

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

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**EIGHTEENTH DAY'S PROCEEDINGS**

**Forty-First Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Thursday, May 14, 2015

The Senate was called to order at 9:20 o'clock A.M. by Hon. John A. Alario Jr., President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Crowe     | Morrish   |
| Adley         | Donahue   | Murray    |
| Allain        | Erdey     | Nevers    |
| Amedee        | Gallot    | Peacock   |
| Appel         | Guillory  | Perry     |
| Broome        | Heitmeier | Riser     |
| Brown         | Johns     | Smith, J. |
| Buffington    | Kostelka  | Tarver    |
| Chabert       | LaFleur   | Walsworth |
| Claitor       | Long      | White     |
| Cortez        | Mills     |           |
| Total - 32    |           |           |

**ABSENT**

|               |           |      |
|---------------|-----------|------|
| Dorsey-Colomb | Peterson  | Ward |
| Martiny       | Smith, G. |      |
| Morrell       | Thompson  |      |
| Total - 7     |           |      |

The President of the Senate announced there were 32 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend Donovan Labbe, 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 May 13, 2015, was adopted.

**Privilege Report of the  
Legislative Bureau**

May 14, 2015

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. We advise and suggest the following amendments:

**HOUSE BILL NO. 7—**  
BY REPRESENTATIVE THIBAUT  
AN ACT

To amend and reenact R.S. 14:61, relative to the crime of unauthorized entry of a critical infrastructure; to expand the crime to include the use of fraudulent documents, entry into restricted areas, and failure to leave when forbidden to be on the premises; to provide for definitions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 139—**  
BY REPRESENTATIVE HODGES AND SENATOR MORRELL  
AN ACT

To amend and reenact R.S. 13:2106(B), R.S. 14:2(B)(9), (10), and (11), 30(A)(1), 30.1(A)(2), 32.6(A)(2), 42(A)(introductory paragraph) and (D)(1), 42.1(A)(introductory paragraph) and (B), 43(A)(introductory paragraph) and (B), 43.6(A) and (B)(1), 50.2, and 107.2(A), R.S. 15:302, 469.1, 541(2)(a), (b), and (c) and (24)(a), 542(A)(2) and (3)(a) and (b), 571.3(B)(3)(b), (c), and (d), 574.4(D)(1)(h), 708(C), 711(G)(1), 811(C) and (E), 831(D), 832(C)(2), 833(B)(3), 833.2(B), 893.1(1), and 1111(I)(1), R.S. 40:1300.13(E)(6), R.S. 48:261(E)(2), Code of Criminal Procedure Articles 336.1, 465(A)(39) and (40), 571, 814(A)(8), (8.1), (9), (10), (11), (12), and (13), 890.1(D)(9), (10), and (11), 893.3(E)(1)(b), and 905.4(A)(1) and (3), Code of Evidence Article 412.1, and Children's Code Articles 305(A)(1)(introductory paragraph) and (b), (B)(1)(b) and (2)(f) and (g), 855(B)(7)(a) and (b), 857(A)(4) and (8) and (C), 858(B), 879(B)(2), 884.1(A)(1) and (2), 897(B)(1)(c), 897.1(A), and 901(E) and to enact R.S. 14:42(E), 42.1(C), and 43(C), relative to rape; to provide relative to the crimes of aggravated rape, forcible rape, and simple rape; to change all references of "aggravated rape" to "first degree rape"; to change all references of "forcible rape" to "second degree rape"; to change all references of "simple rape" to "third degree rape"; to provide relative to the effects of these changes; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 139 by Representative Hodges

**AMENDMENT NO. 1**

On page 9, line 18, following "sexual battery of" and before ", R.S." change "the infirm" to "persons with infirmities"

**AMENDMENT NO. 2**

On page 10, line 16, following "register" change "; and" to ";

**AMENDMENT NO. 3**

On page 14, line 5, following "15:529.1" and before "except" insert ";

**HOUSE BILL NO. 173—**  
BY REPRESENTATIVE TERRY LANDRY  
AN ACT

To amend and reenact R.S. 3:1746(C), relative to sweet potato tax disbursements; to provide for an increase in sweet potato tax disbursements; to provide for the modification of the percentages of disbursements allocated to the Louisiana Sweet Potato Association and the Louisiana Agricultural Experiment Station; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 174—**  
BY REPRESENTATIVE LEBAS  
AN ACT

To enact R.S. 40:964(Schedule IV)(A)(3) and (B)(45.5) and to repeal R.S. 40:964(Schedule III)(D)(1)(c) and (d), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedules I and IV; to provide with respect to classifications in Schedule III; to reschedule certain products containing hydrocodone; and to provide for related matters.

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Reported without amendments.

**HOUSE BILL NO. 243—**  
BY REPRESENTATIVE CHANEY  
AN ACT

To amend and reenact R.S. 3:266(23), relative to certain powers of the Louisiana Agriculture Finance Authority; to clarify the type of programs that the authority can use to promote the purchase of Louisiana agricultural products; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 269—**  
BY REPRESENTATIVE ANDERS  
AN ACT

To amend and reenact R.S. 3:1 and 15(A) and to enact R.S. 3:15(C), relative to the authority of the Department of Agriculture and Forestry; to provide for the issuance of certifications and registrations; to provide for definitions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 299—**  
BY REPRESENTATIVE CHANEY  
AN ACT

To enact R.S. 15:255(R), relative to witness fees for off-duty law enforcement officers; to authorize the transfer of certain witness fee surplus funds within the Sixth Judicial District; to provide for the transfer procedures and use of such funds; to provide for definitions; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 299 by Representative Chaney

**AMENDMENT NO. 1**

On page 2, line 2, following "surplus" and before the end of the line change "money" to "monies"

**HOUSE BILL NO. 344—**  
BY REPRESENTATIVE HAZEL  
AN ACT

To amend and reenact R.S. 27:427(H) and 449(B) and (C) and to enact R.S. 27:449(D), relative to video draw poker employee permits; to provide with respect to the issuance of video draw poker employee permits; to provide that a person who is the holder of a valid video draw poker employee permit shall not be required to undergo an additional suitability determination to be named a designated representative; to prohibit a person who has had a video draw poker employee permit denied or revoked from serving as a designated representative; to prohibit provisional authorization to work for a person who has had a video draw poker employee permit denied or revoked; to require a subsequent suitability determination for an employee with an expired video draw poker employee permit prior to that person serving as a designated representative; to establish a time period that a provisional authorization to work is valid; to require that a licensee maintain a list of designated representatives; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 641—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

To amend and reenact R.S. 27:30.6(D), (G), (I)(4), (J), and (L), relative to the central computer system for monitoring of electronic gaming devices; to remove the requirement that the central computer be located within the Department of Public Safety and Corrections, office of state police, gaming division; to provide for technical corrections; to provide relative to legislative

approval of fees to defray the costs of administering the central computer system; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
DANIEL R. MARTINY  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Amedee, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Senate Resolutions**

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

**SENATE RESOLUTION NO. 117—**  
BY SENATOR MURRAY

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Wayne William Foley.

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

**Introduction of  
Senate Concurrent Resolutions**

**SENATE CONCURRENT RESOLUTION NO. 101—**

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To commend Al J. Ransome for his service to the state of Louisiana and as a pioneer in the field of unemployment compensation cost control management.

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

**SENATE CONCURRENT RESOLUTION NO. 102—**

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations regarding whether an assignment or transfer of a mortgage loan on residential real property should be required to be recorded in the appropriate mortgage or conveyance records in order to be effective as to third parties.

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

**Senate Resolutions on  
Second Reading**

**SENATE RESOLUTION NO. 114—**

BY SENATOR NEVERS

A RESOLUTION

To commend Fire Chief Bruce E. Cutrer of the Tangipahoa Parish Fire Protection District No. 1 in Amite, Louisiana, for his many accomplishments as an outstanding firefighter and conscientious public servant.

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

**SENATE RESOLUTION NO. 115—**

BY SENATOR HEITMEIER

A RESOLUTION

To commend and congratulate Amanda Scott Trapp on her earning a Master of Public Administration from the Louisiana State University E. J. Ourso College of Business.

