

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

TWELFTH DAY'S PROCEEDINGS

**Forty-Seventh Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, October 19, 2020

The Senate was called to order at 3:20 o'clock P.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Harris	Mills, R.
Allain	Henry	Morris
Bernard	Hewitt	Pope
Bouie	Lambert	Price
Carter	Luneau	Reese
Connick	McMath	Talbot
Fesi	Milligan	Ward
Fields	Mills, F.	
Total - 23		

ABSENT

Abraham	Hensgens	Smith
Barrow	Jackson	Tarver
Boudreaux	Johns	White
Cathy	Mizell	Womack
Cloud	Peacock	
Foil	Peterson	
Total - 16		

The President of the Senate announced there were 23 Senators present and a quorum.

Prayer

The prayer was offered by Senator Jay Morris, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Tarver, the reading of the Journal was dispensed with and the Journal of October 15, 2020, was adopted.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

October 15, 2020

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 21—
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 42:345(B), 1261, 1263(A), 1265, 1267(A)(1), and 1383(A); and to repeal R.S. 36:53(G) and R.S. 42:1262, relative to the Department of State Civil Service; to provide relative to a fee schedule for in-service training and educational programs provided by the department; to abolish the Advisory Board on In-service Training and Education; to provide relative to oversight of the training programs; to provide relative to definition of services provided; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 23—
BY SENATOR MCMATH

AN ACT

To amend and reenact R.S. 17:500(B)(1), 1201(A)(2), and 1206(A)(1), relative to sick leave for school employees; to require a teacher, school bus operator, or other school employee to present a certificate from a physician, physician assistant, or nurse practitioner when using more than six days of sick leave for personal illness; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 39—
BY SENATOR HEWITT

AN ACT

To enact R.S. 42:17.2, relative to meetings of legislative houses and committees during a gubernatorially declared state of disaster or emergency; to provide for public input; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 31—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 17:3997(D)(2) and to enact R.S. 17:24.4(F)(1)(i) and 3902(E), relative to elementary and secondary education; to provide relative to the use of statewide student assessments for the 2020-2021 school year; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 56—
BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 22:242(7) and 243(F), relative to licensing requirements for health maintenance organizations; to provide for the organization of a health maintenance organization as either a business or nonprofit corporation; to provide with respect to nonprofit corporation law; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
MICHELLE D. FONTENOT
Clerk of the House of Representatives

**House Concurrent Resolutions on
Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 29—
BY REPRESENTATIVES BUTLER AND BAGLEY

A CONCURRENT RESOLUTION

To amend the Louisiana Department of Health rule, LAC 50:VII.33103(A)(2), which provides for leaves of absence for residents of intermediate care facilities for persons with intellectual and developmental disabilities, to provide for retroactive and prospective application of the amendments, and to direct the office of the state register to print the amendments in the Louisiana Administrative Code.

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

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

SENATE BILL NO. 22— BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 18:423(J), 1313.1(A), (B), (C)(1), (E), the introductory paragraph of (G), (G)(6) and (7), and 1315(B), relative to the preparation and verification process for the tabulation and counting of absentee by mail ballots in parishes with one thousand or more absentee by mail ballots; to provide for the process to begin four days prior to the date of the election; to provide for documentation; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 22 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:423(J)," delete the remainder of the line and delete lines 3 through 6 and insert "and 1315(B) and to enact R.S. 18:1313.2, relative to elections impaired as the result of a declared disaster or emergency; to provide for the powers, functions, duties, processes, and compensation of parish boards of election supervisors relative to the preparation, verification, tabulation, and counting of absentee by mail and early voting ballots for elections impaired as a result of a declared state of disaster or emergency; to provide relative to effectiveness and"

AMENDMENT NO. 2

On page 1, line 9, after "R.S. 18:423(J)," delete the remainder of the line and at the beginning of line 10, delete "of (G), (G)(6) and (7),"

AMENDMENT NO. 3

On page 1, line 10, after "reenacted" insert "and R.S. 18:1313.2 is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 13 through 17 and delete pages 2 and 3 and on page 4 delete lines 1 through 13 and insert the following:

"J.(1) Notwithstanding Subsection E of this Section, in a parish where the parish board of election supervisors tabulates and counts absentee by mail and early voting ballots in accordance with R.S. 18:1313.1, a member of the board may be compensated not more than eight days for a presidential or regularly scheduled congressional general election or seven days for any other primary or general election.

(2) Notwithstanding any provision of this Section to the contrary, in a parish where the parish board of election supervisors tabulates and counts absentee by mail and early voting ballots in accordance with R.S. 18:1313.2, a member of the board may be compensated not more than eleven days for a presidential or regularly scheduled congressional general election or ten days for any other primary or general election if any such election is impaired as the result of a declared emergency or disaster.

* * *

§1313.2. Preparation, verification, tabulation, and counting of absentee by mail and early voting ballots; parishes with one thousand or more absentee by mail ballots for elections impaired as the result of a declared disaster or emergency

A. Notwithstanding any contrary provision of this Code to the contrary, parishes with one thousand or more absentee by

mail ballots returned to the registrar of voters for a primary or general election impaired as a result of a declared disaster or emergency may conduct the preparation and verification process for the tabulation and counting of absentee by mail and early voting ballots beginning four days before the election and conduct the tabulation and counting of absentee by mail and early voting ballots on election day in the manner provided by this Section.

B. The parish board of election supervisors shall be responsible for the preparation, verification, counting, and tabulation of all absentee by mail and early voting ballots in the parish. The board may utilize parish board commissioners to count the absentee by mail and early voting ballots in the parish. If the board determines that parish board commissioners are necessary for the preparation and verification process to count and tabulate the absentee by mail and early voting ballots beginning four days before the election and to count and tabulate the absentee by mail and early voting ballots on election day, it shall select parish board commissioners in accordance with the provisions of R.S. 18:1314. If a majority of the members of the board are not present for the preparation and verification process to count the absentee by mail and early voting ballots or to count the absentee by mail and early voting ballots and no parish board commissioners were previously selected, the members present may select a sufficient number of parish board commissioners four days before the election or on election day, as applicable, to assist in the preparation and verification process for the tabulation and counting of absentee by mail and early voting ballots and the tabulation and counting of the ballots.

C.(1) The preparation and verification process for the counting of the absentee by mail and early voting ballots may begin four days before the election at a public facility within the parish designated by the registrar of voters at a time fixed by the parish board of election supervisors.

(2) Absentee by mail and early voting ballots shall be counted at a public facility within the parish designated by the registrar of voters at a time fixed by the parish board of election supervisors, which time shall be on election day no later than 8:00 p.m.

(3) Prior to the counting of absentee by mail and early voting ballots on election day, any person authorized by the secretary of state may assist the registrar of voters in the challenge removal process on the early voting machines, in the reading of the early voting machine results cartridges on the secretary of state's equipment, and in producing the early voting machine results report. All early voting machine results reports shall be placed in the special absentee by mail and early voting envelope or container.

