

RULE 6.8(A) REPORT
OF THE HOUSE COMMITTEE ON CIVIL LAW AND PROCEDURE
ON SENATE BILL NO. 128

May 30, 2013

Date

I. SUMMARY OF JOINT RESOLUTION

This report is for Senate Bill No. 128 of the 2013 Regular Session by Senator Allain, proposing to enact Const. Art. VII, Section 10.11 of the Constitution.

Proposes to create the Artificial Reef Development Fund.

II. CONCLUSION

The proposed measure can be accomplished statutorily.

The Artificial Reef Development Fund currently exists in existing statutory law (R.S. 56:639.8).

III. OTHER PENDING MEASURES

Total joint resolutions introduced: 54

Total joint resolutions reported
by other standing committees: 26

No other joint resolution proposes to enact Const. Art. VII, Section 10.11 or enact the Artificial Reef Development Fund.

Should SB 128 be approved by the voters, inconsistencies will exist between the provisions of Const. Art. VII, Section 10.11 and R.S. 56:639.8. For example, the proposed constitutional provisions do not address the statutory authorities of the following:

- 1) The council to review and comment on proposed expenditures pursuant to R.S. 56:639.8(D).
- 2) The secretary to insure that the Reef Fund contains sufficient reserves to operate the program pursuant to R.S. 56:639.8(F).
- 3) The department to fund marine fisheries research and habitat enhancement projects if interest income exceeds operational costs for the artificial reef program pursuant to R.S. 56:639.8(G).

IV. RECOMMENDATION

With Amendments X

Without Amendments