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

**SENATE RESOLUTION NO. 116—**

BY SENATOR HEITMEIER

A RESOLUTION

To recognize the month of September 2015 as "Pain Awareness Month" in Louisiana.

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

**Senate Concurrent Resolutions on Second Reading**

**SENATE CONCURRENT RESOLUTION NO. 96—**

BY SENATOR JOHNS AND REPRESENTATIVE DANAHAY

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Charlie "Pappy" Hillebrandt.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Erdey     | Morrish   |
| Adley         | Gallot    | Murray    |
| Allain        | Guillory  | Peacock   |
| Appel         | Heitmeier | Perry     |
| Brown         | Johns     | Riser     |
| Buffington    | Kostelka  | Smith, J. |
| Chabert       | LaFleur   | Tarver    |
| Claitor       | Long      | White     |
| Cortez        | Mills     |           |
| Donahue       | Morrell   |           |
| Total - 28    |           |           |

NAYS

Total - 0

ABSENT

|               |           |           |
|---------------|-----------|-----------|
| Amedee        | Martiny   | Thompson  |
| Broome        | Nevers    | Walsworth |
| Crowe         | Peterson  | Ward      |
| Dorsey-Colomb | Smith, G. |           |
| Total - 11    |           |           |

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

**SENATE CONCURRENT RESOLUTION NO. 97—**

BY SENATOR LONG AND REPRESENTATIVE HOWARD

A CONCURRENT RESOLUTION

To commend the Florien High School Lady Blackcats softball team for winning its third consecutive state championship.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |         |         |
|---------------|---------|---------|
| Mr. President | Cortez  | Mills   |
| Adley         | Donahue | Morrell |
| Allain        | Erdey   | Morrish |
| Amedee        | Gallot  | Murray  |

|            |           |           |
|------------|-----------|-----------|
| Appel      | Guillory  | Peacock   |
| Brown      | Heitmeier | Riser     |
| Buffington | Johns     | Smith, J. |
| Chabert    | Kostelka  | Tarver    |
| Claitor    | Long      | White     |
| Total - 27 |           |           |

NAYS

Total - 0

ABSENT

|               |          |           |
|---------------|----------|-----------|
| Broome        | Martiny  | Smith, G. |
| Crowe         | Nevers   | Thompson  |
| Dorsey-Colomb | Perry    | Walsworth |
| LaFleur       | Peterson | Ward      |
| Total - 12    |          |           |

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

**SENATE CONCURRENT RESOLUTION NO. 98—**

BY SENATORS CORTEZ, ALLAIN, GUILLORY, LAFLEUR, MILLS,

MORRISH AND PERRY AND REPRESENTATIVE STUART BISHOP

A CONCURRENT RESOLUTION

To commend posthumously law enforcement officers from the Acadiana region who died or were slain in the line of duty.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Donahue   | Morrell   |
| Adley         | Erdey     | Morrish   |
| Allain        | Gallot    | Murray    |
| Amedee        | Guillory  | Peacock   |
| Appel         | Heitmeier | Perry     |
| Brown         | Johns     | Riser     |
| Buffington    | Kostelka  | Smith, J. |
| Chabert       | LaFleur   | Tarver    |
| Claitor       | Long      | Walsworth |
| Cortez        | Mills     | White     |
| Total - 30    |           |           |

NAYS

Total - 0

ABSENT

|               |          |           |
|---------------|----------|-----------|
| Broome        | Martiny  | Smith, G. |
| Crowe         | Nevers   | Thompson  |
| Dorsey-Colomb | Peterson | Ward      |
| Total - 9     |          |           |

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

**SENATE CONCURRENT RESOLUTION NO. 99—**

BY SENATOR CROWE

A CONCURRENT RESOLUTION

To adopt Joint Rule 21 of the Joint Rules of Order of the Senate and House of Representatives relative to legislators; to require fiscal training for all members of the House of Representatives and Senate.

The resolution was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

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SENATE CONCURRENT RESOLUTION NO. 100—  
BY SENATOR DORSEY-COLOMB  
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations that would accelerate the state capital punishment appeal process.

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

Message from the House

ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS

May 13, 2015

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. 47  | HB No. 67  | HB No. 153 |
| HB No. 169 | HB No. 301 | HB No. 355 |
| HB No. 385 | HB No. 514 | HB No. 555 |
| HB No. 564 | HB No. 593 | HB No. 742 |
| HB No. 767 | HB No. 835 |            |

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

House Bills and Joint Resolutions  
on First Reading

HOUSE BILL NO. 47—  
BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To enact R.S. 11:2256.3, relative to retirement benefits received from the Firefighters' Retirement System; to provide with respect to the calculation of the community portion of such benefits; and to provide for related matters.

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

HOUSE BILL NO. 67—  
BY REPRESENTATIVE COX  
AN ACT

To amend and reenact R.S. 14:95(K), relative to the crime of illegal carrying of weapons; to provide for an exception for retired district attorneys and assistant district attorneys under certain circumstances; to provide for definitions; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 153—  
BY REPRESENTATIVES TIM BURNS, BROWN, CARMODY, CARTER, CHANEY, COX, FOIL, GAROFALO, GISCLAIR, HARRISON, HAZEL, HENRY, HOFFMANN, MIKE JOHNSON, LEOPOLD, LORUSSO, ORTEGO, PEARSON, REYNOLDS, SCHRODER, SEABAUGH, ST. GERMAIN, AND STOKES  
AN ACT

To enact R.S. 14:91.14, relative to offenses affecting the health and morals of minors; to create the crime of unlawful distribution of material harmful to minors through the Internet; to provide elements for and exceptions to the offense; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

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

HOUSE BILL NO. 169—  
BY REPRESENTATIVE HENRY  
AN ACT

To amend and reenact R.S. 44:4.1(B)(13) and to enact R.S. 24:15, relative to the provision of information; to require state entities, officials, and employees to provide information to the legislature; to provide that any privileged or confidential information maintains its status; to provide for enforcement; and to provide for related matters.

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

HOUSE BILL NO. 301—  
BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 28:71(B) and 72(A), relative to civil involuntary outpatient treatment; to increase the maximum initial period of treatment; to increase the maximum period of subsequent treatment; and to provide for related matters.

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

HOUSE BILL NO. 355—  
BY REPRESENTATIVE PUGH  
AN ACT

To amend and reenact R.S. 47:302(K)(5), (7)(a) and (U) and to enact R.S. 47:302(V), relative to sales and use tax; to provide with respect to the collection and remittance of sales and use tax; to provide for the definition of dealer; to provide a method for reporting and remitting taxes by certain dealers; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 385—  
BY REPRESENTATIVE NANCY LANDRY  
AN ACT

To amend and reenact Children's Code Article 603(17)(b), relative to mandatory reporters; to establish an exception for certain mental health/social service practitioners; and to provide for related matters.

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

HOUSE BILL NO. 514—  
BY REPRESENTATIVE SCHEXNAYDER  
AN ACT

To enact Code of Civil Procedure Article 1204, relative to notice of certain actions; to provide relative to allegations of violations of certain permits; to provide for service of citation; to provide for notice of judgment or settlement; and to provide for related matters.

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

HOUSE BILL NO. 555—  
BY REPRESENTATIVE FANNIN  
AN ACT

To amend and reenact R.S. 47:302(K)(5), (7)(a) and (U) and to enact R.S. 47:302(V), relative to sales and use tax; to provide with respect to the collection and remittance of sales and use tax; to provide for the definition of dealer; to provide a method for reporting and remitting taxes by certain dealers; to provide for effectiveness; and to provide for related matters.

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

**HOUSE BILL NO. 564—**

BY REPRESENTATIVE BURFORD  
AN ACT

To amend and reenact R.S. 32:1306(C)(1)(b) and (c) and to enact R.S. 32:1311(G), relative to motor vehicle inspections; to require official inspection stations to offer certificates of inspections that are valid for various periods of time; to exempt certain trailers from inspection requirements; and to provide for related matters.

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

**HOUSE BILL NO. 593—**

BY REPRESENTATIVE TERRY LANDRY  
AN ACT

To amend and reenact R.S. 32:1305(A) and 1306(E), relative to motor vehicle inspection certificates and stations; to authorize the Department of Public Safety and Corrections, public safety services, to develop a system of electronic filing of inspection certificates; to provide for the requirements of such a system; to authorize the Department of Public Safety and Corrections, public safety services, to establish fees for motor vehicle inspection violations; to provide for effective dates; and to provide for related matters.