D.(1) If the counting and tabulation of absentee by mail and early voting ballots begins on election day prior to the closing of the polls, such counting and tabulation shall be conducted in a location and manner to prevent disclosure of the results prior to the closing of the polls. Each person except a person providing security to the parish board of election supervisors; a representative of the attorney general, with written approval of the secretary of state; the clerk of court; the registrar of voters; or a person providing technical assistance pursuant to Paragraph (2) of this Subsection who enters the location in which the absentee by mail and early voting ballots are being counted and tabulated on election day shall remain in that location and shall not be allowed to leave except temporarily, and then only when accompanied by a law enforcement officer, and shall not communicate with any person outside until the polls are closed. The parish board of election supervisors may take any action necessary to ensure that no information with respect to the counting and tabulation of absentee by mail and early voting ballots is transmitted from the location where the absentee by mail and early voting ballots are being counted and tabulated on election day prior to the close of the polls on election day.

(2) Any person authorized by the secretary of state may provide security or technical assistance including advice, analysis, diagnosis, or repair for voting machines at the location where absentee by mail and early voting votes are being counted and tabulated. Such security or technical assistance shall be

provided only upon the request of the parish board of election supervisors or a team of parish board commissioners, and may be made in person at the location where absentee by mail and early voting votes are being counted and tabulated, or by telephone, or both. Any authorized person providing such security or technical assistance may enter and leave the location where absentee by mail and early voting votes are being counted and tabulated on election day before the closing of the polls and during the process of counting and tabulation. No such person shall disclose any information with respect to the counting and tabulation of absentee by mail and early voting ballots prior to the close of the polls on election day.

E. Candidates, their representatives, and qualified electors may be present during the preparation and verification process and for the counting and tabulation of absentee by mail and early voting ballots. The board shall give notice reasonably calculated to inform any person who wants to be present during the counting and tabulation of absentee by mail and early voting ballots that no person will be allowed to leave or to communicate with any other person outside, until such time as the polls are closed, nor shall any person who is present during the counting and tabulation of absentee by mail and early voting ballots on election day possess a cellular telephone or electronic communication device.

F. The board shall count the absentee by mail and early voting ballots and announce the results after the closing of the polls on election day as the total number of absentee by mail and early voting votes cast in the election for each candidate and the total number cast for and against each proposition.

G. The procedure for the preparation and verification process for the tabulation and counting of absentee by mail ballots and early voting paper ballots beginning four days before the election shall be as follows:

(1)(a) A member of the board shall remove the certificates, early voting verification forms, early voting machine public counter logs, early voting confirmation sheets, absentee by mail ballots, early voting paper ballots, and envelopes containing the absentee by mail ballots and early voting paper ballots from the special absentee by mail and early voting ballot envelope or container.

(b) The board shall review the early voting verification forms and early voting machine public counter logs and, if found to be acceptable to the board, sign each early voting verification form. If the board does not find an early voting verification form to be acceptable, it may review any early voting confirmation sheet and shall document its correction to the early voting verification form and then sign it.

(2) The board shall announce the name of each absentee by mail voter, each voter who voted a paper ballot during early voting and the ward and precinct where he is registered to vote, and shall compare the name on the certificate or on the flap of the envelope containing the absentee by mail ballot or early voting paper ballot with the names on the absentee by mail voter report or early voter report, as applicable.

(3) The board shall separate any ballots that are challenged in accordance with R.S. 18:1315(A) or (B) from the ballots that are not challenged.

(4)(a) If an absentee by mail ballot has not been challenged and is determined by the board to be valid, a member of the board shall make a check mark on the absentee by mail voter report beside the name of the voter as it appears on the report and write his initials on each page of the report. If applicable, a member of the board shall tear the flap from the envelope containing the absentee by mail ballot and leave the envelope sealed.

(b) If an early voting paper ballot has not been challenged and is determined by the board to be valid, a member of the board shall write the words "voted early" and his initials on the early voter report beside the name of the voter as it appears on the report. A member of the board shall tear the flap from the envelope containing the paper ballot voted during early voting and leave the envelope sealed.

(5) If an absentee by mail ballot or early voting paper ballot has been challenged, the members shall leave the flap on the

envelope, if applicable, containing the absentee by mail ballot or early voting paper ballot and leave the envelope sealed.

(6) A member of the board shall place the absentee by mail ballots and early voting paper ballots that have been challenged and the ballots that have not been challenged in the special absentee by mail envelope or container provided for that purpose and seal the envelope or container. Two members of the board shall execute the first certificate on the envelope or container and date the certificate with the date on which it was executed before the election.

(7) The members of the board shall place the certificates of the absentee by mail ballots and early voting paper ballots that have not been challenged and the flaps removed from those ballots in the envelope or container provided for that purpose and seal the envelope or container. Two of the members shall execute the first certificate on the envelope and date the certificate with the date on which it was executed before the election.

(8) Absentee by mail ballots that are received by the registrar of voters after the preparation and verification process is completed but before the deadline to return absentee by mail ballots shall be prepared, verified, counted, and tabulated on election day.

H. The procedure for counting absentee by mail ballots and early voting paper ballots on election day shall be as follows:

(1) A member of the board shall break the seal on the special absentee by mail and early voting ballot envelope or container, remove the certificates, absentee by mail ballots and early voting paper ballots that have been challenged, and the absentee by mail ballots and early voting paper ballots that have not been challenged from the envelope or container.

(2) The board shall determine the validity of challenges filed in accordance with R.S. 18:1315(A) and (B).

(3)(a) If the board determines that an absentee by mail ballot is valid, a member of the board shall make a check mark on the absentee by mail voter report beside the name of the voter as it appears on the report and write his initials on each page of the report. If applicable, a member of the board shall tear the flap from the envelope containing the absentee by mail ballot and leave the envelope sealed.

(b) If the board determines that a paper ballot voted during early voting is valid, a member of the board shall write the words "voted early" and his initials on the early voter report beside the name of the voter as it appears on the report. A member of the board shall tear the flap from the envelope containing the paper ballot voted during early voting and leave the envelope sealed.

(4) If a majority of the members of the board determine that an absentee by mail ballot or early voting paper ballot is invalid, the members shall leave the flap on the envelope containing the ballot, leave the envelope sealed, and a member of the board shall write the word "rejected", together with the reasons for rejecting the ballot, across the envelope containing the ballot or across the certificate attached to the special absentee by mail ballot or early voting paper ballot. He shall also write the word "rejected" and his initials on the absentee by mail voter report or early voter report, as applicable, beside the name of the voter as it appears in the report. The rejected absentee by mail ballots and early voting paper ballots and certificates shall be replaced in the special absentee by mail and early voting ballot envelope or container. No rejected absentee by mail ballot or early voting paper ballot shall be counted.

