.S. 30:5.1 and 10(A)(introductory paragraph), (1), and (2), relative to pooling of oil and gas wells; to provide for authority of the commissioner of conservation to create such pools; to provide for applications, allocation of costs, and rules and regulations; to provide for the agreements for drilling units; to provide for pooling interests; to provide for the election not to participate in a unit well; to provide for payment to certain royalty owners; to provide terms and conditions; and to provide for related matters.

HOUSE BILL NO. 509—BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 18:1461.5(A)(4), relative to elections; to prohibit certain conduct relative to the withdrawal from an election of a candidate for public office; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 511—BY REPRESENTATIVE LEGER
AN ACT

To enact R.S. 44:4.1(B)(37), relative to public records; to provide for the application of the Public Records Law to certain information regarding archaeological sites; and to provide for related matters.

HOUSE BILL NO. 657—BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 41:1603(B), relative to the Department of Culture, Recreation, and Tourism; provides relative to the division of archaeology; provides relative to the minimum qualifications of the state archaeologist; and to provide for related matters.

HOUSE BILL NO. 698—BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 42:441(2) and (3), 442, 443(A), (C), (D), and (F), 445(A), and 447, relative to the state employee leave transfer program; to allow for the donation, receipt, and use of compensatory leave; and to provide for related matters.

HOUSE BILL NO. 784—

BY REPRESENTATIVE RICHARD
AN ACT

To enact R.S. 44:4(45), relative to records exempt from the public records law; to provide for an exemption for information contained on certain electronic devices used by court reporters; to provide for an exemption for certain physical medium used in or as an electronic storage device by a court reporter; to provide an exemption for certain paper documents created by court reporters; to provide for definitions; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 861—

BY REPRESENTATIVES SIMON AND LEGER AND SENATOR JOHNS
AN ACT

To amend and reenact R.S. 46:1421 and to enact R.S. 46:1430, relative to child care facilities and child-placing agencies; to provide relative to the penalty for operating without or in violation of license; to authorize the Department of Children and Family Services to issue a written warning which includes a corrective action plan, in lieu of revocation, for certain violations; to provide for the issuance of sanctions for failure to comply with a corrective action plan; to require the department to adopt rules and regulations providing for notice and appeal procedures; to authorize the department to institute civil court actions to collect fines; to create the Child Care Licensing Trust Fund; to provide for the use and administration of the fund; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 865—

BY REPRESENTATIVE BARROW AND SENATOR DORSEY-COLOMB
AN ACT

To amend and reenact R.S. 48:1456(A), (C), and (E) and 1460(3) and (9), relative to the Capital Area Transit System; to provide relative to membership of the board of commissioners, including qualifications and procedures for appointment; to provide for appointment of new members; to provide for powers and duties of the board; to remove a requirement for approval of certain board actions by the appropriate parish governing authority; to provide relative to fare increases by the board; and to provide for related matters.

HOUSE BILL NO. 907—

BY REPRESENTATIVES KATRINA JACKSON AND HENRY BURNS
AND SENATORS ALLAIN, LONG, AND THOMPSON
AN ACT

To amend and reenact R.S. 3:2(D), 4274.1, 4276, 4279(A), 4292, 4325, and 4326 and to repeal R.S. 3:4271(B), 4274(6), 4274.2, 4279(B) and (C), 4280, 4284 through 4289, 4290, 4291, 4293 through 4295, and 4302, relative to forests and forestry; to provide for cooperative endeavors; to provide for the powers and duties of the state forester; to provide for the duties of forestry officers; to provide for the clearing of combustible material; to provide for the instruction of forestry on certain days; to provide for a parish board of forestry; to provide for a forestry program; to repeal certain provisions for the protection and reforestation of lands; to repeal certain provisions relative to forest tree seedling nurseries; to repeal the provisions of acreage tax on certain forest lands; and to provide for related matters.