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

**HOUSE BILL NO. 742—**

BY REPRESENTATIVE LEGER  
AN ACT

To enact R.S. 48:229.1 and to repeal R.S. 48:229, relative to programs of construction to be commenced in the coming fiscal year submitted to the legislature by the Department of Transportation and Development; to prescribe the process by which the Department of Transportation and Development shall select and prioritize certain construction projects; to require the Department of Transportation and Development to make certain information public; to repeal the current requirements by which the Department of Transportation and Development prioritizes certain construction projects; to provide for an effective date; and to provide for related matters

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

**HOUSE BILL NO. 767—**

BY REPRESENTATIVES ST. GERMAIN AND ARMES  
AN ACT

To amend and reenact R.S. 48:77(B)(2) and to enact R.S. 36:769(M) and Subpart B of Part V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:81 through 90.1, relative to providing funds to certain entities for transportation related projects; to create the Louisiana State Transportation Infrastructure Bank; to provide for a board of directors; to provide for membership, duties, and authority of the board; to provide for the adoption of bylaws, rules, and regulations by the board; to create the Louisiana State Transportation Infrastructure Fund; to provide for the receipt, administration, and expenditure of monies allotted for the fund; to provide for the investment and disposition of the monies of the fund; to authorize the bank to incur debt and issue bonds, notes, or other evidences of indebtedness and to guarantee the debt of other entities; to authorize loans from the fund to certain entities; to provide procedures to enter into such indebtedness; to exempt evidence of indebtedness from taxation; to exempt any debt of or obligation entered into by the bank from being used in the calculation of net state tax supported debt; and to provide for related matters.

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

**HOUSE BILL NO. 835— (Substitute for House Bill No. 194 by Representative Moreno)**

BY REPRESENTATIVES MORENO, ADAMS, ARNOLD, BADON, BARROW, BILLIOT, BOUIE, BROWN, BURRELL, CONNICK, EDWARDS, GAINES, GAROFALO, GISCLAIR, HARRISON, HAZEL, JACKSON, JAMES, JEFFERSON, MIKE JOHNSON, ROBERT JOHNSON, NANCY LANDRY, LEGER, LEOPOLD, MACK, MILLER, JAY MORRIS, NORTON, ORTEGO, PYLANT, RITCHIE, SEABAUGH, SMITH, TALBOT, THIERRY, WILLMOTT, AND WOODRUFF  
AN ACT

To amend and reenact R.S. 13:5713(F) and R.S. 15:622(A)(2) and (4) and R.S. 46:1802(4), (7) through (10), 1806(B), (C), and (D), 1809(B)(3) and (4)(a), and 1817(A) and to enact Part XLIV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.41, and R.S. 46:1802(10.1), (11), (12), and (13), 1806(E), and 1807(B)(7) and to repeal R.S. 40:2109.1, relative to the treatment and billing of victims of a sexually-oriented criminal offense; to require the coroner to examine victims; to require the use of a barcode to maintain confidentiality; to provide for the transfer of evidence; to provide for the forensic medical examination; to provide for ancillary healthcare services; to require a regional sexual assault response plan; to provide for input by stakeholders; to provide procedures for the billing of services provided to a victim; to authorize certain licensure disciplinary actions for violations; to provide relative to forensic medical examinations; to provide for certain application requirements for reparations relative to victims of sexually-oriented criminal offenses; to require the Crime Victims Reparations Board to promulgate rules and regulations; to provide for certain eligibility provisions; to provide for notification requirements; to provide for definitions; and to provide for related matters.

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

May 14, 2015

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. 140 | HCR No. 75 | HCR No. 84  |
| HCR No. 86  | HCR No. 87 | HCR No. 104 |

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

**House Concurrent Resolutions on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 75—**

BY REPRESENTATIVES KLECKLEY, ADAMS, ARMES, ARNOLD, BADON, BARROW, BILLIOT, WESLEY BISHOP, BOUIE, BROWN, BURRELL, EDWARDS, GAINES, GISCLAIR, GUILLORY, HALL, HILL, HOWARD, HUNTER, JACKSON, JAMES, JEFFERSON, JONES, TERRY LANDRY, LEBAS, LEGER, MONToucET, NORTON, PIERRE, PRICE, REYNOLDS, SCHRODER, SHADON, SMITH, ST. GERMAIN, ALFRED WILLIAMS, PATRICK WILLIAMS, WILLMOTT, AND WOODRUFF  
A CONCURRENT RESOLUTION

To provide for a hospital stabilization formula pursuant to Article VII, Section 10.13 of the Constitution of Louisiana; to establish the level and basis of hospital assessments; to establish certain reimbursement enhancements for inpatient and outpatient hospital services; to establish certain criteria for the implementation of the formula; to establish the base

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reimbursement level paid to hospitals; to provide for related matters.

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

**HOUSE CONCURRENT RESOLUTION NO. 84—**  
BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To authorize and direct the Louisiana State Law Institute to reorganize and recodify the Miscellaneous Health Provisions Chapter of Title 40 of the Louisiana Revised Statutes of 1950 in accordance with the specifications provided in this Resolution.

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

**HOUSE CONCURRENT RESOLUTION NO. 86—**  
BY REPRESENTATIVE SIMON

A CONCURRENT RESOLUTION

To establish a study committee on family caregiving and long-term supports and services, and to direct the committee to report recommendations for legislative and administrative actions to support family caregivers to the legislative committees on health and welfare.

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

**HOUSE CONCURRENT RESOLUTION NO. 87—**  
BY REPRESENTATIVE HARRISON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the employer shared responsibility provisions of the Patient Protection and Affordable Care Act to eliminate penalties on school districts.

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

**HOUSE CONCURRENT RESOLUTION NO. 104—**  
BY REPRESENTATIVE DOVE

A CONCURRENT RESOLUTION

To establish a committee to consider the issues surrounding the possible lifting of the oyster leasing moratorium instituted by the Wildlife and Fisheries Commission on March 7, 2002.

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

**HOUSE CONCURRENT RESOLUTION NO. 140—**  
BY REPRESENTATIVES LAMBERT AND ST. GERMAIN AND SENATOR WARD

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to examine the issues involved with establishment of a wild-caught crawfish fishing season.

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

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

**HOUSE BILL NO. 57—**

BY REPRESENTATIVE HONORE  
AN ACT

To amend and reenact R.S. 14:95(H)(1), relative to the crime of illegal carrying of weapons; to provide for an exception for the legislative auditor and designated investigative auditors; and to provide for related matters.

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

**HOUSE BILL NO. 149—**  
BY REPRESENTATIVE BADON  
AN ACT

To amend and reenact R.S. 40:966(E), relative to possession of marijuana; to amend the criminal penalties for certain offenses; and to provide for related matters.

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

**HOUSE BILL NO. 185—**  
BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 22:2(B), relative to the authority of the commissioner of insurance; to clarify and otherwise provide with respect to the authority of the commissioner to maintain and to share confidential information with certain state, federal, and international entities; and to provide for related matters.

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

**HOUSE BILL NO. 189—**  
BY REPRESENTATIVE RITCHIE  
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(3) and (4) of the Constitution of Louisiana, to provide relative to regular legislative sessions; to provide for the convening of and subject matter limitations on the consideration of legislative instruments during regular legislative sessions in even- and odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 196—**  
BY REPRESENTATIVES SCHEXNAYDER AND ABRAMSON  
AN ACT

To amend and reenact Civil Code Articles 693, 694, and 696.1, relative to utility servitudes for enclosed estates; to provide for utility servitudes; to provide for the scope of the utility servitude; to provide for voluntary loss of utility access; to provide for loss of utility access due to partition or alienation; to provide a definition of utility; to provide for limitations of the utility servitude; to provide for the imposition of burdens; to provide for applicability to certain actions; and to provide for related matters.