(5) After the validity of all absentee by mail ballots and early voting paper ballots have been determined, the members of the board shall break the seal on the envelope or container and place the valid certificates and the flaps removed from the valid absentee by mail ballots and early voting paper ballots in the envelope or container provided for that purpose and seal the envelope or container. Two of the members shall execute the second certificate on the envelope and date the certificate the day of the election.

(6) The members shall open the envelopes containing the valid absentee by mail ballots and early voting paper ballots and remove the ballots.

(7) The board shall, in accordance with the requirements of R.S. 18:1316, reject any ballot which contains a distinguishing mark or feature making the ballot susceptible of identification. However, a ballot shall not be rejected as containing a distinguishing mark if the ballot was transmitted electronically to a member of the United States Service, as defined in R.S. 18:1302, or a person residing outside the United States.

(8) If a ballot is physically damaged or cannot properly be counted by the counting equipment and the vote cast by the voter is clearly discernible from a physical inspection of the defective ballot, the ballot may be counted by hand or a true duplicate may be made of the defective ballot in the presence of witnesses and substituted for the ballot. Any duplicate ballot shall be clearly labeled "duplicate", bear a ballot number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in the special absentee by mail and early voting ballot envelope or container, and the duplicate ballot shall be counted with the other valid ballots.

(9) The special absentee ballots cast by members of the United States Service or persons who reside outside of the United States may be counted by hand or counted as a true duplicate.

I. The procedure for counting early voting machine ballots on election day shall be as follows:

(1) A member of the board shall remove the early voting machine results reports from the special absentee by mail and early voting ballot envelope or container.

(2) The board shall announce the results from each early voting machine results report for the early voting ballots.

(3) The board shall determine the validity of challenges made in accordance with R.S. 18:1315(A) and (B).

(4)(a) Prior to utilizing any absentee by mail and early voting counting equipment, the parish board of election supervisors shall generate a zero tally to ensure that the equipment's candidate and question counters are set at zero and that no votes have been cast for any candidate or for or against any proposition.

(b) The board shall sign and certify to the correctness of each zero proof sheet and place all zero proof sheets in the special absentee by mail and early voting envelope or container.

(5) The absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition shall be counted and the total number of absentee by mail and early voting votes cast for a candidate and those cast for and against a proposition shall be announced in the order the offices and candidates and propositions are listed on the ballot. The members of the board shall enter the total number of votes on the final absentee by mail and early voting vote report and shall certify the results.

J. The final absentee by mail and early voting vote report prepared by the parish board of election supervisors shall be transmitted to the clerk of court immediately upon completion of the tabulation of the absentee by mail and early voting ballots on election night. A copy of the record shall be transmitted immediately to the secretary of state, and a copy of the record shall be placed in the special absentee by mail and early voting envelope or container.

K. When the absentee by mail and early voter reports have been returned to the registrar of voters, the registrar, based on the information contained in the reports, shall confirm that the words "voted by mail" or "voted early" are written in the proper space on the precinct register for each voter who voted early or absentee by mail.

L.(1) Upon completion of the tabulation and counting of the absentee by mail and early voting ballots on election day, the parish board of election supervisors shall return the absentee by mail and early voting ballots and electronic results report to the special absentee by mail and early voting ballot envelope or container, shall seal the envelope or container, and shall deliver the envelope or container to the registrar of voters. The registrar shall preserve the envelope or container and its contents inviolate and, except upon order of a court of competent jurisdiction, shall not allow the absentee by mail and early voting documents to be inspected by anyone until the delay for filing an action contesting

the election has lapsed. If an action contesting the election is commenced timely, the registrar shall continue to preserve the envelope or container and its contents inviolate, subject to the orders of the court, until the final judgment in the action has become definitive.

(2)(a)(i) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for all candidates for an office could make a difference in the outcome of the election for such office, upon the written request of a candidate for such office, the board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such office.

(ii) Notwithstanding the provisions of Paragraph (1) of this Subsection, if the number of absentee by mail and early voting ballots cast for and against a proposition could make a difference in the outcome of the election, upon the written request of a person who voted in the proposition election, the board shall recount the absentee by mail ballots by hand or scanning equipment and early voting ballots electronically, unless paper ballots were used for early voting and in such case, the ballots shall be recounted by hand for such election.

(b) All recounts of absentee by mail and early voting ballots shall be held at 10:00 a.m. or following the reinspection of voting machines on the fifth day after the election and at any time ordered by a court of competent jurisdiction. If the fifth day after the election falls on a holiday or weekend, such recount shall be held on the next working day at 10:00 a.m. or following the reinspection of voting machines. Any written request for recount of absentee by mail and early voting ballots shall be filed with the clerk of court. The deadline for filing a request for recount of absentee by mail and early voting ballots shall be 4:30 p.m. on the last working day prior to the date of the recount. Immediately upon receiving any request, the clerk of court shall prominently post in his office a notice of the time and place where the absentee by mail and early voting ballots will be recounted and the name of the candidate or the voter in the proposition election requesting the recount.

(c) Upon completion of the recount of the absentee by mail and early voting ballots, the board shall return the absentee by mail and early voting documents to the special absentee by mail and early voting ballot envelope or container, shall reseal the envelope or container, and shall deliver the envelope or container and its contents to the registrar of voters who shall preserve the envelope or container and its contents in the manner provided for in Paragraph (1) of this Subsection.

(d)(i) The candidate or the voter in the proposition election requesting the recount shall be responsible for all reasonable costs associated with such recount, which shall be payable to the clerk of court. The costs shall be paid at the time the written request for the recount is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, United States postal money order, or money order issued by a state or national bank or credit union.

(ii) If the recount changes the outcome of the election, the costs paid by the candidate or voter in the proposition election shall be refunded by the clerk of court, and the costs of the recount shall be a reimbursable election expense as provided in Chapter 8-A of this Title.

(3) A candidate or his representative, in the presence of a majority of the parish board of election supervisors, shall be allowed to inspect the flaps removed from the valid absentee by mail ballots and the flaps removed from the valid early voting ballots when paper ballots are used for early voting. All such inspections shall be held at 10:00 a.m. or following the recount of absentee by mail and early voting ballots on the fifth day after the election and at any time ordered by a court of competent jurisdiction. If the fifth day after the election falls on a holiday or weekend, such inspection shall be held on the next working day at 10:00 a.m. or following the recount of absentee by mail and early voting ballots. Any written request for inspection shall be filed with the clerk of court. The deadline for filing a request

for inspection shall be the last working day prior to the date of the inspection. Immediately upon receiving any request, the clerk of court shall prominently post in his office a notice of the time and place where the inspection will occur and the name of the candidate requesting the inspection. The candidate requesting the inspection shall be responsible for all reasonable costs associated with such inspection, which shall be payable to the clerk of court. The costs shall be paid at the time the written request for the inspection is filed with the clerk of court and shall be paid in cash or by certified or cashier's check on a state or national bank or credit union, United States postal money order, or money order issued by a state or national bank or credit union.