HOUSE BILL NO. 937—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, BURFORD, GUILLORY, HAZEL, HOFFMANN, LORUSSO, AND THIBAUT
AN ACT

To enact Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3111 through 3115, relative to the creation of a Corporate Headquarters Relocation Program; to authorize contracts with businesses that relocate or expand a headquarters in the state; to provide for the content and approval of contracts; to provide for the authority of the Department of Economic Development; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 948—

BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 13:3733(D)(introductory paragraph) and 3733.1(C) and (G)(1)(a) and Code of Civil Procedure Article 2636(5)(b), relative to the admissibility of certain business records and security agreements; to provide for admissibility; and to provide for related matters.

HOUSE BILL NO. 954—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 3:2004, 4222(C), and 4674(F), R.S. 12:1084, 1164, and 1413, R.S. 13:32, R.S. 14:403.6(A), R.S. 17:1808(G), 2048.31(B), 2048.32(C), 3139.5(3)(a), 3201(A) and (B)(1), 3202(1), 3351.11(D)(3), 3973(introductory paragraph), (1)(e), and (2)(b)(i) and (ii), 3991(F), 3995(B), and 4001(A) and (C)(1), (2), and (4), R.S. 23:43, 1203.1(F)(introductory paragraph), and 1294(A)(1), R.S. 24:36(C)(3), 513(A)(4) and (5)(a)(ii) and (F), R.S. 28:821(C) and 824(A) and (C), R.S. 32:123(B) and (D), 143(A)(5) and (6), 175(A), 213, 215, and 234(A)(1), R.S. 33:4169.1(G), R.S. 36:3(4), 4(B)(1)(aa) and (ee), (6)(a), and (18), (F), (L), (N), (U), and (X), 4.1(D)(9) and (15), 53(A), 109(N), 201(C)(1), 209(B)(1)(a), (C)(1), (F), (H)(1), (4), (5), (6), (10), and (11), (J), (K), (L), (M), (N), (O), (Q), (S), (T), (U), (W)(2), and (X), 239(B)(1), (4), and (6) and (E), 259(E), (F)(9), (10), (16), (18), and (21), (G), (I)(5), (J)(1), and (L)(1), (M), (Q), (T), (U), (W), (X), (BB)(1), (CC), and (GG), 309(B), (C)(1), and (D), 359(D), (J), (K), and (L), 409(B), (C)(1), (2), (4), (5), and (8), (D), (E), (F), (G), (H), (J), (L), and (O), 459(B), (C), and (H), 474(B)(1)(a)(introductory paragraph) and (i), 475(A), 478(F), (H)(3) and (4), 509(C), (F)(2), (3), and (8), (H), (K), (L), (M), (O), (Q), (R), (S), and (T), 610(B)(1), (10), and (11), (E), (F), (H), (I), (K), (L), and (N), 629(C)(5), (6), and (8), (D), (E), (F), (G), (H), (J), (K), (L), and (N), 643(A) and (C), 651(B), (C), (D), (E), (H), (L), (M), (P), (U), (X), (Y), (Z), and (BB), 686(A)(2), (3), and (5), (B), and (F), 706(B) and (C), 725(A), 744(E), (H), (I), (J), (Q), (T), and (U), 769(C), (D)(1), (2), (4), and (6), (F), (H), (I), and (L), 802(introductory paragraph), 802.6, 802.9, 803(A)(1), 851(A), 901(A), 918, and 921(A), R.S. 37:3103(A)(3.1) and 3134, R.S. 39:1593.1(B), R.S. 40:2009.1(C)(2)(d), R.S. 42:17(A)(9), 66(C), 1119(C)(3), and 1123(12) and (14), and R.S. 56:1699(C)(introductory paragraph), to enact R.S. 36:4(B)(14) and (H), 4.1(D)(16), 239(C), 259(D), 309(F) and (G), 409(I), (P), and (Q), 459(D), 478(M), 629(R), 651(S), and 686(G), and to repeal R.S. 17:3138, Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 576, R.S. 25:802(3), (4), (10), and (11), R.S. 35:396, R.S. 36:4.1(D)(18), 53(E), 109(A), 209(A), (H)(9) and (14), and (AA), 239(A) and (B)(3) and (5), 259(A), (C)(24), (E)(22), (F)(8), (15), and (19), and (I)(4), 309(A) and (C)(3), 359(A), 408(B)(3), 409(A) and (J)(2), 459(A), 478(A), (B), and (H)(8), (9), (10), and (11), 509(A), (E), (F)(1), and (G), 610(A), 629(A) and (C)(4), 650(B), 651(A), (K), (N), and (V), 744(A), 769(A), (D)(3) and (5), (E), and (K), 802.4, and 802.8, R.S. 37:3601, Chapter 30 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2801 through 2803, and Act No. 16 of the 1960 Regular Session of the Legislature, relative to the various provisions of the Louisiana Revised Statutes of 1950; to provide for various technical corrections in provisions of the statutes, including corrections in legal citations, corrections in names of agencies, officers, and other entities, removal of references to agencies and other entities that have otherwise been repealed or no longer exist, and conforming changes to clarify potentially conflicting language; and to provide for related matters.