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

**HOUSE BILL NO. 233—**  
BY REPRESENTATIVE ADAMS  
AN ACT

To amend and reenact R.S. 26:2(13) through (24), 71(A)(3)(d), 71.1(4)(a), 78(A), 79, 80(A)(8), 86, 142, 271.2(4)(a), 278(A), 279, 280(A)(8), and 283 and to enact R.S. 26:2(25) and (26), 71(A)(3)(e), and 71.3, relative to microdistillery permits; to provide for definitions; to establish criteria for microdistillery permitting; to provide for permit fees; to provide for the taxation of beverages produced by a microdistiller; to provide relative to Class A-Restaurant-Conditional permits; to provide relative to permit application requirements; to authorize microdistillers to reuse certain alcoholic beverage containers; to require microdistillers to receive approval from the state fire marshal; and to provide for related matters.

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

**HOUSE BILL NO. 242—**

BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 18:101(A)(3), 154(A) and (C)(2)(b), 178, 402(C)(2) and (E)(2)(c), 435(A) (Subsection heading) and (1) and (B), 463(A)(2)(c)(i) and (ii), 467(3), 534(B), 536(A) (introductory paragraph) and (3), 551(C)(1), 1280.22(B)(1), and 1306(E)(2), to enact R.S. 18:154(H) and (I), 491(C)(3), and 1308(A)(1)(c), and to repeal R.S. 18:173(A), 402(F)(7), 467(5), and 1306(E)(1)(g), relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to qualifications, requirements, and procedures for voter registration; to provide for the confidentiality of certain information relative to voter registration and voting; to provide for exceptions; to provide for election dates; to repeal certain reporting requirements relative to deaths; to require reports of certain information received through jury questionnaires; to provide relative to watchers; to provide for the content and procedure for submitting lists of watchers; to provide relative to polling places; to provide for a change in the location of a polling place; to authorize certain officials to change the location of a polling place under certain circumstances; to provide for notification of such changes; to provide relative to the appointment of certain persons to direct potential voters to the new location of the polling place; to provide relative to absentee voting by mail; to provide relative to procedures and requirements for voting absentee by mail; to provide relative to the content of absentee by mail voting materials; to provide relative to voting absentee by mail by certain persons who are hospitalized; to provide relative to standing to bring an action objecting to candidacy; to provide relative to listing candidates on the ballot; to provide relative to the qualifying period in certain elections; to provide relative to the notice of candidacy; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 325—**

BY REPRESENTATIVE WESLEY BISHOP  
AN ACT

To enact R.S. 33:9091.22, relative to Orleans Parish; to create the Faubourg Marigny Security and Improvement District; to provide relative to the boundaries, purpose, governance, and powers and duties of the district; to provide relative to district funding, including the authority to impose a parcel fee within the district; and to provide for related matters.

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

**HOUSE BILL NO. 336—**

BY REPRESENTATIVE CONNICK  
AN ACT

To enact R.S. 47:303(B)(8), relative to state sales and use tax; to provide for the collection of state sales and use tax on vehicles acquired by certain foreign business entities; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 358—**

BY REPRESENTATIVE SCHRODER  
AN ACT

To amend and reenact R.S. 3:2094 (introductory paragraph) and to enact R.S. 3:2094(B), relative to the state veterinarian's authority to quarantine; to provide authorization for the state veterinarian to quarantine any animal until certain inspections are completed; and to provide for related matters.

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

**HOUSE BILL NO. 393—**

BY REPRESENTATIVE LORUSSO  
AN ACT

To amend and reenact R.S. 23:1196.1(B)(4), (5), and (6) and to enact R.S. 23:1196.1(B)(7), (8), (9), (10), and (11), relative to workers' compensation, to provide with respect to group self-insurance funds; to provide for admissible investments; and to provide for related matters.

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

**HOUSE BILL NO. 497—**

BY REPRESENTATIVE HENRY  
AN ACT

To enact Civil Code Article 2315.9, relative to damages; to provide relative to actions for injury caused by acts of terror; to provide for definitions; to provide for frivolous or fraudulent claims; to provide for court costs and attorney fees; and to provide for related matters.

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

**HOUSE BILL NO. 518—**

BY REPRESENTATIVE STOKES  
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(4)(b) of the Constitution of Louisiana, relative to regular sessions of the legislature; to provide for the consideration of certain matters during certain regular sessions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

**HOUSE BILL NO. 581—**

BY REPRESENTATIVE ARMES  
AN ACT

To enact R.S. 32:299.3, relative to off-road vehicles; to provide relative to "utility terrain vehicles" as "off-road vehicles"; to provide relative to safety equipment required for utility terrain vehicles; to provide for restrictions on speed and eligible roadways to be used by utility terrain vehicles; and to provide for related matters.

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

**HOUSE BILL NO. 618—**

BY REPRESENTATIVES ST. GERMAIN AND ARMES  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to public funds; to authorize public funds to be used to invest in a state infrastructure bank; to authorize the loan, pledge, or guarantee of public funds by a state infrastructure bank for transportation projects; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 646—**

BY REPRESENTATIVE HARRISON  
AN ACT

To enact R.S. 39:2(15.1) and (15.2) and 24.1, relative to budgetary procedures; to define incentive expenditures; to provide for an incentive expenditure forecast; to provide for an effective date; and to provide for related matters.

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

May 14, 2015

HOUSE BILL NO. 692—
BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 9:154(D)(3) and to enact R.S. 9:154(D)(5), relative to presumptions of abandonment of unclaimed property; to provide for the indication of an owner's interest in property presumed abandoned; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 73—
BY REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

To urge and request the Institute of Public Health and Justice to study the current state of the juvenile justice and criminal justice systems to understand the potential impact of raising the age of juvenile jurisdiction to include seventeen-year olds.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Allain, Amedee, Brown, Buffington, Chabert, Claitor, Cortez, Crowe, Erdey, Gallot, Guillory, Heitmeier, Johns, LaFleur, Mills, Morrell, Murray, Nevers, Peterson, Riser, Smith, J., Tarver, Thompson, Walsworth, White. Total - 30

NAYS

Appel, Kostelka. Total - 2

ABSENT

Broome, Donahue, Dorsey-Colomb, Long, Martiny, Smith, G., Ward. Total - 7

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

HOUSE CONCURRENT RESOLUTION NO. 92—
BY REPRESENTATIVE WILLMOTT
A CONCURRENT RESOLUTION

To authorize and direct the Department of Health and Hospitals to require through administrative rulemaking that licensed ambulance services establish protocols related to the assessment and transport of patients with cardiac and stroke emergencies.

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

HOUSE CONCURRENT RESOLUTION NO. 139—
BY REPRESENTATIVE HONORE
A CONCURRENT RESOLUTION

To designate Friday, May 15, 2015, as a significant date in the history of black law enforcement officers with the East Baton Rouge Parish Sheriff's Office.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Adley, Allain, Amedee, Brown, Buffington, Chabert, Claitor, Cortez, Erdey, Gallot, Guillory, Heitmeier, Johns, Kostelka, LaFleur, Mills, Morrell, Morrish, Murray, Nevers, Peacock, Perry, Peterson, Riser, Smith, J., Tarver, Thompson, Walsworth, Ward, White. Total - 31

NAYS

Total - 0

ABSENT

Appel, Broome, Crowe, Donahue, Dorsey-Colomb, Long, Martiny, Smith, G. Total - 8

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 113—
BY SENATOR GALLOT
AN ACT

To amend and reenact R.S. 37:2353(A)(2), (3), (4), (5) and (6), 2354(E), 2356(G), and 2365(D) and to enact R.S. 37:2353(A)(7), relative to the State Board of Examiners of Psychologists, to provide for appointment of board members; to provide for eligibility of board members; to provide relative to qualification of certain licensees; to provide for maintenance of records; to provide for certain terms, conditions, procedures, requirements, and effects; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 113 by Senator Gallot

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, delete line 4 and insert "of Psychologists; to provide for"

AMENDMENT NO. 3

On page 1, line 9, change "(A)(2)," to "(A)"

AMENDMENT NO. 4

On page 1, delete lines 14 through 17 and on page 2, delete lines 1 through 9



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

**SENATE BILL NO. 171—**

BY SENATOR MORRISH

## AN ACT

To amend and reenact R.S. 22:454(A), 458, and 459(A) and to enact R.S. 22:452(4) and (5), relative to group self-insurers; to define certain terms; to provide for the amount of insolvency deposit; to provide certain requirements for self-insured trusts; to provide for excess stop-loss coverage; to provide with respect to the requirements to obtain a certificate of authority to operate a self-insured trust plan; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 171 by Senator Morrish

**AMENDMENT NO. 1**

On page 1, line 2, change "22:454(A)" to "22:453(B) and (C)" and at the end of the line insert "454(C), and 458.1,"

**AMENDMENT NO. 2**

On page 1, line 9, change "22:454(A)" to "22:453(B) and (C)"

**AMENDMENT NO. 3**

On page 1, line 10, after "and (5)" insert ", 454(C), and 458.1"

**AMENDMENT NO. 4**

On page 2, delete line 6 and insert:

"§453. Certificate of authority

\* \* \*

B. Each application for a certificate of authority shall be made on forms prescribed by the commissioner, shall be verified by the self-insurer or its authorized representative, and shall set forth or be accompanied by all of the following items:

(1) A copy of the self-insurer's bylaws and all management, administration, or trust agreements which the plan has made or proposes to make for the conduct of its business and affairs. Any proposed change or amendment to the foregoing shall also be filed with the commissioner within sixty days of its implementation.