(4) The parish board of election supervisors shall be entitled to reimbursement at the rate established in R.S. 18:423(E) for attending the recount of absentee by mail and early voting ballots and inspection, but not both if they are conducted on the same day. However, such reimbursement shall not be counted toward the limitation provided in R.S. 18:423(J). No member of the parish board of election supervisors shall be reimbursed for attending a recount of absentee by mail an early voting ballots or inspection if such member received reimbursement for attending the reinspection of voting machines which was conducted on the same day as the recount of the absentee by mail and early voting ballots or inspection.

M. The provisions of this Section shall be void and of no effect on August 1, 2021.

* * *
§1315. Challenge of absentee by mail or early voting ballot
* * *

B.(1) During the preparation and verification process for the counting of absentee by mail and early voting ballots on the day before the election, as applicable, or the counting of absentee by mail and early voting ballots on election day, any candidate or his representative, member of the board, or qualified elector may challenge an absentee by mail or early voting ballot for cause, other than those grounds specified in R.S. 18:565(A).

(2) Notwithstanding Paragraph (1) of this Subsection, for elections impaired as a result of a declared disaster or emergency, during the preparation and verification process for the counting of absentee by mail and early voting ballots before an election in accordance with R.S. 18:1313.2, or the counting of absentee by mail and early voting ballots on election day in accordance with R.S. 18:1313.2, any candidate or his representative, member of the board, or qualified elector may challenge an absentee by mail or early voting ballot for cause, other than those grounds specified in R.S. 18:565(A)."

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fesi	Mills, F.
Abraham	Fields	Mills, R.
Allain	Harris	Mizell
Barrow	Henry	Morris
Bernard	Hewitt	Peacock
Boudreaux	Jackson	Pope
Bouie	Johns	Price
Carter	Lambert	Reese
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Womack

Total - 33

NAYS

Total - 0

ABSENT

Foil	Peterson	Ward
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Hensgens	Smith	White
Total - 6		

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

SENATE BILL NO. 45—

BY SENATORS FIELDS, ABRAHAM, BARROW, BERNARD, BOUDREAU, BOUIE, CARTER, CATHEY, CORTEZ, FESI, FOIL, HARRIS, HEWITT, JACKSON, JOHNS, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD, WHITE AND WOMACK

AN ACT

To amend and reenact R.S. 17:1453(A), 1831(B), 1851(B), and 1871(A)(1)(c), relative to the membership of public postsecondary education boards of supervisors boards; to authorize the governor to appoint persons from out-of-state as at-large members of the boards; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 45 by Senator Fields

AMENDMENT NO. 1

On page 3, line 11, delete "April 24, 2021" and insert "December 5, 2020"

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	Womack
Connick	Mills, F.	
Fesi	Mills, R.	

Total - 34

NAYS

Total - 0

ABSENT

Foil	Peterson	White
Hensgens	Smith	
Total - 5		

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

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

Called from the Calendar

Senator Fields asked that Senate Bill No. 32 be called from the Calendar.

October 19, 2020

SENATE BILL NO. 32—

BY SENATORS FIELDS, ABRAHAM, BARROW, BERNARD, BOUDREAU, BOUIE, CARTER, CATHEY, CLOUD, CORTEZ, FESI, FOIL, HARRIS, JOHNS, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, POPE, PRICE, REESE, SMITH, TALBOT, TARVER AND WARD AN ACT

To enact R.S. 17:3393, relative to colleges and universities; to provide relative to the exceptions and exemptions that a public postsecondary education institution may receive from state regulations of their operations under certain conditions; and to provide for related matters.

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

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 32 by Senator Fields

AMENDMENT NO. 1

On page 4, line 29, following "be" change "deemed" to "considered"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bacala to Reengrossed Senate Bill No. 32 by Senator Fields

AMENDMENT NO. 1

On page 2, line 26, after "(a)" and before "Authority" insert "(i)"

AMENDMENT NO. 2

One page 2, between lines 27 and 28, insert the following: "(ii) No later than October first of each year, each postsecondary management board shall report to the Joint Legislative Committee on the Budget the amount of unexpended and unobligated funds retained by each institution by means of finance from the prior fiscal year."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their counts for YEAS: Mr. President (Fields, Mizell, Abraham, Harris, Morris, Allain, Henry, Peacock, Barrow, Hewitt, Pope, Bernard, Jackson, Price, Boudreaux, Johns, Reese, Bouie, Lambert, Talbot, Carter, Luneau, Tarver, Cathey, McMath, Ward, Cloud, Milligan, Womack, Connick, Mills, F., Fesi, Mills, R.)

Total - 34

NAYS

Total - 0

ABSENT

Table listing names of senators and their counts for ABSENT: Foil (Peterson, White, Hensgens, Smith)

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 57—

BY SENATORS LUNEAU, ALLAIN AND CARTER AN ACT

To amend and reenact R.S. 47:1508(B)(28) and to enact R.S. 47:114.1, relative to reporting requirements to the Department of Revenue; to require businesses and governmental entities that pay certain service providers to file reports; to provide for the format of the reports; to provide for an exception to the confidentiality of the records of the secretary of the Department of Revenue; to provide for definitions; to provide for exceptions; to provide for penalties; and to provide for related matters.

Floor Amendments

Senator Luneau proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Luneau to Engrossed Senate Bill No. 57 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 7, delete "to provide for penalties;"

AMENDMENT NO. 2

On page 2, line 10, after "means" insert: "an electronic filing of Internal Revenue Service Form 1099-NEC or successor form, or in the absence of such electronic form,"

AMENDMENT NO. 3

On page 2, line 15, after "security number," delete the remainder of the line, delete line 16, and insert: "or another appropriate identifying number if neither a federal identification nor social security number is known to the service recipient."

AMENDMENT NO. 4

On page 3, line 5, after "Code" insert: "and Treasury Regulations adopted thereunder and other administrative guidance issued by the Internal Revenue Service, including the instructions to Internal Revenue Service Form 1099-NEC or successor form"

AMENDMENT NO. 5

On page 3, delete lines 20 through 29 and on page 4, delete lines 1 through 3

AMENDMENT NO. 6

On page 4, line 4, change "G.(1)" to "F.(1)" and delete the remainder of the line and delete lines 5 through 13

AMENDMENT NO. 7

On page 4, line 14, delete "(3)"

AMENDMENT NO. 8

On page 4, between lines 17 and 18 insert: "(2) The secretary shall prescribe the forms and format to be used when submission of the LA A GAME Annual Report is to be made in a manner other than electronic filing of Internal Revenue Service Form 1099-NEC or successor form. Any media and record layout the secretary may require for such submission shall be consistent with the filing requirements for Internal Revenue Service Form 1099-NEC or successor form."

