

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

THIRTY-FOURTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 12, 2016

The Senate was called to order at 9:15 o'clock A.M. by Hon. Gerald Long, President Pro Tempore of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Allain	Lambert	Peterson
Appel	Long	Riser
Boudreaux	Luneau	Smith, G.
Carter	Martiny	Tarver
Claitor	Milkovich	Thompson
Colomb	Mizell	Walsworth
Erdey	Morrell	White
Gatti	Morrish	
Johns	Perry	
Total - 25		

ABSENT

Mr. President	Cortez	Mills
Barrow	Donahue	Peacock
Bishop	Fannin	Smith, J.
Brown	Hewitt	Ward
Chabert	LaFleur	
Total - 14		

The President Pro Tempore of the Senate announced there were 25 Senators present and a quorum.

Prayer

The prayer was offered by Reverend James Womack, 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 Gatti, the reading of the Journal was dispensed with and the Journal of May 11, 2016, was adopted.

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 11, 2016

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 33—
BY SENATOR GATTI

AN ACT

To enact R.S. 14:87.3, relative to the sale and transport of fetal organs and body parts; to prohibit the sale of fetal organs and body parts resulting from an induced abortion; to prohibit the transport of fetal organs and body parts with the intent to engage in a prohibited sale; to provide definitions; to provide penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 104—
BY SENATOR JOHN SMITH

AN ACT

To amend and reenact R.S. 22:651(A), 652, and 661, relative to credits for reinsurance; to provide for specific additional requirements relative to the valuation of assets or reserve credits, for the amount and forms of security supporting reinsurance arrangements, and the circumstances pursuant to which credit will be reduced or eliminated; to provide specific authority to promulgate regulations that conform to National Association of Insurance Commissioners model regulations relative to reinsurance for certain health, life, and annuity products; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 271—
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 40:1046 and to enact R.S. 40:1047, relative to medical marijuana; to provide for physician requirements; to provide for definitions; to provide for rulemaking requirements; to provide for responsibilities of certain licensing boards and agencies; to provide for criminal background history; to provide for enactment of provisions upon reclassification by the United States Drug Enforcement Administration; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 40—
BY SENATOR PERRY

AN ACT

To amend and reenact R.S. 47:120.37(B) and to enact R.S. 47:120.131(D), relative to donations of refunds; to provide for such donations to the Friends of Palmetto Island State Park, Inc.; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 45—
BY SENATOR MORRISH

AN ACT

To designate the interchange of Interstate 10 (Exit 54) with Louisiana Highway 99 in Welsh, Louisiana, in Jefferson Davis Parish, as the "SP4 Donald C. Gillett Memorial Interchange"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 95—
BY SENATOR WARD

AN ACT

To amend and reenact R.S. 32:863.1(A) and to enact R.S. 32:863.1.1, relative to evidence of compulsory motor vehicle liability security contained in a vehicle; to prohibit a citation resulting in a penalty or fee for failure to have a document that evidences proof of compulsory motor vehicle liability contained in a motor vehicle at the time of a traffic stop when there is electronic verification of coverage; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 99—

BY SENATOR GARY SMITH

AN ACT

To enact R.S. 47:360(H), relative to sales by minors; to exempt minors from occupational license taxes; to provide for certain terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 108—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 9:3578.4.1(G)(2)(a), relative to deferred presentment and small loans; to provide for the extended payment plan process; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 183—

BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 37:563(6), (8), and (10), 589(A), 594(B)(10), and 600(A)(12), and to repeal R.S. 37:588, relative to the Louisiana Cosmetology Act; to provide for definitions; to provide for registration for managers; to provide for application for school certificate of registration; to provide for denial, suspension, summary suspension, revocation or inactivity of certificate of registration; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 203—

BY SENATOR WARD

AN ACT

To enact R.S. 37:213.1, relative to the unauthorized practice of law; to provide certain terms, conditions, requirements, definitions and procedures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 233—

BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 6:965(C)(2) and 966.1(A)(3), relative to the Additional Default Remedies Act; to provide for definitions; to provide for requirements of the appropriate official; to provide terms, conditions, and requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 354—

BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 48:252(B)(7)(b) and 256.4, and to repeal R.S. 48:251.5(B)(3), relative to contracts of the Department of Transportation and Development; to provide relative to plan changes, partial acceptance, and attorney fees; and to provide for related matters.

Reported with amendments.

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

**Privileged Report of the
Legislative Bureau**

May 12, 2016

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. 55—

BY REPRESENTATIVES DWIGHT, CHAD BROWN, GARY CARTER, COUSSAN, HAZEL, MIKE JOHNSON, MAGEE, JAY MORRIS, AND SHADOIN

AN ACT

To enact R.S. 13:5368, relative to courts and judicial procedure; to provide with respect to Veterans Court programs in district court; to provide for dismissal of certain criminal charges upon completion of a Veterans Court program; to provide with respect to revocation of probation in certain circumstances; to provide for the effect of a dismissal of criminal charges; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 76—

BY REPRESENTATIVE HAVARD

AN ACT

To enact Code of Criminal Procedure Article 404(F), relative to jury commissions; to provide for the functions of the jury commission in the parishes of East Feliciana and West Feliciana; to transfer the functions of the jury commission to the clerks of court of East Feliciana Parish and West Feliciana Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 172—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact Code of Criminal Procedure Article 900(A)(6)(b), relative to technical parole violations; to provide for earning of credit for time served prior to revocation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 180—

BY REPRESENTATIVE JEFFERSON

AN ACT

To amend and reenact Code of Criminal Procedure Article 901(C), relative to probation; to provide relative to the revocation of probation for the commission of another offense; to provide for credit for time served prior to the revocation hearing; to provide that certain sentences may be served consecutively or concurrently; to provide exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 226—

BY REPRESENTATIVE MORENO

AN ACT

To amend and reenact R.S. 27:443(B)(1)(a)(ii) and (b)(iii), relative to penalties for certain violations of the Video Draw Poker Devices Control Law; to provide with respect to the revocation or suspension of a license for certain violations; to provide for a hearing; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 254—

BY REPRESENTATIVE HAVARD
AN ACT

To amend and reenact R.S. 15:1302(2) and 1316(C) and (D) and to enact R.S. 14:222.3 and R.S. 15:1302(3.1) and (16.1), 1316(E), 1317, and 1318, relative to electronic surveillance; to create the crime of unlawful use of a cellular tracking device; to provide definitions; to provide criminal penalties; to provide exceptions; to provide for applicability; to provide procedures for use of a cellular tracking device by law enforcement officers and investigative officers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 259—

BY REPRESENTATIVE NANCY LANDRY
AN ACT

To enact R.S. 13:3494 and 3495, relative to child support actions; to provide for required notice; to provide for contents of the notice; to provide relative to the failure to provide notice; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 325—

BY REPRESENTATIVE ROBERT JOHNSON
AN ACT

To repeal R.S. 40:34(E), relative to paternity; to repeal provisions in the Vital Records Law regarding allegations of paternity for child support purposes.

Reported without amendments.