(2) A list of names, permanent addresses, and official positions, if any, of the persons responsible for the formation of the self-insurer and for the organization, establishment, administration, and maintenance of the self-insurance plan.

(3) Biographical background information, on a form prescribed by the commissioner for each person who controls, directly or indirectly, ten percent or more of the self-insurer and for each director and officer of the self-insurer, **unless the self-insurer is an association-sponsored trust formed pursuant to Section 458.1 of this Subpart.**

(4) A plan of operation which clearly indicates the method of operation of the self-insurer including all of the following items:

(a) The types and limits of insurance to be provided.

(b) Pro forma financial statements for a period covering three years, which shall include a balance sheet, income statement, and cash flow statement.

(c) The amount and liquidity of its assets relative to the risks to be assumed by the self-insurer.

(d) The expertise, experience, and character of the persons or entities which will manage the self-insurer.

(e) A description of the self-insurer's stop-loss or excess program.

(f) A description of the self-insurer's underwriting policy, including the person or entity which will perform these functions.

(g) A description of the self-insurer's claims handling procedures, including the person or entity that will perform these functions.

(h) A description of the self-insurer's investment policy.

(i) The overall soundness of the plan of operation of the self-insurer.

(j) A description of the self-insurer's rate-making policies and procedures.

(5) A feasibility study or other analysis involving the self-insurance plan prepared by a qualified actuary.

(6) A copy of the application for coverage, contract, certificate, or policy of insurance or schedules of benefits to be issued or provided to persons covered under the self-insurance plan.

(7) A current financial statement verified by the applicant or its authorized representative showing the applicant's assets, liabilities, and sources of financial means and support. **For an association-sponsored trust formed pursuant to R.S. 22:458.1 of this Subpart, this shall include current financial statements dated not less than one year prior to the application for the association and, at the discretion of the Department, as many members as necessary to ensure compliance with the financial strength requirements of R.S. 22:458.1.**

(8) **Either of the following:**

(a) A copy of a fidelity bond which bond shall comply with all of the following:

(ai) Provides protection to the self-insurer against acts of fraud or dishonesty by persons servicing the self-insurer.

(bii) Provides coverage for each person responsible for servicing the self-insurer.

(eiii) Is in an amount equal to the greater of ten percent of the premiums and contributions received by the self-insurer or ten percent of the benefits paid, during the preceding calendar year, with a minimum amount of ten thousand dollars and a maximum amount of five hundred thousand dollars.

**(b) If the self-insurer is an association-sponsored trust formed pursuant to R.S. 22:458.1 a bond covering each third party administrator. Funds which employ their own administrators shall be required to submit proof of purchase of a bond, errors and omission insurance, directors and officers insurance, or other security approved by the department for the administration of the fund.**

(9) A copy of all advertising and marketing materials, including the marketing plan, **unless the self-insurer is an association-sponsored trust formed pursuant to R.S. 22:458.1.**

(10) A statement by the self-insurer certifying that the self-insurance plan is in compliance with all applicable provisions of the Employee Retirement Income Security Act of 1974 (29 U.S.C. §1001 et seq.).

**C. All applications from an association-sponsored trust being formed pursuant to R.S. 22:458.1 shall be accompanied by the following items:**

**(1) Individual application of each member of the fund applying for membership in the fund on the effective date of the fund, and copies of their executed indemnity agreements.**

**(2) Proof that the fund shall have the minimum annual earned normal premium required by R.S. 22:458.1.**

**(3) The current annual report or financial statement of any insurance company providing excess or reinsurance coverage for the fund if such statement is not already on file with the department.**

**(4) The name, address, and telephone number of the attorney representing the fund; the name, address, and telephone number of the qualified actuary for the fund; and the name, address, and telephone number of the certified public accountant who will be auditing the annual financial statements of the fund, as well as evidence of appointment of each by the fund.**

**(5) The domicile address in this state where the books and records of the fund will be maintained, and the state from which the fund will be administered.**

**(6) Proof of advance payment to the fund by each initial member of the fund of not less than one-twelfth of that member's first year estimated annual earned normal premium.**

**(7) A copy of the fund's premium billing policy indicating whether the premium payments to the fund will be paid by members annually, monthly, quarterly, or any combination thereof.**

**D.** Within ninety days of receipt of a completed application, the commissioner of insurance shall issue a certificate of authority to do business in the state to an applicant if the commissioner determines that the following conditions are met:

(1) The persons responsible for the administration of the self-insurance plan are competent, trustworthy, and of good reputation.

(2) The applicant is financially sound and responsible.  
(3) The applicant has deposited cash or securities and has otherwise complied with all of the requirements of this Subpart."

AMENDMENT NO. 5  
On page 2, line 14, change "Fifty" to "One hundred"

AMENDMENT NO. 6  
On page 2, after line 28, insert:  
"C. Notwithstanding the provisions of Subsections A and B of this Section, a self-insurer who satisfies all the criteria of R.S. 22:458.1 shall be deemed in compliance with this Section."

AMENDMENT NO. 7  
On page 3, line 4, after "shall" insert "comply with one of the following:"

AMENDMENT NO. 8  
On page 3, line 5, delete "during the first year of operations"

AMENDMENT NO. 9  
On page 3, line 6, after "not less than" delete "one hundred and fifty thousand" insert "one million"

AMENDMENT NO. 10  
On page 3, delete lines 11 through 27 and insert:  
"(b) Satisfy the requirements of R.S. 22:458.1."

AMENDMENT NO. 11  
On page 4, at the end of line 12, insert "fifty" and at the end of line 13, delete the period and insert "unless the trust is formed pursuant to R.S. 22:458.1."

AMENDMENT NO. 12  
On page 4, delete line 16 and insert:  
"§458.1 Association-sponsored self-insured trust

A.(1) Any ten or more Louisiana employers who are not public entities, each of which has a positive net worth, is financially solvent, and is capable of assuming the obligations set forth under this Section, and who are all members of the same trade or professional association may agree to pool any liabilities to their employees relating to the provision of health care benefits for those employers and their employees via a trust established by the association. This arrangement shall not be an insurer, shall not be deemed to be insurance, and shall not be subject to the Louisiana Insurance Code. The member employers of the arrangement likewise shall not be insurers or be subject to the Louisiana Insurance Code.

(2) An agreement to pool liabilities under this Chapter shall be set forth in an indemnity agreement signed by the employer, association representative, and fund representative acknowledging and agreeing to the assumption of the liabilities as set forth in this Subpart.

(3) The arrangement shall not be a member insured of the Louisiana Insurance Guaranty Association, nor shall the Louisiana Insurance Guaranty Association be liable under any circumstances for any claims, or increments of any claims, made against the arrangement.

(4) The arrangement shall include the establishment of a trust fund by a trade or professional association for its members, and the arrangement shall be known as a group self-insurance fund for health care benefits and shall be governed by a board of trustees.

(5) The association establishing the fund shall be responsible for any unpaid claims liability of the fund. Members of the fund shall be in solido guarantors of liabilities of the fund not satisfied by the association due to the association's insolvency.

(6)(a) The arrangement shall be domiciled in the state of Louisiana.