On motion of Senator Luneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	Womack
Connick	Mills, F.	
Fesi	Mills, R.	

Total - 34

NAYS

Total - 0

ABSENT

Foil	Peterson	White
Hensgens	Smith	

Total - 5

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

SENATE BILL NO. 61—

BY SENATORS MIZELL, ABRAHAM, CARTER, CONNICK, FIELDS, JOHNS AND MORRIS

AN ACT

To enact R.S. 36:4(CC), R.S. 49:968(B)(21)(d), and Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1361 through 1364, relative to the office of broadband and connectivity; to place the office within the executive branch; to provide definitions; to provide for the appointment and termination of an executive director; to require reporting; to provide for functions, powers, and duties; to establish contract authority; and to provide for related matters.

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

SENATE BILL NO. 73—

BY SENATOR BARROW

AN ACT

To amend and reenact R.S. 39:100.41 and 100.44(B), (E), (K), and (Q), and to enact R.S. 39:100.42(17) and (18), and 100.44(R), relative to the Louisiana Main Street Recovery Program, and to provide for related matters.

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

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

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVES COUSSAN, BOURRIAQUE, BUTLER, CARRIER, CORMIER, LYONS, AND MINCEY AND SENATOR HENSGENS

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana Congressional delegation to take such actions as are necessary to require the Federal Emergency Management Agency (FEMA) to more efficiently coordinate the removal of dislocated oilfield equipment after natural disasters in Louisiana.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hewitt	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese
Boudreaux	Lambert	Talbot
Bouie	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fesi	Mills, R.	
Fields	Mizell	

Total - 34

NAYS

Total - 0

ABSENT

Carter	Hensgens	Smith
Foil	Peterson	

Total - 5

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

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

HOUSE BILL NO. 20—

BY REPRESENTATIVE EDMONDS
AN ACT

To enact R.S. 47:297.15, relative to individual income tax deductions; to authorize a deduction for certain educational expenses incurred during the COVID-19 pandemic in 2020; to provide for the amount of the deduction; to provide for definitions; to provide for limitations and requirements; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hewitt	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese
Boudreaux	Lambert	Talbot
Bouie	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fesi	Mills, R.	
Fields	Mizell	

Total - 34

NAYS

Total - 0

October 19, 2020

ABSENT

Carter Hensgens Smith
Foil Peterson
Total - 5

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

HOUSE BILL NO. 26—

BY REPRESENTATIVES SCHEXNAYDER, ADAMS, BACALA, BISHOP, BOURRIAQUE, BROWN, BRYANT, CARRIER, GARY CARTER, COUSSAN, COX, CREWS, DESHOTEL, DUPLESSIS, EDMONDS, EMERSON, FIRMENT, FREEMAN, GAINES, HUGHES, JAMES, JEFFERSON, MIKE JOHNSON, TRAVIS JOHNSON, JORDAN, LACOMBE, LYONS, MCCORMICK, DUSTIN MILLER, NEWELL, ORGERON, PIERRE, ROMERO, SELDERS, STEFANSKI, THOMPSON, WHITE, AND WILLARD

AN ACT

To enact R.S. 47:302(BB)(113), 305.74, 321(P)(114), 321.1(I)(114), and 331(V)(114), relative to sales and use tax; to establish a sales and use tax holiday for certain purchases; to provide for requirements and limitations; to provide for the effectiveness of the sales and use tax holiday; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hewitt Pope
Barrow Jackson Price
Bernard Johns Reese
Boudreaux Lambert Talbot
Bouie Luneau Tarver
Cathey McMath Ward
Cloud Milligan White
Connick Mills, F. Womack
Fesi Mills, R.
Fields Mizell
Total - 34

NAYS

Total - 0

ABSENT

Carter Hensgens Smith
Foil Peterson
Total - 5

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

HOUSE BILL NO. 29—

BY REPRESENTATIVES DEVILLIER, AMEDEE, BAGLEY, BISHOP, BUTLER, COUSSAN, COX, CREWS, DAVIS, EDMONDS, EMERSON, FARNUM, FIRMENT, GAROFALO, MIKE JOHNSON, TRAVIS JOHNSON, MCCORMICK, MCFARLAND, MCMAHEN, MIGUEZ, ORGERON, CHARLES OWEN, ROMERO, SCHAMERHORN, ST. BLANC, STEFANSKI, THOMPSON, VILLIO, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:631, relative to suspending certain severance taxes; to provide for a suspension on oil production from certain wells; to provide for the amount of the suspension in the form of an exemption; to provide for applicability; to provide for definitions; to provide for effectiveness; to provide for certain requirements and limitations; and to provide for related matters.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Reengrossed House Bill No. 29 by Representative DeVillier

AMENDMENT NO. 1

Delete Amendment Nos. 1, 2, 7, and 14 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on October 14, 2020.

AMENDMENT NO. 2

On page 1, line 2, delete "R.S. 47:631" and insert "R.S. 30:86(C) and to enact R.S. 47:633(7)(e)"

AMENDMENT NO. 3

On page 1, line 3, change "certain wells" to "certain orphaned, newly drilled, and newly enhanced wells"

AMENDMENT NO. 4

On page 1, line 4, after "exemption;" insert "to increase the cap on the Oilfield Site Restoration Fund;"

AMENDMENT NO. 5

On page 1, between lines 7 and 8 insert:
"Section 1. R.S. 30:86(C) is hereby amended and reenacted to read as follows:
§86. Oilfield Site Restoration Fund

C. The treasurer of the state of Louisiana shall certify, to the secretary of the Department of Revenue, the date on which the balance in the fund equals or exceeds fourteen twenty-five million dollars. The oilfield site restoration fees on oil and gas provided for in R.S. 30:87 shall not be collected or required to be paid on or after the first day of the second month following the certification, except that the secretary of the Department of Revenue shall resume collecting the fees on receipt of a certification from the treasurer that, based on the expenditures or commitments to expend monies, the fund has fallen below ten million dollars. The secretary of the Department of Revenue shall continue collecting the fees until collections are again suspended in the manner provided by this Section. The sums in the site-specific trust accounts within the fund, the sums collected from financial security instruments required by rules and regulations adopted by the assistant secretary pursuant to R.S. 30:4(R) and 4.3, and sums generated from the issuance of bonds pursuant to R.S. 30:83.1 shall not be counted to determine the balance of the fund for the purposes of this Subsection.

AMENDMENT NO. 6

On page 1, line 8, change "Section 1." to "Section 2."

AMENDMENT NO. 7

On page 1, delete line 17, and insert:
"Section on oil production from an orphaned, newly drilled, or newly completed"

AMENDMENT NO. 8

On page 2, line 4, change "October 1, 2020" to "January 1, 2021"

AMENDMENT NO. 9

On page 2, line 4, delete "The" and delete lines 5 and 6, and insert:
"(aa) The exemption for wells that have undergone well enhancements shall last for a period of six months or until payout of the well cost is achieved, whichever occurs first.