HOUSE BILL NO. 330—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 9:315.11(A), relative to child support; to provide for imputing income; to provide relative to actual income or income earning potential; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 347—

BY REPRESENTATIVES DANAHAY, BAGNERIS, GARY CARTER,
ROBBY CARTER, GAINES, JIMMY HARRIS, HAZEL, HODGES, AND
JACKSON

AN ACT

To enact R.S. 13:5401(C)(10), (11), and (12), relative to reentry courts; to authorize the creation of a reentry division of the Fourteenth, Twenty-First, and Thirty-Second Judicial District Courts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 388—

BY REPRESENTATIVES JEFFERSON AND HUNTER
AN ACT

To amend and reenact Civil Code Articles 189, 191, 195, and 196 and R.S. 9:406(B), (C), (D)(2), and (E)(2) and to enact R.S. 9:408 and 409, relative to the filiation of children; to provide for the commencement of the prescriptive period; to provide for the revocation of an act of acknowledgment; to provide for the identification of fathers; to provide for necessary parties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 395—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 9:315(C)(1), relative to child support; to provide for computing adjusted gross income; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 396—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 9:315.16(B)(1), relative to the child support review committee; to provide with respect to its membership; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 410—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 9:315.9(A)(1) and (2) and 315.10(A)(1) and (2), relative to child custody; to provide relative to shared custody and split custody relating to child support; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 449—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Children's Code Articles 1122(F)(2) and (G)(2) and 1142(B) and R.S. 40:34, 46, 46.1, 46.2, and 75(A), to enact R.S. 9:410, R.S. 40:34.1 through 34.13, and 46.3 through 46.13, and to repeal Children's Code Article 1142(C), relative to vital statistics; to provide for the completion of a birth certificate; to provide for the amendment of a birth certificate; to reorganize and recodify laws relative to birth certificates, death certificates, and paternity establishment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 484—

BY REPRESENTATIVE ROBERT JOHNSON
AN ACT

To amend and reenact R.S. 9:315.4(B) and R.S. 46:236.1.1(2), and 236.1.2(L), relative to child support; to provide with respect to obligations to provide health insurance; to provide for cash medical support payments in certain cases; to provide for the collection of payments to the Department of Children and Family Services under certain circumstances; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 537—

BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 40:1165.1(A)(2)(b)(i) and (ii), relative to medical records; to provide relative to the maximum charges for providing certain medical records; to provide for the form in which to store and provide medical records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 546—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 14:71.4, relative to misappropriation without violence; to create the crime of homestead exemption fraud; to provide for elements of the crime; to provide criminal penalties; to provide for restitution; to provide definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 547—

BY REPRESENTATIVE JACKSON
AN ACT

To enact R.S. 15:175(D), relative to public defender services; to provide with respect to determinations of indigency; to authorize the adoption of a uniform form to be used in determining indigency; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 582—

BY REPRESENTATIVES JACKSON AND HOFFMANN
AN ACT

To amend and reenact R.S. 14:2(B)(32) and 37.2 and R.S. 15:642(2)(b), relative to aggravated assault upon a peace officer; to amend the crime of aggravated assault upon a peace officer with a firearm; to remove the element that the offense be committed with a firearm; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 667—

BY REPRESENTATIVE REYNOLDS
AN ACT

To amend and reenact R.S. 26:359(B)(1)(h) and (i), (2) and (3), (C), (D), (E), and (F) and to enact R.S. 26:359(B)(4), relative to wine shipped directly to consumers; to provide with respect to certain requirements for direct shipment sales; to provide for exceptions; to authorize the commissioner to promulgate rules; to provide for permit applications of certain wine producers, manufacturers, and retailers; to provide permit fees; to specify the due date of a monthly statement; to provide for additional penalties for violations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 667 by Representative Reynolds

AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 11, 2016, on line 4, after "after" and before "insert" change ""consumers"" to ""consumers;""

AMENDMENT NO. 2

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 11, 2016, on line 9, after "lines" and before ", "change "11 and 12" to "12 and 13"

HOUSE BILL NO. 670—

BY REPRESENTATIVE HENSGENS
AN ACT

To enact R.S. 40:1281.26, relative to individual sewerage systems; to provide for a temporary waiver of sanitary code requirements for individual sewerage systems in certain jurisdictions; to authorize enforcement by the jurisdiction; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 809—

BY REPRESENTATIVE SCHRODER
AN ACT

To amend and reenact Children's Code Articles 571, 572(1), 573, and 575 and R.S. 15:185.1, 185.2(2), (6), and (7), 185.3(A), (B)(1), (2), (6)(introductory paragraph), (11), (12), (13), (14), (15), (19)(a) and (c), 185.4(B)(1), (2)(a), (c), (d), and (e), (3)(introductory paragraph) and (a), (5), (7), (13), (14), and (15), 185.6(C), 185.7(B) and (C), 185.8(introductory paragraph), and 185.9(A)(1) and (B)(2) and to repeal Children's Code Article 1023(C), relative to children; to provide for the Indigent Parents' Representation Program; to provide with respect to legal representation of indigent or absent parents; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 809 by Representative Schroder

AMENDMENT NO. 1

On page 10, between lines 13 and 14 insert
" * * *"

HOUSE BILL NO. 862—

BY REPRESENTATIVE FALCONER
AN ACT

To enact R.S. 9:2800.23, relative to liability for damages caused by persons with developmental disabilities; to provide a limitation of liability for parents, tutors, and curators; to provide conditions upon which the limitation of liability is contingent; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 931—

BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact R.S. 14:35.3(C), (D), and (H), relative to domestic abuse battery; to require completion of court-monitored domestic abuse intervention program as a part of the sentence for conviction of domestic abuse battery; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 933—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 9:315.19, relative to child support; to provide for the schedule of basic child support obligations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 953—

BY REPRESENTATIVE LANCE HARRIS
AN ACT

To amend and reenact R.S. 14:107.2(A) and to enact R.S. 14:107.2(E), relative to hate crimes; to provide for the elements of the crime; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 956—

BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 9:2721 and to repeal Civil Code Article 3275, relative to mortgage and conveyance records; to provide for the recordation of certain documents; to provide relative to information contained in certain documents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 970—

BY REPRESENTATIVE ANDERS
AN ACT

To enact R.S. 13:5554(G)(5), relative to payment for certain benefits for retirees from Concordia Parish Sheriff's Office; to provide for the qualifications for payment for certain insurance premiums; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 988—

BY REPRESENTATIVE ARMES

AN ACT

To amend and reenact R.S. 46:121(1), relative to Louisiana Military Family Assistance; to provide for the meaning of "activated military personnel"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 998—

BY REPRESENTATIVE CHAD BROWN

AN ACT

To enact R.S. 13:5554(H)(4), relative to payment for certain benefits for retirees from the Assumption Parish Sheriff's Office; to provide for the qualifications for payment of certain insurance premiums; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 998 by Representative Chad Brown

AMENDMENT NO. 1

On page 1, between lines 6 and 7, insert "§5554. Group insurance; kinds; amounts; subrogation"