(b) The arrangement shall be authorized to contract with such vendors, including but not limited to administrators, agents and re-insurers, as may be necessary to ensure appropriate provision of health care benefits for members and their eligible employees.

It shall not be required that said vendors be domiciled in the state of Louisiana.

(c) All books, records, documents, accounts, and vouchers shall be kept in such a manner that the arrangement's financial condition, affairs, and operations can be ascertained and so that its financial statements filed with the commissioner of insurance can be readily verified and its compliance with the law determined. Any or all books, records, documents, original indemnity agreements, accounts, and vouchers may be photographed or reproduced on film. Any photographs, microphotographs, optical imaging, or film reproductions of any original books, records, documents, original indemnity agreements, accounts, and vouchers shall for all purposes, including but not limited to admission into evidence in any court or adjudicatory proceeding, be considered the same as the originals thereof, and a transcript, exemplification, or certified copy of any such photograph, microphotograph, optical imaging, or film reproduction shall for all purposes be deemed to be a transcript, exemplification, or certified original. Any original so reproduced may thereafter be disposed of or destroyed, as provided for in Subparagraph (d) of this Paragraph, if provision is made for preserving and examining the reproduction.

(d) Except as otherwise provided in Subparagraph (c) of this Paragraph, original books, records, documents, accounts, and vouchers, or such reproductions thereof, shall be preserved and kept in this state for the purpose of examination and until the authority to destroy or otherwise dispose of the records is secured from the commissioner of insurance. All original records, or certified reproductions thereof, shall be maintained for the period commencing on the first day following the last period examined by the commissioner of insurance through the subsequent examination period, or three years, whichever is greater, except that any original, or certified reproduction thereof, whereby the member agrees to or acknowledges such member is an in solido guarantor of liabilities of the fund not satisfied by the association shall be permanently maintained.

(7) Throughout the existence of the fund, at least one of the following conditions shall be satisfied at any given time:

(a) The association and two or more members of the arrangement shall maintain a minimum combined net worth of one million dollars and a ratio of current assets to current liabilities of at least one-to-one.

(b) The balance of unencumbered reserves in the fund shall be equal to at least thirty percent of the unpaid claims liability of the fund.

(8) The fund shall maintain contribution rates for participation under the arrangement that satisfy either of the following requirements:

(a) Contribution rates shall equal or exceed the sum of projected claims liability for the year, plus all projected costs of operation of the plan for the year, plus an amount equal to any deficiency in the reserves of the plan for the prior year, minus an amount equal to the reserves of the plan in excess of the minimum required level of reserves.

(b) Contribution rates shall equal or exceed a funding level established by a report prepared by an actuarial firm.

B. For the purposes of this Section, "association" means an active trade or professional association which satisfies all of the following:

(1) Meets either of the following criteria:

(a) Is a tax exempt organization approved by the Internal Revenue Service under the provisions of 26 United States Code Section 501.

(b) Is a nonprofit corporation organized under Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950.

(2) Provides services to its membership so that the primary function of the trade or professional association is not the sponsorship, operation, or management of a fund, or related employee safety program, or other related activities. The association shall have, for a period of at least ten years prior to the date of application, satisfied all of the following requirements:

(a) Held regular meetings of the board on no less than an annual basis.

**(b) Produced a newsletter, on no less than an annual basis, which was mailed, via United States mail or sent by electronic mail, to each member.**

**(3) Is chartered and domiciled in the state of Louisiana and has been in existence for a period of twenty-five years or more."**

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

**SENATE BILL NO. 250—**  
BY SENATOR JOHNS

AN ACT

To enact Part II-A of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:26, relative to motor vehicles and traffic regulation; to create the Statewide Motor Vehicle Theft and Uninsured Motorists Identification Program; to provide relative to a pilot program using automatic license plate recognition systems to identify stolen vehicles and uninsured motorists; to provide definitions; to provide penalties; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 250 by Senator Johns

##### AMENDMENT NO. 1

On page 4, delete lines 20 through 27 and insert:

**"F. To accomplish the purposes of the pilot program, the Department of Public Safety and Corrections, public safety services, shall allow access to the vehicle registration and compulsory motor vehicle insurance databases to be used only in connection with the automatic license plate recognition system established pursuant to this Part. The Department of Public Safety and Corrections, public safety services shall allow access to the data from the databases in accordance with a memorandum of understanding to be executed between the Department of Public Safety and Corrections, sheriffs, and district attorneys in the state."**

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

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

**HOUSE BILL NO. 79—**  
BY REPRESENTATIVE BURFORD

AN ACT

To amend and reenact R.S. 40:4.9(D), relative to certain foods prepared in the home for sale; to provide relative to requirements for preparers of food in the home for sale; to exempt sellers of home-produced raw honey from a food labeling requirement; to provide relative to registration by certain sellers for the collection of local sales and use taxes; and to provide for related matters.

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

**HOUSE BILL NO. 177—**  
BY REPRESENTATIVE WHITNEY

AN ACT

To amend and reenact R.S. 28:451.2(2) and (15)(introductory paragraph), 451.3(A) and (C) through (G), 451.4(B), and 455.2(B), to enact R.S. 28:915(B)(9), and to repeal R.S. 28:451.2(23), relative to implementation of the Developmental Disability Law; to provide for responsibilities of human services authorities and districts within the developmental disabilities services system; to provide for functions of advisory committees

of human services authorities and districts; to delete outdated references to regional offices and state developmental centers of the office for citizens with developmental disabilities within the Department of Health and Hospitals; and to provide for related matters.

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

**HOUSE BILL NO. 184—**  
BY REPRESENTATIVE HUVAL  
AN ACT

To amend and reenact R.S. 22:1551(C)(1), relative to renewal of an insurance producer license; to provide for an exemption from examination for renewal of a resident producer license when application is made within two years of the date of expiration of the previous license; and to provide for related matters.

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

**HOUSE BILL NO. 210—**  
BY REPRESENTATIVES MORENO AND WILLMOTT  
AN ACT

To enact R.S. 40:978.2, relative to the treatment for overdose of controlled dangerous substances; to require pharmacists to dispense naloxone; to limit liability for prescribing or dispensing naloxone; to authorize the receipt and administration of a naloxone prescription by a third party; to limit liability for the administration of naloxone by a third party; to provide for definitions; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 210 by Representative Moreno

##### AMENDMENT NO. 1

On page 2, delete lines 9, 10, and 11, and insert: "such a manner that it shall be administered through a device approved for this purpose by the United States Food and Drug Administration."

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

**HOUSE BILL NO. 214—**  
BY REPRESENTATIVE PIERRE  
AN ACT

To amend and reenact R.S. 22:46(introductory paragraph) and (17), 432, 434, 438(A)(introductory paragraph) and (2) and (B), 446, 1456(B)(2), and 1661(6) and to enact R.S. 22:46(17.1), 435(B)(3), and 436.1, relative to the creation of domestic surplus line insurers; to provide for the creation of domestic surplus lines insurers; to provide for definitions; to provide for regulation of domestic surplus lines insurers by the commissioner of insurance; to provide for exemptions from form and rate filing for domestic surplus lines insurers; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 214 by Representative Pierre

##### AMENDMENT NO. 1

On page 3, delete lines 16 through 18 and insert: "organizations except as required pursuant to R.S. 22:1456(B)(2) relative to public carrier vehicles."

AMENDMENT NO. 2

On page 3, line 23, after "jurisdictions" insert "with the approval of the commissioner"

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

HOUSE BILL NO. 215—

BY REPRESENTATIVE LEBAS

AN ACT

To amend and reenact R.S. 22:2195, relative to the authority of the commissioner of insurance; to provide relative to a notice of wrongful conduct; to provide for the contents of the notice, including informing the person of the opportunity to show cause as to why regulatory action should not be taken; and to provide for related matters.

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

HOUSE BILL NO. 221—

BY REPRESENTATIVE HALL

AN ACT

To amend and reenact R.S. 22:439(A) and (B), relative to reporting requirements for the surplus lines insurance tax; to specify which surplus lines brokers shall file which type of report with the commissioner of insurance; and to provide for related matters.