(bb) The exemption for new wells shall last for a period of twelve months or until payout of the well cost is achieved, whichever occurs first.

(cc) The exemption for orphaned wells shall last for a period of twenty-four months or until payout of the well cost is achieved, whichever occurs first.

(dd) The exemption period shall begin the first day of the month after the operator notifies the Department of Revenue that new or post enhancement production has commenced. Notification shall be in a form approved by the secretary of the Department of Revenue.

(ce) There shall be no more than one exemption authorized pursuant to this Subparagraph for any wellhead."

AMENDMENT NO. 10

On page 2, between lines 23 and 24, insert:

"(iv) If an orphaned well is unable to produce in paying quantities, the operator may be reimbursed reasonable costs paid or incurred to plug and abandon the orphaned well from the Oilfield Site Restoration Fund with the approval of the secretary of the Department of Natural Resources following certification of proper plugging and abandonment by the office of conservation. The secretary may approve or deny the reimbursement in whole or in part. The Department of Natural Resources, in consultation with the office of conservation, shall promulgate any rules necessary to implement this Subparagraph including rules setting forth the guidelines for determining rates of reimbursement and procedures for notifying the office of conservation of the commencement of plugging and abandonment by the operator.

(v) Notwithstanding any provision of law to the contrary, R.S. 30:87(F)(1) shall apply to production from wells receiving an exemption pursuant to this Subparagraph during the applicable exemption period."

AMENDMENT NO. 11

On page 2, line 24, change "Section 2." to "Section 3."

On motion of Senator Ward, the amendments were adopted.

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

HOUSE BILL NO. 54—

BY REPRESENTATIVE JAMES
AN ACT

To enact Chapter 61 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3211 through 3214, relative to the use of digitized identification cards; to provide definitions; to provide for the acceptance of digitized identification cards at places of business; to provide for exceptions; to limit liability; to provide for certain powers and duties; to provide for applicability; and to provide for related matters.

Floor Amendments

Senator Abraham proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Abraham to Reengrossed House Bill No. 54 by Representative James

AMENDMENT NO. 1

On page 3, after line 27, insert:

"(6) A used motor vehicle dealer licensed pursuant to the provisions of Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950 or a dealer licensed pursuant to the provisions of Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950. However, the licensed used motor vehicle dealer or licensed dealer may, at its option, accept a digitized identification card as a valid form of identification."

On motion of Senator Abraham, the amendments were adopted.

Floor Amendments

Senator Peacock proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Peacock to Reengrossed House Bill No. 54 by Representative James

AMENDMENT NO. 1

On page 3, line 1, after "D." insert "(1)"

AMENDMENT NO. 2

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

"(2) Under no circumstances shall a private business, legal entity, or person be held liable in any manner legally or otherwise as a result of the use or misuse of a digitized identification card."

On motion of Senator Peacock, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hewitt	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fesi	Mills, R.	
Fields	Mizell	

Total - 34

NAYS

Total - 0

ABSENT

Boudreaux	Hensgens	Smith
Foil	Peterson	

Total - 5

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

HOUSE BILL NO. 77—

BY REPRESENTATIVE DAVIS
AN ACT

To enact R.S. 12:1-709(C) and (D), relative to remote participation in meetings; to allow certain persons to participate in certain meetings by remote communications; to provide for guidelines and procedures; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hewitt	Peacock
Barrow	Jackson	Pope
Bernard	Johns	Price
Carter	Lambert	Reese

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Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fesi	Mills, F.	Womack
Fields	Mills, R.	
Total - 32		

NAYS

Total - 0

ABSENT

Boudreaux	Hensgens	White
Bouie	Peterson	
Foil	Smith	
Total - 7		

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

HOUSE BILL NO. 10— BY REPRESENTATIVE MCFARLAND AN ACT

To authorize and provide for the transfer of certain state property in Jackson Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to repeal Section 3 of Act No. 272 of the 2019 Regular Session of the Legislature of Louisiana; to provide an effective date; and to provide for related matters.

Floor Amendments

Senator Hewitt proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hewitt to Engrossed House Bill No. 10 by Representative McFarland

AMENDMENT NO. 1

On page 2, between lines 4 and 5, insert the following: "Section 3. (A) After allocation to the Bond Security and Redemption Fund as provided in Article VII, all proceeds from the sale of the property described in Sections 1 and 2 of this Act shall be deposited in the Accommodation for Breast-feeding and Lactation Room Fund hereinafter referred to as the fund, which is hereby established in the state treasury.

(B) All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of monies shall be credited to the fund.

(C) Proceeds in the fund shall be used solely to facilitate the provisions of R.S. 49:148.4.1.

(D) The Commissioner of Administration shall notify the Legislature when the sale of property described in Sections 1 and 2 of this Act has been finalized."

AMENDMENT NO. 2

On page 2, at the beginning of line 5, change "Section 3." to "Section 4."

AMENDMENT NO. 3

On page 2, at the beginning of line 7, change "Section 4." to "Section 5."

On motion of Senator Hewitt, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hewitt	Peacock
Barrow	Jackson	Pope
Bernard	Johns	Price
Bouie	Lambert	Reese
Carter	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fesi	Mills, F.	White
Fields	Mills, R.	Womack
Total - 33		

NAYS

Total - 0

ABSENT

Boudreaux	Foil	Peterson
Cathey	Hensgens	Smith
Total - 6		

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

Rules Suspended

Senator Barrow asked for and obtained a suspension of the rules to revert to:

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

Called from the Calendar

Senator Barrow asked that Senate Bill No. 73 be called from the Calendar.

SENATE BILL NO. 73— BY SENATOR BARROW AN ACT

To amend and reenact R.S. 39:100.41 and 100.44(B), (E), (K), and (Q), and to enact R.S. 39:100.42(17) and (18), and 100.44(R), relative to the Louisiana Main Street Recovery Program, and to provide for related matters.

Floor Amendments

Senator Barrow proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barrow to Engrossed Senate Bill No. 73 by Senator Barrow

AMENDMENT NO. 1

On page 2, line 19, after "unit", delete "and," and insert "in the state of Louisiana."

AMENDMENT NO. 2

On page 2, at the end of line 21, delete "2020." and insert the following: "2020; (iii) was domiciled in Louisiana as of March 1, 2020; (iv) is in good standing with the secretary of state, if applicable; (v) is at least fifty percent owned by one or more Louisiana residences, whether individual resident citizens or Louisiana domestic business entities."