HOUSE BILL NO. 1102—

BY REPRESENTATIVES BISHOP, ADAMS, BAGNERIS, BARRAS, BERTHELOT, BOUIE, BROADWATER, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, CONNICK, DAVIS, GISCLAIR, JIMMY HARRIS, LANCE HARRIS, HOLLIS, JAMES, NANCY LANDRY, LEGER, LOPINTO, MARCELLE, GREGORY MILLER, MORENO, JAY MORRIS, PEARSON, PRICE, PYLANT, SCHEXNAYDER, SMITH, TALBOT, AND THIBAUT

AN ACT

To amend and reenact R.S. 14:286(D), R.S. 40:34(B)(1)(a)(viii), (h)(v), (i), and (j), and R.S. 44:4.1(B)(26), to enact Chapter 1-C of Code Title IV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:2718 through 2720.15, R.S. 14:286(E), and Part VII of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:93 through 96, and to repeal R.S. 9:2713, relative to gestational carriers; to provide for amendments to birth certificates; to provide for definitions relative to gestational carrier contracts; to provide for genetic gestational carrier contracts; to provide for the enforceability of gestational carrier contracts; to provide for the parties to a gestational carrier contract; to provide for contractual requirements for a gestational carrier contract; to provide for a proceeding to approve a gestational carrier contract; to provide for the check of the criminal records of the parties to a gestational carrier contract; to provide for an order preceding embryo transfer relative to a gestational carrier contract; to provide for matters relative to multiple attempts at in utero embryo transfer; to provide for confidentiality of the proceedings relative to a gestational carrier contract; to provide for continuing and exclusive jurisdiction to the proceedings relative to a gestational carrier contract; to provide for the termination of a gestational carrier contract by notice; to provide for remedies for the failure to perform under a gestational carrier contract; to provide for the termination of a gestational carrier contract and for the effects of divorce, nullity, and death on a gestational carrier contract; to provide for the effect of a subsequent marriage of the gestational carrier on a gestational carrier contract; to provide for a post-birth order; to provide for DNA testing when the child is alleged not to be the child of the intended parents; to provide for time limitations and finality; to prohibit certain acts relative to a gestational carrier contract occurring on or after the effective date; to provide for data collection; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Re-Engrossed House Bill No. 1102 by Representative Bishop

AMENDMENT NO. 1

On page 5, line 20, following "one" and before "counseling" change "post birth" to "post-birth"

AMENDMENT NO. 2

On page 6, line 1, following "(3)" and before "recognized" change "Be" to "Agree to be"

AMENDMENT NO. 3

On page 6, line 2, following "(4)" and before "a" change "The intended parents have" to "Have"

AMENDMENT NO. 4

On page 6, line 20, following "independent" and before "physician" change "board certified" to "board-certified"

AMENDMENT NO. 5

On page 15, line 14, following "gestational" and before "to" change "carrier" to "carriers"

HOUSE BILL NO. 1141— (Substitute for House Bill No. 408 by Representative Hazel)

BY REPRESENTATIVES HAZEL, BILLIOT, CHAD BROWN, GARY CARTER, COUSSAN, DWIGHT, MIKE JOHNSON, MAGEE, JAY MORRIS, AND SHADQIN AND SENATOR CARTER

AN ACT

To amend and reenact R.S. 13:5366(B)(9) and (10), relative to the Veterans Court program; to provide relative to eligibility for the program; to provide for additional requirements and restrictions for certain eligible participants; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Martiny, 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

SENATE RESOLUTION NO. 122—

BY SENATOR CARTER

A RESOLUTION

To urge and request the state Department of Education to establish a task force to study and make recommendations regarding student transportation and school bus passenger safety.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 121—

BY SENATOR MARTINY

A RESOLUTION

To urge and request the governor to reconsider the request to the Civil Service Commission to suspend the annual "performance adjustments" for Fiscal Year 2016-2017 for eligible employees within the nearly 40,000 classified employee workforce.

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

May 12, 2016

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 109— BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE

A CONCURRENT RESOLUTION

To commend Taylor Nicole Bush upon her receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of College Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain Lambert Riser
Appel Long Smith, G.
Boudreaux Luneau Smith, J.
Carter Martiny Tarver
Claitor Milkovich Thompson
Colomb Mills Walsworth
Erdey Mizell Ward
Gatti Morrish White
Johns Perry
LaFleur Peterson
Total - 28

NAYS

Total - 0

ABSENT

Mr. President Chabert Hewitt
Barrow Cortez Morrell
Bishop Donahue Peacock
Brown Fannin
Total - 11

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

SENATE CONCURRENT RESOLUTION NO. 110— BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE

A CONCURRENT RESOLUTION

To commend Ambeka Dave Rajvanshi upon her receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain Lambert Riser
Appel Long Smith, G.
Boudreaux Luneau Smith, J.
Carter Martiny Tarver
Claitor Milkovich Thompson

Colomb Mills Walsworth
Erdey Mizell Ward
Gatti Morrish White
Johns Perry
LaFleur Peterson
Total - 28

NAYS

Total - 0

ABSENT

Mr. President Chabert Hewitt
Barrow Cortez Morrell
Bishop Donahue Peacock
Brown Fannin
Total - 11

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

SENATE CONCURRENT RESOLUTION NO. 111— BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE

A CONCURRENT RESOLUTION

To commend Godis Jackson upon her receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain LaFleur Peterson
Appel Lambert Riser
Boudreaux Long Smith, G.
Carter Luneau Smith, J.
Claitor Martiny Tarver
Colomb Milkovich Thompson
Cortez Mills Walsworth
Erdey Mizell Ward
Gatti Morrish White
Johns Perry
Total - 29

NAYS

Total - 0

ABSENT

Mr. President Chabert Morrell
Barrow Donahue Peacock
Bishop Fannin
Brown Hewitt
Total - 10

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

SENATE CONCURRENT RESOLUTION NO. 112— BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE

A CONCURRENT RESOLUTION

To commend Rachel Christina Oatis upon her receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of College Women

of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Includes Allain, Appel, Barrow, Boudreaux, Carter, Claitor, Colomb, Cortez, Erdey, Gatti, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrish, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Mr. President, Bishop, Brown, Chabert, Donahue, Fannin, Hewitt, Morrell, Peacock.

Total - 9

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

SENATE CONCURRENT RESOLUTION NO. 113—

BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE

A CONCURRENT RESOLUTION

To commend Anna Monhartova, PhD, upon her receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of Louisiana Hero of Excellence.

The concurrent resolution was read by title. Senator Colomb moved to adopt the.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Includes Allain, Appel, Barrow, Boudreaux, Carter, Claitor, Colomb, Cortez, Erdey, Gatti, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrish, Morrish, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 31

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Mr. President, Bishop, Brown, Chabert, Donahue, Fannin, Hewitt, Peacock.

Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 114—

BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To express legislative support for the Land and Water Conservation Fund.

The concurrent 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 with 3 columns: Name, Name, Name. Includes Allain, Appel, Barrow, Boudreaux, Carter, Claitor, Colomb, Cortez, Erdey, Gatti, Johns, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Mr. President, Bishop, Brown, Chabert, Donahue, Fannin, Hewitt, LaFleur, Peacock.