HOUSE BILL NO. 958—

BY REPRESENTATIVES ROBIDEAUX, ADAMS, BARRAS, WESLEY BISHOP, BROADWATER, GUILLORY, HAZEL, HOFFMANN, JOHNSON, LORUSSO, AND THIBAUT

AN ACT

To enact Chapter 54 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3111, relative to the creation of the Competitive Projects Payroll Incentive Program; to provide for contract for the payment of rebates to certain qualified businesses; to provide for procedures and requirements for the execution of such contracts and the payment or repayment of such rebates; to prohibit the approval of certain contracts after a certain date; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1083—

BY REPRESENTATIVE PYLANT

AN ACT

To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide for the forfeiture of certain benefits while incarcerated; to provide with respect to work release; to provide with respect to a transitional work program; to provide with respect to medical benefits; and to provide for related matters.

HOUSE BILL NO. 1086—

BY REPRESENTATIVES SEABAUGH, ADAMS, ANDERS, ARNOLD, BADON, BARROW, BERTHELOT, BROADWATER, BROWN, BURFORD, HENRY BURNS, TIM BURNS, CHAMPAGNE, CHANEY, CONNICK, COX, EDWARDS, FRANKLIN, HARRIS, HARRISON, HAVARD, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HOWARD, KATRINA JACKSON, LEBAS, LIGI, LOPINTO, LORUSSO, MILLER, JAY MORRIS, ORTEGO, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, RICHARDSON, SCHEXNAYDER, SIMON, TALBOT, THOMPSON, WHITNEY, PATRICK WILLIAMS, AND WILLMOTT AND SENATOR NEVERS

AN ACT

To amend and reenact R.S. 40:1299.55 and 1299.58.10(A), relative to consent to medical treatment and procedures; to provide for general application of laws providing for medical consent and declarations concerning life-sustaining procedures; and to provide for related matters.

HOUSE BILL NO. 1177—

BY REPRESENTATIVE HARRISON

AN ACT

To enact R.S. 22:1576, relative to insurance producers; to require certain training for insurance producers in order to sell annuity products; to provide for the registration of annuity training course providers as continuing education providers; to require insurers to verify that a producer who sells annuities has satisfied annuity training requirements; and to provide for related matters.

HOUSE BILL NO. 1196 (Substitute for House Bill No. 868 by Representative Pearson)—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 22:1046(B), (C), (F), and (G)(3) and (4) and to repeal R.S. 22:1046(E), relative to group health plans; to provide for continuation of group health plans; and to provide for related matters.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Simon, the rules were suspended to permit the Committee on Health and Welfare to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 766

Senate Concurrent Resolution No. 129

Suspension of the Rules

On motion of Rep. Tim Burns, the rules were suspended to permit the Committee on House and Governmental Affairs to meet at 11:00 A.M., and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 696

Senate Concurrent Resolution No. 89

Suspension of the Rules

On motion of Rep. Dove, the rules were suspended to permit the Committee on Natural Resources and Environment to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 670

Leave of Absence

Rep. Lambert - 1 day

Adjournment

On motion of Rep. Billiot, at 4:20 P.M., the House agreed to adjourn until Wednesday, May 30, 2012, at 1:00 P.M.

Acting Speaker Arnold declared the House adjourned until 1:00 P.M., Wednesday, May 30, 2012.

ALFRED W. SPEER
Clerk of the House