AMENDMENT NO. 3

On page 2, at the end of line 26, insert the following: "**Lost rental income shall not be an eligible expense unless and until federal legislation or United States Department of Treasury guidance or regulation authorizes federal disaster funds to be used for lost rental income.**"

AMENDMENT NO. 4

On page 3, line 4, change "**lost rental income**" to "**eligible expenses**"

AMENDMENT NO. 5

On page 3, line 8, change "**decreased rental payments**" to "**eligible expenses**"

AMENDMENT NO. 6

On page 4, line 1, after "**demonstrate**", delete the remainder of the line, and insert "**eligible expenses**"

AMENDMENT NO. 7

On page 4, line 3, change "**lost rental income**" to "**eligible expenses**"

AMENDMENT NO. 8

On page 4, line 6, change "**within fifteen days of**" to "**after**"

AMENDMENT NO. 9

On page 4, delete lines 8 through 11

AMENDMENT NO. 10

On page 4, at the beginning of line 12, change "**(4)**" to "**(3)**"

AMENDMENT NO. 11

On page 4, line 15, after "**tenant**," delete the remainder of the line, delete lines 16 and 17, and insert "**Acceptance of grant**"

AMENDMENT NO. 12

On page 4, line 19, change "**regulations.**" to "**regulations.**", delete the remainder of the line, and delete line 20

AMENDMENT NO. 13

On page 4, between lines 22 and 23, insert
 " * * * "

AMENDMENT NO. 14

On page 4, at the end of line 24, insert:
 "The provisions of this Act shall apply to any additional federal funds received by the state that are designated to be used to provide economic support to eligible Louisiana businesses for costs incurred for and continued response to the Coronavirus disease (COVID-19) pandemic."

On motion of Senator Barrow, the amendments were adopted.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 73 by Senator Barrow

AMENDMENT NO. 1

On page 2, line 21, after "**January 1, 2020**" insert "**and on or before March 1, 2020**"

On motion of Senator Allain, the amendments were adopted.

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

Rules Suspended

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

October 15, 2020

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 18—

BY SENATOR CATHEY

AN ACT

To enact R.S. 26:71(A)(8) and 271(A)(7), relative to the Alcoholic Beverage Control Law; to provide for certain permit fee payments; to provide for certain malt beverages or beverages of low alcoholic content permit fee payments; to provide for permit fee credits and refunds under certain exceptions related to COVID-19; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
 MICHELLE D. FONTENOT
 Clerk of the House of Representatives

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

October 19, 2020

To the Honorable President and Members of the Senate:

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

HB No. 44

Respectfully submitted,
 MICHELLE D. FONTENOT
 Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Milligan asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 44—

BY REPRESENTATIVE MAGEE

AN ACT

To amend and reenact R.S. 14:329.6(A)(4), R.S. 26:493, 493.1, and 494, and R.S. 29:727(F)(8) and 737(B)(7), relative to the sale of alcoholic beverages during certain public health emergencies; to provide relative to the authority of a parish or municipality to prohibit or limit the sale of alcoholic beverages during a public health emergency; and to provide for related matters.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

October 19, 2020

To the Honorable President and Members of the Senate:

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

HCR No. 35

Respectfully submitted,
MICHELLE D. FONTENOT
Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVES CHARLES OWEN AND COX
A CONCURRENT RESOLUTION

To commend the Louisiana National Guard for its hard work, commitment, selfless dedication, and lifesaving efforts throughout 2020.

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

Reports of Committees

The following reports of committees were received and read:

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

Senator R. L. Bret Allain II, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

October 19, 2020

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 22—
BY SENATOR LUNEAU

A RESOLUTION

To urge and request the Department of Revenue to create a task force to study and make recommendations for changes to state laws in an effort to provide the necessary investigatory and enforcement tools to detect, investigate, and eliminate employee misclassification in Louisiana.

Reported with amendments.

HOUSE BILL NO. 37—
BY REPRESENTATIVES BEAULLIEU AND CHARLES OWEN
AN ACT

To enact R.S. 47:6041, relative to income tax credits; to authorize an income tax credit for certain businesses; to provide for the amount of the credit; to provide for requirements and limitations; to authorize the carryforward of unused amounts of the credit; to provide for the claiming of credits; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 89—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 47:293(4)(e), relative to individual income tax; to define federal income tax liability for purposes of calculating individual income tax liability; to require certain federal disaster

losses to be included in the calculation of federal income tax liability; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
R. L. BRET ALLAIN II
Chairman

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

Senator Allain asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 37—
BY REPRESENTATIVES BEAULLIEU AND CHARLES OWEN
AN ACT

To enact R.S. 47:6041, relative to income tax credits; to authorize an income tax credit for certain businesses; to provide for the amount of the credit; to provide for requirements and limitations; to authorize the carryforward of unused amounts of the credit; to provide for the claiming of credits; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 89—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 47:293(4)(e), relative to individual income tax; to define federal income tax liability for purposes of calculating individual income tax liability; to require certain federal disaster losses to be included in the calculation of federal income tax liability; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 89 by Representative James

AMENDMENT NO. 1
On page 2, line 2, after "losses" insert "attributable to Hurricane Laura or Hurricane Delta"

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

**Privileged Report of the
Legislative Bureau**

October 19, 2020

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following instruments are approved as to construction and duplication.

HOUSE BILL NO. 37—
BY REPRESENTATIVES BEAULLIEU AND CHARLES OWEN
AN ACT

To enact R.S. 47:6041, relative to income tax credits; to authorize an income tax credit for certain businesses; to provide for the amount of the credit; to provide for requirements and limitations; to authorize the carryforward of unused amounts of the credit; to provide for the claiming of credits; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 89—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 47:293(4)(e), relative to individual income tax; to define federal income tax liability for purposes of calculating individual income tax liability; to require certain federal disaster losses to be included in the calculation of federal income tax liability; to provide for applicability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
FRED MILLS
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Fred Mills, the Bills and Joint Resolutions were read by title and passed to a third reading.

Rules Suspended

Senator Price asked for and obtained a suspension of the rules to allow the Senate Committee on Retirement to meet without the required 1:00 P.M. posting time.

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

ENROLLMENTS

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

October 16, 2020

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 1—
BY SENATOR WARD AND REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 47:6006(B), relative to tax credits and incentives; to provide for the carryforward of the tax credit for ad valorem taxes paid on inventory; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 30—
BY SENATORS MILLIGAN, ABRAHAM, CLOUD, FESI, HARRIS, JOHNS,
MORRIS, WHITE AND WOMACK AND REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 39:1755(5) and to enact R.S. 38:2237.1 and R.S. 39:1753.1, relative to purchases of certain telecommunications and video equipment by certain educational entities; to require certain items purchased comply with federal guidelines under Section 889(a) of the Fiscal Year 2019

National Defense Authorization Act; to provide for violations; and to provide for related matters.

Respectfully submitted,
SHARON W. HEWITT
Chairman

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

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

ENROLLMENTS

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

October 16, 2020

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 2—
BY SENATOR FIELDS
A CONCURRENT RESOLUTION

To urge and request the administrators of the Louisiana Community and Technical College System (LCTCS) and the Sowela Technical Community College to work together to study the impacts of hurricanes Laura and Delta on Sowela's campuses and student body in order to inform any 2021 Regular Session legislative requests.