Total - 9

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

SENATE CONCURRENT RESOLUTION NO. 115—

BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE

A CONCURRENT RESOLUTION

To commend the Iris Domestic Violence Center upon its receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of Non-Profit of Excellence.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Name, Name. Includes Allain, Appel, Barrow, Boudreaux, Carter, Colomb, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson.

May 12, 2016

Cortez	Mizell	Walsworth
Erdey	Morrell	Ward
Gatti	Morrish	White
Johns	Perry	

Total - 29

NAYS

Total - 0

ABSENT

Mr. President	Claitor	LaFleur
Bishop	Donahue	Peacock
Brown	Fannin	
Chabert	Hewitt	

Total - 10

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

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATORS COLOMB, BARROW, HEWITT, MIZELL AND PETERSON AND REPRESENTATIVES AMEDEE, CARPENTER, DAVIS, EMERSON, HILFERTY, HILL, HODGES, HORTON, JACKSON, NANCY LANDRY, MARCELLE, MORENO, NORTON, SMITH, STOKES AND WHITE
A CONCURRENT RESOLUTION

To commend Elise Marie LaFleur upon her receipt of a 2016 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Women of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	LaFleur	Peterson
Appel	Lambert	Riser
Barrow	Long	Smith, G.
Boudreaux	Luneau	Smith, J.
Carter	Martiny	Tarver
Claitor	Milkovich	Thompson
Colomb	Mills	Walsworth
Cortez	Mizell	Ward
Erdey	Morrell	White
Gatti	Morrish	
Johns	Perry	

Total - 31

NAYS

Total - 0

ABSENT

Mr. President	Chabert	Hewitt
Bishop	Donahue	Peacock
Brown	Fannin	

Total - 8

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 11, 2016

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. 264	HB No. 902	HB No. 1130
HB No. 1155	HB No. 1156	HB No. 1157
HB No. 989	HB No. 922	HB No. 400
HB No. 401	HB No. 283	HB No. 429
HB No. 518		

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 264—
BY REPRESENTATIVE MACK
AN ACT

To enact R.S. 15:574.4(F), relative to juvenile parole eligibility; to provide for parole eligibility for juveniles sentenced to life imprisonment without the possibility of parole for certain homicide offenses; to provide for conditions; and to provide for related matters.

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

HOUSE BILL NO. 283—
BY REPRESENTATIVES EMERSON AND DUSTIN MILLER
AN ACT

To amend and reenact R.S. 40:1081.2(A)(1) and to enact R.S. 40:1081.11, relative to newborn screening; to require all newborns to be screened for Krabbe disease; to make technical changes; to require information on Krabbe disease to be posted on the Department of Health and Hospitals' website; and to provide for related matters.

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

HOUSE BILL NO. 400—
BY REPRESENTATIVE REYNOLDS
AN ACT

To amend and reenact R.S. 17:351.1(B)(1), relative to textbooks and other instructional materials; to provide relative to the review of textbooks and other instructional materials by the state Department of Education; to require that the department conduct such reviews in accordance with the schedule of the State Board of Elementary and Secondary Education for reviews of certain content standards; to require the department to prioritize certain reviews and to publish a related timeline on its website; and to provide for related matters.

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

HOUSE BILL NO. 401—
BY REPRESENTATIVE REYNOLDS
AN ACT

To amend and reenact R.S. 17:282.3(B)(1), relative to personal financial education; to require public elementary or secondary schools to offer instruction in personal financial management; and to provide for related matters.

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

HOUSE BILL NO. 429—
BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 38:2212.1(N)(1) through (4)(introductory paragraph) and to repeal R.S. 38:2212.1(N)(4)(a) through (g), relative to group purchasing of school materials, equipment, and supplies; to authorize public school districts and public schools to enter into agreements with qualified group purchasing organizations for the purchase of materials, equipment, and supplies; to provide relative to definitions; and to provide for related matters.

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

HOUSE BILL NO. 518—
BY REPRESENTATIVE BROADWATER
AN ACT

To enact R.S. 44:4(51), relative to information regarding the fitness of a person to receive or to continue to hold a certificate issued by the Board of Examiners of Certified Shorthand Reporters; to exempt from the Public Records Law certain records of the board concerning the fitness of a person to receive or to continue to hold a certificate; and to provide for related matters.

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

HOUSE BILL NO. 902—
BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 56:423(A) and (B) and 429 and Sections 2(B) and (C) and 3 of Act No. 808 of the 2008 Regular Session of the Legislature and to enact R.S. 56:427(F) and (G), relative to oyster leases; to provide for lifting the moratorium on new oyster leases; to provide relative to liability under certain circumstances; to provide relative to public notification and opportunity to protest or withdraw oyster lease applications under certain circumstances; to eliminate auction of rent-delinquent oyster leases; to provide certain terms, conditions, procedures, and 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. 922—
BY REPRESENTATIVE HENSGENS
AN ACT

To amend and reenact R.S. 46:2625(A)(1)(introductory paragraph) and (a) and to repeal R.S. 46:2625(B), relative to fees on healthcare providers; to revise the fee amount for nursing homes; to repeal a prohibition on new fees or increased fees on nursing homes without a majority vote of approval by the legislature; and to provide for related matters.

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

HOUSE BILL NO. 989—
BY REPRESENTATIVE SHADOIN
AN ACT

To amend and reenact R.S. 17:3351(A)(5)(b)(i), relative to nonresident tuition and fees at public postsecondary education institutions; to remove limitations on the tuition and fee amounts; and to provide for related matters.

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

HOUSE BILL NO. 1130—
BY REPRESENTATIVE GAROFALO
AN ACT

To enact R.S. 56:425.1, relative to leasing of water bottoms for oyster cultivation and harvest; to authorize the state to jointly lease certain water bottoms; to provide for the terms and

conditions of such joint leases; and to provide for related matters.

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

HOUSE BILL NO. 1155— (Substitute for House Bill No. 176 by Representative Hodges)

BY REPRESENTATIVES HODGES, ADAMS, AMÉDEE, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BROADWATER, TERRY BROWN, CARMODY, COUSSAN, COX, DAVIS, DEVILLIER, FALCONER, GAROFALO, GISCLAIR, GUINN, HAVARD, HAZEL, HENRY, HILL, HOFFMANN, HORTON, HOWARD, IVEY, MIKE JOHNSON, MAGEE, MARCELLE, MIGUEZ, JAY MORRIS, NORTON, PEARSON, POPE, PYLANT, RICHARD, SCHRODER, SEABAUGH, TALBOT, WHITE, WILLMOTT, AND ZERINGUE

AN ACT

To enact R.S. 40:1379.3.2, relative to concealed handgun permits; to provide for the issuance of temporary concealed firearms permit; to authorize the temporary carrying of a concealed handgun without a permit for persons who have obtained a domestic abuse protective order; to provide for applicability; to provide for the application process; to provide relative to the effects of obtaining such a permit; to provide for time limitations; to provide relative to the payment of a fee; to provide for rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 1156— (Substitute for House Bill No. 392 by Representative Nancy Landry)

BY REPRESENTATIVE NANCY LANDRY

AN ACT

To enact R.S. 17:418(C)(3)(d), relative to salaries for teachers and other school employees; to provide for the reduction of such salaries in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1157— (Substitute for House Bill No. 761 by Representative Stokes)

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 46:442 and to enact R.S. 46:437.4(A)(4), relative to review of healthcare provider claims within the Medicaid program; to provide for reimbursements issued by the Department of Health and Hospitals pursuant to certain provider claims; to provide relative to recoupment of provider claim payments; to authorize re-filing of claims in certain circumstances; 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 11, 2016

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. 121

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 121— BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Elmer "Biggo Nokey" Henderson of Shreveport.