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

HOUSE BILL NO. 257—

BY REPRESENTATIVE SEABAUGH

AN ACT

To amend and reenact R.S. 22:1009(A)(introductory paragraph), (5), and (7) and to enact R.S. 22:1009(B)(5) and (6), relative to healthcare provider credentialing; to specify that licensed dentists are healthcare providers and dental benefit plans are health insurance issuers for purposes of credentialing; to prohibit requiring recredentialing for additional practice locations; and to provide for related matters.

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

HOUSE BILL NO. 270—

BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 46:460.51(introductory paragraph) and the heading of Subpart B of Part XIII of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, and to enact R.S. 46:442 and 460.70, relative to the medical assistance program of this state, known also as Medicaid; to prescribe duties of the Department of Health and Hospitals in administering the Medicaid program; to provide relative to Medicaid managed care organizations; to provide relative to provider claims for certain health services; and to provide for related matters.

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

HOUSE BILL NO. 304—

BY REPRESENTATIVES HALL AND LEBAS

AN ACT

To amend and reenact R.S. 40:1007(A) and (G), relative to prescription monitoring; to share prescription monitoring program information with equivalent programs in other states; to provide for the security of personal information; and to provide for related matters.

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

HOUSE BILL NO. 357—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 6:333(F)(14) and (18), R.S. 46:236.1.4(A) and (C), and R.S. 47:1677(A) and (F)(2), relative to financial disclosure authorizations; to require banks or their subsidiaries or affiliates to disclose certain information; to authorize financial institutions to provide certain information of joint account holders to the Department of Revenue; to authorize financial institutions to provide certain information of joint account holders to the Department of Children and Family Services; to provide for the payment of the reimbursement fee received by financial institutions conducting data match; to provide relative to the participation fee payment from the Department of Revenue; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 357 by Representative Ritchie

AMENDMENT NO. 1

On page 1, line 3, change "(F)(2)" to "(F)(4)" and to enact R.S. 47:1677(F)(5)"

AMENDMENT NO. 2

On page 3, line 10, after "financial institution," delete the remainder of the line and delete lines 11 through 14

AMENDMENT NO. 3

On page 3, line 16, change "(F)(2)" to "(F)(4)" and after "reenacted" insert "and R.S. 47:1677(F)(5) is hereby enacted"

AMENDMENT NO. 4

On page 4, delete lines 1 through 18 and insert the following:  
"(4) Any fees paid under this Section shall not be comprised of or constitute any amounts due to a financial institution for its compliance with R.S. 46:236.1.4. The department or office shall be responsible for the reconciliation and tracking of data and information regarding the number of sent data match request files, received completed data match accounts, and amounts paid in accordance with this Section. The department shall also be responsible for tracking and reporting all statistical information regarding financial data match activities to the commissioner of administration or his designee every six months and to report the information to the Joint Legislative Committee on the Budget every session prior to the last day of each legislative session.

(5) At the discretion of the secretary, the department or office and the Department of Children and Family Services may enter into an agreement to share the costs of reimbursement fees paid to financial institutions for complying with financial institution data match laws pursuant to R.S. 46:236.4.1 or this Section. As part of any such agreement, the department shall make reimbursement out of current allocations."

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

HOUSE BILL NO. 381—

BY REPRESENTATIVES JACKSON AND SIMON

AN ACT

To enact R.S. 40:2154(18), relative to behavioral health services rendered to specialty courts; to exempt from licensure requirements providers furnishing behavioral health services to certain specialty courts; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 394—**

BY REPRESENTATIVE MILLER

AN ACT

To amend and reenact R.S. 12:204(B)(introductory paragraph), 204.1(A), 303(A), 1306(A)(3) and (4), and 1307(B)(2) and R.S. 51:213(B)(2), to enact R.S. 9:3401(C) and R.S. 12:1-401(A)(3)(e), 204(G), and 1306(A)(5), and to repeal R.S. 12:1307(B)(3), relative to names of business entities, trade names, trademarks, and service marks; to provide an application process to specify partnership and nonprofit corporate names with the secretary of state; to provide for a reservation period of the specified name; to provide for the right to transfer specified partnership and nonprofit corporate names; to amend the reservation period for specified names of limited liability companies; to prohibit the inclusion of certain language in the names of business entities generally; to include partnerships as a business entity for which names are required to be distinguishable; to amend the reservation period for specified trade names, trademarks, or service marks; to repeal the assessed fee relative to reserving a trade name, trademark, or service mark; to provide for technical corrections; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 468—**

BY REPRESENTATIVE NANCY LANDRY

AN ACT

To amend and reenact R.S. 9:3893(A)(2)(b), relative to duties of real estate licensees representing clients; to eliminate the option of clients to waive a duty imposed on licensees; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 491—**

BY REPRESENTATIVE WILLMOTT

AN ACT

To amend and reenact R.S. 37:761(A)(1), relative to qualifications of applicants for a dental license; to allow persons with valid and current legal authority to reside and work in the United States to apply for a dental license; and to provide for related matters.

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

**HOUSE BILL NO. 554—**

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 37:831(introductory paragraph) and (10) and (44) and 842(F)(1) through (3), relative to state licensed embalmers and funeral directors; to provide for definitions relative to branch and funeral establishments; to provide for authorized embalming performed by supervised registered interns; to require a minimum number of caskets in display rooms of funeral establishments; to provide with respect to funeral establishment management; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 572—**

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact the heading of Part II of Chapter 6 of Title 34 of the Louisiana Revised Statutes of 1950, R.S. 34:1041, 1042(A), 1044 through 1046, and 1048, relative to steamship pilots; to provide for appointments relative to new examiners and commissioned steamship pilots; to provide for qualifications relative to steamship pilots; to provide for pilotage fees; to repeal obsolete statutory provisions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 592—**

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 8:70, 73, 75(A) and (B), 78, 201, 403, 456(A), 461(A) (introductory paragraph) and (2) and (B), 462, 466, 506(B), and 606(A) and to enact R.S. 8:705.1, relative to cemetery authorities; to increase certain regulatory, application, and examination fees established by the Louisiana Cemetery Board; to authorize the board to impose certain fines; to provide for exempt certificates of authority; to provide for fees relative to renewal of exempt certificates of authority; to clarify provisions relative to corporate entities engaged in cemetery business; to provide relative to required content of annual reports of trustees and cemetery authorities; to provide for application requirements and fees relative to sales of cemetery space, rights of use, or interment in cemetery structures and gardens; to provide for exemptions; to provide for technical corrections; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 666—**

BY REPRESENTATIVE REYNOLDS

AN ACT

To amend and reenact R.S. 6:213(B), 291(D) and (E), 705(C)(2), 786(D), and 1191(C) and to enact R.S. 6:213(C), relative to banking regulations; to provide relative to articles of incorporation; to allow and restrict authorizing reversion of ownership interests; to allow and restrict limited liability; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title and referred to the Legislative Bureau.

**Rules Suspended**

Senator Donahue asked for and obtained a suspension of the rules to recall Senate Bill No. 193 from the Committee on Finance.

**SENATE BILL NO. 193—**

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 33:9038.31(2) and (3) and to enact R.S. 33:9038.68, relative to special districts; to create the Walnut Street Special District; to provide for the governance and the powers and duties of the district, including tax, bond, and tax increment finance authority; and to provide for related matters.

On motion of Senator Donahue, the bill was read by title and passed to a third reading.

**Senate Resolutions  
on Second Reading  
Reported by Committees****SENATE RESOLUTION NO. 80—**

BY SENATORS CROWE, THOMPSON AND WHITE

A RESOLUTION

To commend Taiwan, officially known as the Republic of China, for positive economic relations and friendship with the state of Louisiana and to encourage the continuation and further strengthening of these ties.

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

May 14, 2015

The resolution was read by title. On motion of Senator Crowe, the Senate Resolution was adopted.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 68— BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to restore trade relations between the United States and Cuba in order to open the market to Louisiana rice.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' in three columns.