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR CATHEY
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the feasibility of making TOPS-Tech and GO Grant awards available to low-income students for use during the summer semester immediately following high school graduation.

Respectfully submitted,
SHARON W. HEWITT
Chairman

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

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

October 16, 2020

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 1—
BY REPRESENTATIVE JAMES
AN ACT

To amend and reenact R.S. 15:574.4(J)(1)(introductory paragraph) and to enact R.S. 15:574.4(J)(4), relative to parole eligibility for juvenile offenders; to modify the applicability of certain parole eligibility provisions to juvenile offenders serving life sentences;

to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 2—

BY REPRESENTATIVE JAMES AND SENATORS BARROW, FIELDS, MCMATH, FRED MILLS, PRICE, SMITH, AND WOMACK AN ACT

To enact R.S. 15:584(C) and 587(J), relative to criminal justice system data; to provide relative to the duty and authority of the Louisiana Bureau of Criminal Identification and Information to cooperate with certain nonprofit entities; to provide for the authority of certain nonprofit entities to obtain access to certain criminal justice system data and information under certain conditions; to provide relative to the nonprofit entities access to de-identified arrest and conviction information; to provide relative to the execution of a nondisclosure agreement; to provide for a termination date; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 14—

BY REPRESENTATIVE STEFANSKI AN ACT

To amend and reenact R.S. 27:417(A)(2)(introductory paragraph) and (B)(2) and to enact R.S. 27:417(B)(3) and (D), relative to licensing requirements for qualified truck stop facilities; to provide relative to criteria and amenity requirements for qualified truck stop facilities during a declared emergency; to provide relative to the suspension of operations of the criteria and amenity requirements; to provide relative to the operation of video draw poker devices; to provide relative to force majeure; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVE ZERINGUE AN ACT

To appropriate funds and to make certain reductions from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for the agencies and purposes for Fiscal Year 2020-2021; to provide for an effective date; and to provide for related matters.

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

Respectfully submitted, MICHELLE D. FONTENOT Clerk of the House of Representatives

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

Message from the House SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

October 19, 2020

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 12—

BY REPRESENTATIVE MARINO AND SENATOR BARROW AN ACT

To amend and reenact R.S. 15:573.2 and 574.4.1(A)(2), relative to hearings of the Board of Pardons and committee on parole; to provide relative to the continuity of government by authorizing certain persons to appear before the Board of Pardons and committee on parole by teleconference; and to provide for related matters.

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

Respectfully submitted, MICHELLE D. FONTENOT Clerk of the House of Representatives

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

October 19, 2020

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVES BOURRIAQUE, ADAMS, AMEDEE, BACALA, BAGLEY, BEAULLIEU, BROWN, BRYANT, CARPENTER, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, COX, CREWS, DAVIS, DESHOTEL, DUPLESSIS, DWIGHT, EDMONDS, EMERSON, FARNUM, FIRMENT, FREEMAN, FREIBERG, GADBERRY, GAINES, GAROFALO, GOUDEAU, GREEN, HARRIS, HILFERTY, HORTON, HUGHES, HUVAL, ILLG, IVEY, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, KERNER, LACOMBE, LANDRY, LARVADAIN, LYONS, MAGEE, MARCELLE, MCKNIGHT, MCMAHEN, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MINCEY, MOORE, ORGERON, CHARLES OWEN, PIERRE, PRESSLY, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SEABAUGH, SELDERS, STEFANSKI, TARVER, THOMAS, THOMPSON, TURNER, WHEAT, WHITE, WILLARD, AND ZERINGUE

A CONCURRENT RESOLUTION

To memorialize the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to require the Federal Emergency Management Agency to grant Louisiana full federal funding for disaster expenses associated with Hurricane Laura or to grant Louisiana the ability to utilize alternative sources of federal funding as needed matching funds if full federal funding is not provided.

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVES BOURRIAQUE, ADAMS, AMEDEE, BACALA, BAGLEY, BEAULLIEU, BROWN, BRYANT, CARRIER, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, CREWS, DAVIS, DWIGHT, EDMONDS, EMERSON, FARNUM, FIRMENT, FONTENOT, FREEMAN, FREIBERG, GADBERRY, GAROFALO, GOUDEAU, GREEN, HARRIS, HILFERTY, HORTON, ILLG, MIKE JOHNSON, TRAVIS JOHNSON, LACOMBE, MAGEE, MCKNIGHT, MCMAHEN, GREGORY MILLER, MINCEY, MOORE, ORGERON, CHARLES OWEN, PIERRE, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SELDERS, TARVER, THOMAS, THOMPSON, TURNER, WHEAT, WHITE, AND ZERINGUE

A CONCURRENT RESOLUTION

To urge and request the division of administration, office of community development, to include certain activities as eligible expenses in the development of its Community Development Block Grant - Disaster Recovery Program Action Plans and amendments thereto.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVES SCHEXNAYDER, ADAMS, AMEDEE, BAGLEY, BEAULLIEU, BISHOP, BUTLER, CARRIER, CREWS, DEVILLIER, DESHOTEL, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FIRMENT, FRIEMAN, GAROFALO, HODGES, HORTON, HUVAL, ILLG, MIKE JOHNSON, MAGEE, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, MINCEY, ORGERON, CHARLES OWEN, PRESSLY, RISER, ROMERO, SCHAMERHORN, SEABAUGH, STEFANSKI, TARVER, THOMAS, THOMPSON, VILLIO, WHEAT, WRIGHT, AND ZERINGUE AND SENATORS ABRAHAM, ALLAIN, BERNARD, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HENSGENS, HEWITT, LAMBERT, MCMATH, MILLIGAN, FRED MILLS, MIZELL, MORRIS, PEACOCK, POPE, TALBOT, AND WARD

A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to confirm President Donald Trump's nomination of Judge Amy Coney Barrett to the United States Supreme Court to fill the seat of the late Justice Ruth Bader Ginsburg.

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

Respectfully submitted,
MICHELLE D. FONTENOT
Clerk of the House of Representatives

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

ATTENDANCE ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Fields	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fesi	Mills, R.	
Total - 35		

ABSENT

Foil	Peterson
Hensgens	Smith
Total - 4	

Leaves of Absence

The following leaves of absence were asked for and granted:

Foil	1 Day	Hensgens	1 Day
Peterson	1 Day	Smith	1 Day

Announcements

The following committee meetings for October 20, 2020, were announced:

Retirement	2:00 P.M.	Room E
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Adjournment

On motion of Senator Talbot, at 4:25 o'clock P.M. the Senate adjourned until Tuesday, October 20, 2020, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

DIANE O' QUIN
Journal Clerk