NAYS

Kostelka Total - 1

ABSENT

Table listing names of senators who were 'ABSENT' in three columns.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 47— BY SENATOR PERRY

AN ACT

To amend and reenact R.S. 13:1894.1, and to repeal R.S. 32:664(D), relative to the crime of driving while intoxicated; to provide technical changes to current law relative to prosecutions and penalties for driving while intoxicated; to repeal the prohibition against a licensed practical nurse administering a blood test under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 112— BY SENATOR GALLOT

AN ACT

To enact R.S. 26:601, relative to alcoholic beverage sales; to authorize the governing authority of Rapides Parish to hold an election to allow certain restaurants and liquor retailers to sell alcohol; to

provide for definitions; to provide for the election and ballot language; and to provide for related matters.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 112 by Senator Gallot

AMENDMENT NO. 1

On page 1, line 13, following "with" and before "provisions" insert "the"

AMENDMENT NO. 2

On page 3, line 11, following "ward" and before "and" insert ";

On motion of Senator Amedee, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' in three columns.

NAYS

Table listing names of senators who voted 'NAYS' in three columns.

ABSENT

Table listing names of senators who were 'ABSENT' in three columns.

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 283— (Substitute of Senate Bill No. 34 by Senator Cortez)

BY SENATOR CORTEZ

AN ACT

To enact R.S. 17:274.1(D), relative to required courses of study; to provide relative to the course content and curriculum for certain Civics and civics-related courses; to provide relative to a survey of student knowledge of the history, principles, and form of the United States government; and to provide for related matters.

Floor Amendments

Senator Amedee proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Amedee on behalf of the Legislative Bureau to Engrossed Senate Bill No. 283 by Senator Cortez

**AMENDMENT NO. 1**

On page 2, line 1, at the beginning of the line and before "**naturalized**" change "**knowledge**" to "**of which**"

**AMENDMENT NO. 2**

On page 2, line 1, following "**demonstrate**" and before "." insert "**a knowledge**"

On motion of Senator Amedee, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Erdey     | Nevers    |
| Adley         | Gallot    | Peacock   |
| Allain        | Guillory  | Perry     |
| Amedee        | Heitmeier | Peterson  |
| Appel         | Johns     | Riser     |
| Brown         | Kostelka  | Smith, J. |
| Buffington    | LaFleur   | Tarver    |
| Chabert       | Long      | Thompson  |
| Claitor       | Mills     | Walsworth |
| Cortez        | Morrell   | Ward      |
| Crowe         | Morrish   | White     |
| Donahue       | Murray    |           |
| Total - 35    |           |           |

**NAYS**

Total - 0

**ABSENT**

|               |           |
|---------------|-----------|
| Broome        | Martiny   |
| Dorsey-Colomb | Smith, G. |
| Total - 4     |           |

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

**Rules Suspended**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 14, 2015

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 50—**

BY SENATOR BROWN AND REPRESENTATIVE GAINES

**A CONCURRENT RESOLUTION**

To support the efforts of the St. John the Baptist Parish Council and the St. John the Baptist Board of Library Control to rename the Reserve Branch Library in St. John the Baptist Parish as the Leroy D. Williams Public Library.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 82—**

BY SENATOR MURRAY

**A CONCURRENT RESOLUTION**

To encourage business owners and residents of Louisiana to take all measures to ensure the safety of their property, including considering the installation of security cameras to enhance safety, deter crime, and otherwise provide for the protection of their property.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 95—**

BY SENATOR THOMPSON

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Department of Education to study the feasibility of requiring public school governing authorities to encourage and assist high school seniors and their parents to complete the Free Application for Federal Student Aid.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 93—**

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

**A CONCURRENT RESOLUTION**

To commend local school boards and superintendents throughout the state for their service and dedication to the education of the children of Louisiana and for the pivotal role they play in producing excellent public education.

Reported without amendments.

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

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 118—**

BY SENATORS PETERSON AND CLAITOR

**A RESOLUTION**

To commend the Louis A. Martinet Legal Society for its contributions to the legal profession and community and recognize May 21, 2015, as the second Annual "Louis A. Martinet Day" at the Louisiana State Capitol.

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

**SENATE RESOLUTION NO. 119—**

BY SENATOR PETERSON

**A RESOLUTION**

To recognize Tuesday, May 19, 2015, as the thirty-first Annual Red and White Day at the Louisiana Legislature.

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

**Rules Suspended**

Senator Brown asked for and obtained a suspension of the rules to take up at this time:

Senate Resolutions on Second Reading, Subject To Call

Called from the Calendar

Senator Brown asked that Senate Resolution No. 108 be called from the Calendar.

SENATE RESOLUTION NO. 108— BY SENATOR BROWN A RESOLUTION

To commend and congratulate Danielle Deggs on starting the first African-American owned and operated residential and commercial real estate agency in Iberville Parish.

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

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall Senate Bill No. 96 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 96— BY SENATOR MORRELL AN ACT

To amend and reenact R.S. 47:6007(C)(1)(d) and to enact R.S. 47:6007(C)(1)(e), relative to motion picture investor tax credits; to limit the amount of tax credits which may be claimed each fiscal year; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall Senate Bill No. 97 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 97— BY SENATOR MORRELL AN ACT

To enact R.S. 47:6007(C)(4)(b)(iii), relative to motion picture investor tax credits; to authorize certain donations in lieu of a tax credit processing transfer fee for a Hollywood South program to memorialize the movie industry in Louisiana; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall Senate Bill No. 99 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 99— BY SENATOR MORRELL AN ACT

To amend and reenact the introductory paragraph of R.S. 47:6007(C)(1), R.S. 47:6007(D)(1)(b), (2)(c), (d)(i), the introductory paragraph of (e), and (e)(ii), and to enact R.S. 47:6007(B)(17) and (18), (D)(1)(d)(iv) and (2)(a)(ii), relative to motion picture investor tax credits; to authorize renewable contracts for motion picture investor tax credits for multiple years for certain scripted television/video series; to provide for conditions and procedures for granting such contracts; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Morrell asked for and obtained a suspension of the rules to recall Senate Bill No. 104 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 104— BY SENATOR MORRELL AND REPRESENTATIVE TALBOT AN ACT

To amend and reenact R.S. 47:6007(C)(1)(d) and to enact R.S. 47:6007(C)(1)(e), relative to motion picture investor tax credits; to limit the amount of motion picture investor tax credits which may be awarded on state-certified productions approved during a fiscal year; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and withdrawn from the files of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 14, 2015

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. 86— BY SENATOR MORRISH AND REPRESENTATIVE HENSGENS A CONCURRENT RESOLUTION

To commend the Hackberry High School softball team for winning the 2015 Class C State Championship for the fifth consecutive year.

SENATE CONCURRENT RESOLUTION NO. 87— BY SENATORS JOHNS AND MORRISH AND REPRESENTATIVES DANAHAY, GEYMAN AND KLECKLEY A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of James Leo McGough Sr. of Lake Charles, Louisiana.

SENATE CONCURRENT RESOLUTION NO. 88— BY SENATOR JOHNS AND REPRESENTATIVE GEYMAN A CONCURRENT RESOLUTION

To commend the Sam Houston High School Lady Broncos softball team on winning its fourth state championship in five years.

SENATE CONCURRENT RESOLUTION NO. 90— BY SENATORS MORRELL AND APPEL AND REPRESENTATIVES ABRAMSON, LEGER AND MORENO A CONCURRENT RESOLUTION

To commend distinguished and published author, teacher, and artist Brad Richard as the recipient of the 2015 Louisiana Culture Award for Artist of the Year.

Respectfully submitted, "JODY" AMEDEE Chairman

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



**ATTENDANCE ROLL CALL****PRESENT**

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

**ABSENT**

|               |         |           |
|---------------|---------|-----------|
| Dorsey-Colomb | Martiny | Smith, G. |
| Total - 3     |         |           |

**Leaves of Absence**

The following leaves of absence were asked for and granted:

|               |       |         |       |
|---------------|-------|---------|-------|
| Dorsey-Colomb | 1 Day | Martiny | 1 Day |
| Gary Smith    | 1 Day |         |       |

**Announcements**

The following committee meetings for May 18, 2015, were announced:

|                          |            |              |
|--------------------------|------------|--------------|
| Finance                  | 1:00 P.M.  | Room A       |
| Retirement               | 12:00 P.M. | Room E       |
| Revenue & Fiscal Affairs | 10:00 A.M. | Hainkel Room |

**Adjournment**

On motion of Senator Thompson, at 10:15 o'clock A.M. the Senate adjourned until Monday, May 18, 2015, at 4:30 o'clock P.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk