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. 308—

BY REPRESENTATIVES BACALA, ADAMS, AMEDEE, BERTHELOT, EDMONDS, FALCONER, GAROFALO, GISCLAIR, GUINN, MIKE JOHNSON, NANCY LANDRY, MIGUEZ, GREGORY MILLER, JAY MORRIS, AND PYLANT

AN ACT

To enact Chapter 10 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:541 and 542, relative to public officers and employees; to prohibit the granting or authorizing of increases in pay for state officials and employees during a certain period of time; to provide for personal liability of persons responsible for granting or authorizing such raises; to provide for enforcement; 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. 711—

BY REPRESENTATIVE SHADOIN

AN ACT

To amend and reenact R.S. 24:513(G), relative to audit reports issued by the legislative auditor; to authorize the issuance of a temporary restraining order or injunctive relief barring the release of an audit report; to provide for appeals; 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. 935—

BY REPRESENTATIVE HOLLIS

AN ACT

To enact R.S. 22:41.1, relative to insurer notification to policyholders to require notice to be given under certain circumstances; to provide for the imposition of penalties by the commissioner of insurance; 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. 946—

BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact R.S. 37:1285.2(D) and Section 2 of Act No. 441 of the 2015 Regular Session of the Louisiana Legislature, relative to investigations and adjudications of complaints against physicians by the Louisiana State Board of Medical Examiners; to provide for retroactive and prospective application of procedural rules promulgated by the Louisiana State Board of Medical Examiners to all complaints pending before the board; 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 Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 964—

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact R.S. 17:436.3(C)(1), relative to care for elementary and secondary school students with diabetes; to provide relative to persons authorized to provide such care; and to provide for related matters.

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

HOUSE BILL NO. 1150— (Substitute for House Bill No. 1122 by Representative L. Harris)

BY REPRESENTATIVE LANCE HARRIS

AN ACT

To amend and reenact R.S. 48:221(A)(2), relative to property acquired by the Department of Transportation and Development; to provide relative to the method by which the Department of Transportation and Development disposes of certain property; 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 Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVE SEABAUGH AND SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Maggie Grace Loper of Caddo Parish Magnet High School upon her selection as a representative of Louisiana at the Hugh O'Brian World Leadership Congress in Chicago, Illinois.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Allain, Appel, Barrow, Boudreaux, Carter, Claitor, Colomb, Cortez, Erdey, Gatti, Hewitt, Johns, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 32

NAYS

Total - 0

ABSENT

Table listing names of members who were ABSENT: Mr. President, Bishop, Brown, Chabert, Donahue, Fannin, LaFleur.

Total - 7

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
FINANCE**

Senator Eric LaFleur, Chairman on behalf of the Committee on Finance, submitted the following report:

May 11, 2016

To the President and Members of the Senate:

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

SENATE BILL NO. 460—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 39:372(A)(1) and (D) and R.S. 49:320.1 and to enact R.S. 39:82(K) and 372(E), relative to state funds; to provide for the remission of cash balances to the state general fund; to provide relative to certain state depositories and associated banking and checking accounts; to provide for reporting requirements relative to such banking and checking accounts; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ERIC LAFLEUR
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

SENATE BILL NO. 36—
BY SENATOR GATTI

AN ACT

To amend and reenact R.S. 40:1231.1(A)(13), (16), (21), (22), (23), and (D), relative to medical malpractice claims; to provide with respect to exemptions from medical malpractice application; to provide definitions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 36 by Senator Gatti

AMENDMENT NO. 1

On page 1, line 2, after "40:1231.1(A)(13)," delete the remainder of the line and insert "1231.2(B)(2), and 1231.8(A)(1)(b), (G), and (N)(6), relative to"

AMENDMENT NO. 2

On page 1, line 7, after "40:1231.1(A)(13)," delete the remainder of the line and insert "1231.2(B)(2), and 1231.8(A)(1)(b), (G), and (N)(6) are hereby amended"

AMENDMENT NO. 3

On page 2, line 3, after "patient." delete the remainder of the line and delete lines 4 through 29 and on page 3, delete lines 1 through 9 and insert the following: **"It shall also be considered "malpractice" if a health care provider misrepresents his education, training or experience in a particular specialty of medicine or with a particular surgery or procedure.**

* * *
§1231.2. Limitation of recovery
* * *
B. * * *

(2) (a) A health care provider qualified under this Part is not liable for an amount in excess of one hundred thousand dollars plus interest thereon accruing after April 1, 1991, and costs specifically provided for by this Paragraph for all malpractice claims because of injuries to or death of any one patient. The sole cost for which a health care provider qualified under this Part may be assessed by a trial court shall be limited to the cost incurred prior to the rendering of a final judgment against the health care provider, not as a nominal defendant, after a trial on a malpractice claim, including but not limited to, costs assessed pursuant to Code of Civil Procedure Article 970 in any instance where the board was not the offeror or offeree of the proposed settlement amount. The health care provider shall not be assessed costs in any action in which the fund intervenes or the health care provider is a nominal defendant after there has been a settlement between the health care provider and the claimant.

(b) Any health care provider qualified under this Part who is found to have misrepresented his education, training or experience in a particular specialty of medicine or with a particular surgery or procedure shall be liable for all sums awarded above the limitation of recovery provided for in Paragraph (B)(1) of this Section without limitation.

(c) Any health care provider who negligently or knowingly grants privileges to, advertises for or profits from another health care provider's misrepresentation of his education, training or experience in a particular specialty of medicine or with a particular surgery or procedure shall be solidarily liable with the health care provider for all sums awarded above the limitation of recovery provided for in Paragraph (B)(1) of this Section without limitation.

* * *
§1231.8. Medical review panel
A.(1) * * *

(b) A request for review of a malpractice claim or a malpractice complaint shall contain, at a minimum, all of the following:

- (i) A request for the formation of a medical review panel.
- (ii) The name of only one patient for whom, or on whose behalf, the request for review is being filed; however, if the claim involves the care of a pregnant mother and her unborn child, then naming the mother as the patient shall be sufficient.
- (iii) The names of the claimants.
- (iv) The names of the defendant health care providers.
- (v) The dates of the alleged malpractice.
- (vi) A brief description of the alleged malpractice as to each named defendant health care provider.
- (vii) A brief description of the alleged injuries.

(viii) If applicable, an allegation that the defendant health care provider misrepresented his education, training or experience in a particular specialty of medicine or with a particular surgery or procedure.

* * *
G. The panel shall have the sole duty to express its expert opinion as to whether or not the evidence supports the conclusion that the defendant or defendants acted or failed to act within the appropriate standards of care. After reviewing all evidence and after any examination of the panel by counsel representing either party, the panel shall, within thirty days, render one or more of the following expert opinions, which shall be in writing and signed by the panelists, together with written reasons for their conclusions:

(1) The evidence supports the conclusion that the defendant or defendants failed to comply with the appropriate standard of care as charged in the complaint.

(2) The evidence does not support the conclusion that the defendant or defendants failed to meet the applicable standard of care as charged in the complaint.

(3) When the claimant makes an allegation of misrepresentation pursuant to Item (A)(1)(b)(viii) of this Section, the evidence does or does not support the conclusion that the defendant misrepresented his education, training or experience in a particular specialty of medicine or with a particular surgery or procedure.

(3) (4) That there is a material issue of fact, not requiring expert opinion, bearing on liability for consideration by the court.

(4) (5) When Paragraph (1) or (3) of this Subsection is answered in the affirmative, that the conduct complained of was or was not a factor of the resultant damages. If such conduct was a factor, whether the plaintiff suffered: (a) any disability and the extent and duration of the disability, and (b) any permanent impairment and the percentage of the impairment.

N. * * *

(6) The panel shall have the sole duty to express its expert opinion as to whether or not the evidence supports the conclusion that the defendant or defendants acted or failed to act within the appropriate standards of care. After reviewing all evidence and after any examination of the panel by counsel representing either party, the panel shall, within thirty days, but in no event later than twelve months of the date of notification of the selection of the attorney chairman pursuant to Paragraph (1) of Subsection C of this Section, render one or more of the following expert opinions, which shall be in writing and signed by the panelists, together with written reasons for their conclusions:

(a) The evidence supports the conclusion that the defendant or defendants failed to comply with the appropriate standard of care as charged in the complaint.

(b) The evidence does not support the conclusion that the defendant or defendants failed to meet the applicable standard of care as charged in the complaint.

(c) When the claimant makes an allegation of misrepresentation pursuant to Item (A)(1)(b)(viii) of this Section, the evidence does or does not support the conclusion that the defendant misrepresented his education, training or experience in a particular specialty of medicine or with a particular surgery or procedure.

(4) (d) That there is a material issue of fact, not requiring expert opinion, bearing on liability for consideration by the court.

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

SENATE BILL NO. 131— BY SENATOR JOHNS

AN ACT

To enact R.S. 37:1165, relative to the practice of pharmacy; to provide for pharmacist communication with patients; to provide for immunity; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 131 by Senator Johns

AMENDMENT NO. 1

On page 1, line 2, after "R.S." change "37:1165" to "22:1060.6" and after "to the" change "practice of pharmacy" to "prescription drug cost"

AMENDMENT NO. 2

On page 1, line 6, after "R.S." change "37:1165" to "22:1060.6"

AMENDMENT NO. 3

On page 1, line 7, change "§1165." to "§1060.6."

AMENDMENT NO. 4

On page 1, delete lines 8 through 16, and insert the following:

A. If a pharmacist dispensing a prescription drug to a patient has information that indicates that the copayment applied by the patient's health maintenance organization exceeds a cost that may otherwise be available for the same prescription drug,

the patient shall only be required to pay the lower amount and no further charge to the patient or plan sponsor shall be incurred on such prescription.

B. Any contract provision between a health insurance issuer or its agent and a pharmacy that is contrary to the provisions in Subsection A of this Section shall become void and unenforceable.

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

SENATE BILL NO. 230— BY SENATOR PETERSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3051, 3051(1) and (3), 3052(6), (7) and (8), 3053(A), (B)(3), (6), (C) and (G), 3055(10), 3056(A)(1) and (H), and 3058, and R.S. 36:259(B) and to repeal R.S. 17:3052(4) and 3055(9), relative to the Health Education Authority of Louisiana; to provide for clarification to statement of purpose; to provide for definitions; to provide for updates to the authority membership; to provide for powers and duties; to provide with respect to bonds; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 230 by Senator Peterson

AMENDMENT NO. 1

On page 1, line 3, after "3053" delete "(A), (B)(3), (6), (C) and (G)" and insert ", 3054(A), the introductory paragraph of 3055 and"

AMENDMENT NO. 2

On page 1, line 4, change "36:259(B)" to "36:4.1(D)" and after "3055(9)" insert "and R.S. 36:259(B)"

AMENDMENT NO. 3

On page 1, line 10, after "Section 1." insert "The introductory paragraph of" and after " R.S. 17:3051" delete "(introductory paragraph)," and insert ", 3051"

AMENDMENT NO. 4

On page 1, line 11, after "3053" delete "(A), (B)(3), (6), and (C)" and insert ", 3054(A), the introductory paragraph of 3055 and" and after "3058" delete the remainder of the line

AMENDMENT NO. 5

On page 1, delete line 13

AMENDMENT NO. 6

On page 3, delete lines 13 through 29 and on page 4, delete lines 1 through 21 and insert the following:

§3053. Health Education Authority of Louisiana; creation; domicile; membership; terms; vacancies; quorum; staff

A. There is hereby created in the office of management and finance of the Department of Health and Hospitals the Health Education Authority of Louisiana, which is hereby declared to be a body corporate and public, constituting an instrumentality of the state of Louisiana and exercising public and essential governmental functions. The domicile of the authority shall be in the city of New Orleans.

B. The power to establish policy to carry out the intent of this Chapter shall be vested in a board of trustees. Effective October 1, 2016, the board which shall consist of the governor as ex-officio trustee and thirteen nine persons selected as follows: comprised of one member appointed by the governor from each of the five public service commission districts as established in R.S. 45:1161.4, and four members appointed by the governor from the state at large.

(1) Two members shall be appointed by the governor from a list of six names submitted by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.

(2) Two members shall be appointed by the governor from a list of six names submitted by the Board of Administrators of the Tulane Educational Fund, Tulane University of Louisiana.

(3) Two members shall be appointed by the governor from a list of six names submitted by the Board of Administrators of Charity Hospital of Louisiana at New Orleans.

(4) Two members shall be appointed by the governor from a list of six names submitted by the Executive Board of the Louisiana State Medical Society.

(5) One member shall be appointed by the governor from a list of six names submitted by the statewide dental associations.

(6) One member shall be appointed by the mayor of the city of New Orleans with the advice and consent of the Commission Council from a list of five names, one each submitted by the Board of Administrators of the Tulane Educational Fund, Tulane University of Louisiana, the Board of Administrators of Charity Hospital of Louisiana at New Orleans, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, local dental association memberships including Orleans Parish dentists, and the Orleans Parish Medical Society.

(7) Three members shall be appointed by the governor from the state at large.

C. No person appointed directly by the governor or mayor or nominated by any of the nominating groups or individuals shall be associated in any staff or advisory capacity for which he receives payment for services from Louisiana State University and Agricultural and Mechanical College, Tulane University of Louisiana, or Charity Hospital of Louisiana University Medical Center at New Orleans, any statewide dental association, or the Louisiana State Medical Society.

D. Each appointment by the governor shall be submitted to the Senate for confirmation.

E. Members of the board who are appointed by the governor shall serve at the pleasure of the governor. The member appointed by the mayor of New Orleans shall serve a term of six years.

F. A vacancy occurring on the board for any reason shall be filled in the same manner as the original appointment.

G. The board shall employ a professionally qualified executive director to carry out the policies established by the board. The secretary of the Department of Health and Hospitals shall employ such staff as is necessary to carry out the policies and directives of the board and to operate and administer the functions of the authority.

The compensation of the executive director shall be determined by the board and he shall be in the unclassified service of the state.

§3054. Meetings; rules; officers; compensation

A. The board shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations. Eight A majority of the appointed members shall constitute a quorum for the transaction of business.

AMENDMENT NO. 7

On page 5, line 29, after "bonds" insert "notes and other evidence of indebtedness" for an amount not in excess of four eight hundred million dollars"

AMENDMENT NO. 8

On page 7, line 3, after "by the" delete "State Bond" and on line 4, delete "Commission" and insert "authority"

AMENDMENT NO. 9

On page 7, line 5, delete "consultation with the authority" and insert "approval of the State Bond Commission"

AMENDMENT NO. 10

On page 7, between lines 5 and 6, insert
** * **

AMENDMENT NO. 11

On page 7, line 13, after "R.S." change "36:259(B)" to "36:4.1(D)"

AMENDMENT NO. 12

On page 7, delete lines 14 through 21 and insert the following:
"§4.1. Agencies transferred from the Department of Economic Development and the Department of Health and Hospitals to the office of the governor; agencies placed within the office of the governor
* * *

D. The following agencies, as defined in R.S. 36:3, are hereby transferred to and shall be placed within the office of the governor and shall perform and exercise their powers, duties, functions, and responsibilities as provided in R.S. 36:803:

- (1) The Louisiana Cemetery Board (R.S. 8:61 through 78).
- (2) State Board of Certified Public Accountants of Louisiana (R.S. 37:71 et seq.).
- (3) State Board of Architectural Examiners (R.S. 37:141 et seq.).
- (4) Louisiana Real Estate Commission (R.S. 37:1430 et seq.).
- (5) Louisiana State Board of Home Inspectors (R.S. 37:1471 et seq.).
- (6) State Licensing Board for Contractors (R.S. 37:2150 et seq.).
- (7) The Health Education Authority of Louisiana (R.S. 17:3051 et seq.).
- (8) Board of Examiners of Certified Shorthand Reporters (R.S. 37:2551 et seq.).
- (9) Louisiana Auctioneers Licensing Board (R.S. 37:3101 et seq.).
- (10) State Board of Examiners of Interior Designers (R.S. 37:3171 et seq.).
- (11) Louisiana Real Estate Appraisers Board (R.S. 37:3391 et seq.).
- (12) The State Boxing and Wrestling Commission (R.S. 4:61 et seq.).
- (13) Louisiana Motor Vehicle Commission (R.S. 32:1251 et seq.).
- (14) Louisiana Used Motor Vehicle Commission (R.S. 32:781 et seq.).
- (15) Louisiana State Polygraph Board (R.S. 37:2831 et seq.), notwithstanding the provisions of Chapter 36-A of Title 37 to the contrary.
- (16) The Louisiana Board of Cosmetology (R.S. 37:561 et seq.).

AMENDMENT NO. 13

On page 7, line 22, after "(4)" delete "and" and insert a "," and after "(9)" insert "R.S. 36:259(B)"

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

SENATE BILL NO. 465

BY SENATOR BARROW

AN ACT

To enact Part V of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2162.1 through 2162.15, relative to the regulation of freestanding emergency medical care facilities; to provide for a short title; to establish the purpose of the freestanding emergency medical facilities law; to provide for definitions; to provide for the licensure of freestanding emergency medical facilities; to establish minimum standards; to provide for an administrative fee; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 465 by Senator Barrow

AMENDMENT NO. 1

On page 1, line 3, change "2162.15" to "2162.16"

AMENDMENT NO. 2

On page 1, line 7, after "fee;" insert "to provide for a funding formula;"

AMENDMENT NO. 3

On page 1, line 11, change "2162.15" to "2162.16"

AMENDMENT NO. 4

On page 2, delete lines 15 through 30 and delete pages 3 through 6 in their entirety and insert the following:

§2162.4. Licensing required

A. No agency, business, institution, society, corporation, person or persons, or any other group shall establish or operate a freestanding emergency medical care facility in this state without a license issued by the department pursuant to this Part.

B. A license issued to a freestanding emergency medical care facility shall be valid for only one geographic location, and shall be issued only for the person and premises named in the license application. Each separate facility shall have a separate license.

C. A license issued under this Part shall be valid for one year from the date of issuance, unless revoked or suspended prior to that date.

D. A license issued under this Part shall expire on the last day of the twelfth month after the date of issuance, unless otherwise renewed, or as set forth in rules promulgated by the department.

E. A license issued under this Part shall be on a form prescribed by the department.

F. A license issued under this Part shall not be transferrable or assignable.

G. A license issued to a freestanding emergency medical care facility shall be posted in a conspicuous place on the licensed premises.

H. Notwithstanding the provisions of R.S. 40:2162.5, no facility, person, or entity shall hold itself out to the public as a freestanding emergency medical care facility or use any similar term that would give the impression that the facility or person is providing emergency care unless the facility, person or entity holds a license issued pursuant to this Part.

§2162.5. Exemptions

The following facilities are not required to be licensed pursuant to this Part:

(1) An office or clinic owned and operated by a manufacturing facility solely for the purposes of treating its employees and contractors.

(2) Temporary emergency clinics in disaster areas.

(3) An office or clinic of a licensed physician, dentist, optometrist, or podiatrist.

(4) A licensed nursing home.

(5) A licensed hospital.

(6) A licensed ambulatory surgical center.

(7) An urgent care clinic.

§2162.6. Rules and regulations; licensing standards

A. The licensing agency of the department is hereby authorized and directed to promulgate rules, regulations, and licensing standards, in accordance with the Administrative Procedure Act, to provide for the licensure of freestanding emergency medical care facilities, and to provide for the health, safety, and welfare of persons receiving services from such facilities or providers, and to provide for the safe operation of such facilities. The rules, regulations, and licensing standards shall become effective upon approval of the secretary of the department in accordance with the Administrative Procedure Act. These rules, regulations, and licensing standards shall have the effect of law.

B. The licensing agency of the department shall promulgate and publish rules, regulations, and licensing standards to include but not be limited to the following:

(1) Licensing application and renewal application procedures and requirements.

(2) Administration of the facility.

(3) Operational, staffing, and personnel requirements.

(4) Qualifications of required professional staff and other personnel.

(5) Practice standards to assure quality of care.

(6) Practice standards to assure the health, safety, welfare, rights, and comfort of patients, clients, and persons receiving services.

(7) Survey and complaint investigations.

(8) Initial license, renewal of license, full license, and provisional license.

(9) Denial, revocation, suspension, and nonrenewal of licenses, and the appeals therefrom.

(10) Planning, construction, and design of the facility.

(11) Such other regulations and standards as will ensure proper care and treatment of patients, clients, and persons receiving services.

§2162.7. License issuance; application; on-site inspection

A. Each application for licensure of a freestanding emergency medical care facility shall be submitted to the department on forms provided by the licensing agency and shall contain such information as the agency may require. Additional information required by the licensing agency shall be provided by the applicant as requested.

B. Following receipt of the completed application, the licensing agency shall perform an on-site survey and inspection. If, after the on-site survey and inspection, the licensing agency finds that the facility or provider meets the requirements established under this Part and the licensing rules, regulations and standards adopted pursuant to this Part, a license shall be issued.

C. As a condition for renewal of a license, the licensee shall submit to the department's licensing agency, a completed annual renewal application on forms prescribed by the licensing agency which shall contain such information as required by the agency. Upon receipt of the completed annual renewal application, the licensing agency shall determine if the facility continues to meet the requirements established under this Part and the licensing rules, regulations and standards adopted pursuant to this Part. The licensing agency may perform an on-site survey and inspection upon annual renewal. If the facility continues to meet the requirements established under this Part and the licensing rules, regulations, and standards adopted pursuant to this Part, the license shall be renewed.

D. The licensing agency may perform on-site inspections as necessary to ensure compliance with the provisions of this Part.

E. Each licensing application and each licensing renewal application submitted to the department shall be accompanied by a nonrefundable licensing fee in an amount set by the secretary. The secretary shall establish licensing and survey fees in amounts reasonable and necessary to cover the costs of administering this Part.

§2162.8. Operation without license; penalty

A. A freestanding emergency medical care facility shall not operate without a license issued by the department. Any such facility operating without a license shall be guilty of a misdemeanor and upon conviction shall be fined no less than five hundred dollars nor more than one thousand dollars. Each day of violation shall constitute a separate offense. It shall be the responsibility of the department to inform the appropriate district attorney of the alleged violation to assure enforcement.

B. If a freestanding emergency medical care facility is operating without a license issued by the department, the department shall have the authority to issue an immediate cease and desist order to that facility. Any such facility receiving such a cease and desist order from the department shall immediately cease operations until such time as that facility is issued a license by the department.

C. The department shall seek an injunction in the Nineteenth Judicial District Court against any facility or entity that receives a cease and desist order from the department under Subsection B of this Section and that does not cease operations immediately. Any such facility or entity against whom an injunction is granted shall be liable to the department for attorney fees, costs, and damages.

§2162.9. Facility operation

A licensed freestanding emergency medical care facility shall be in continuous operation twenty-four hours per day, seven days per week.

§2162.10. Facility care requirements; complaints

A. All licensed freestanding emergency medical care facilities shall comply with current provisions of the Emergency Medical Treatment and Active Labor Act (EMTALA).

B. Before a facility accepts any patient for treatment or diagnosis, the facility shall enter into a referral, transmission, or admission agreement with a hospital licensed in this state; such licensed hospital shall be within a thirty-five mile radius of the facility.

C. A person may file a complaint with the department against a facility licensed pursuant to this Part."

AMENDMENT NO. 5

On page 11, after line 30, insert the following:

"§2162.16. Funding formula

A. The Department of Health and Hospitals shall develop a funding formula to provide for payment of enhanced reimbursement rates to freestanding emergency care facilities. The source of funds for any enhanced rates shall be from efficiencies achieved through patient care management of the Medicaid Bayou Health plans and savings achieved through reduced utilization of hospital based emergency departments.

B. The department is hereby authorized to promulgate any rules or regulations, in accordance with the Administrative Procedures Act, as may be necessary to carry out the purpose of this Section."

On motion of Senator Mills, 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. 81—

BY REPRESENTATIVE BROADWATER
AN ACT

To enact R.S. 44:33.1, relative to public records; to require public bodies to make certain information concerning the custodian of records publicly available; to provide for the manner in which such information is required to be made publicly available; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 81 by Representative Broadwater

AMENDMENT NO. 1

On page 1, at the beginning of line 10, delete "identity and"

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

HOUSE BILL NO. 171—

BY REPRESENTATIVES HODGES, BAGLEY, COX, HENSGENS, HILFERTY, HORTON, MIKE JOHNSON, LEBAS, POPE, AND WILLMOTT
AN ACT

To enact Subpart D of Part VI of Chapter 5-A of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1086.1 through 1086.4, relative to prevention of certain conditions affecting the health and safety of newborns and young children; to provide for definitions and findings; to establish requirements of birthing centers regarding delivery of information on shaken baby syndrome and sudden unexpected

infant death; to authorize certain public awareness activities by the Department of Health and Hospitals; to provide for administrative rulemaking; 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. 208—

BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 51:3143(B), (C), and (E), relative to home service contract providers; to remove certain registration statuses; to provide a term for issued surety bonds; to provide for technical changes; to provide for an effective date; 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. 271—

BY REPRESENTATIVE PRICE
AN ACT

To amend and reenact R.S. 32:783(F)(8), 791(B)(3)(b)(i) and (4)(b) and (G), 792(B)(8) through (12), (15), and (17)(a), 796(D)(3) and to enact R.S. 32:792(17)(k) and (18); relative to the regulation of used motor vehicles; to amend the powers and duties of the Louisiana Used Motor Vehicle Commission; to amend used motor vehicle dealer license application procedures; to increase bond requirements for used motor vehicle dealers; to provide for unauthorized acts; to regulate purchase agreements; 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 Reengrossed House Bill No. 271 by Representative Price

AMENDMENT NO. 1

On page 1, line 3, after "32:" insert "705(D) and"

AMENDMENT NO. 2

On page 1, line 7, after "acts;" insert "to provide relative to certificates of title;"

AMENDMENT NO. 3

On page 1, line 11, after "32:" insert "705(D) and"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert
"§705. Delivery of certificate to purchaser of vehicle
* * *

D. (1) For purposes of this Section, an "endorsement" shall also mean a written statement signed by an authorized person acting on behalf of the Louisiana Used Motor Vehicle Commission that the certificate of title was obtained by the commission from a used motor vehicle dealer, or a floor plan financier or other similar holder of a security interest relative to a used motor vehicle, pursuant to the commission's authority in R.S. 32:783(F)(8). Such written statement required by this Paragraph shall state the reason the commission was unable to obtain the endorsement otherwise required by Paragraph B of this section. In lieu of the written statement, the office of motor vehicle and the commission may establish a system for the electronic submission of the statement directly to the office of motor vehicles.

(2) Nothing in this Paragraph shall exempt the rightful owner or bona fide retail purchaser from paying any sales or use taxes that may be due pursuant to R.S. 47:303(B).

(3) In the event the previously issued title indicates a lien was recorded with the office motor vehicles, rightful owner or bona fide retail purchaser shall submit proof that demand to release the lien was made on the lienholder of record by certified mail at the address

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indicate on that vehicle record, and that thirty days after receipt, the office of motor vehicles is authorized to cancel the lien unless the lienholder sends an objection in writing to both the office of motor vehicles and the owner or purchaser making the demand.

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

HOUSE BILL NO. 340—

BY REPRESENTATIVES STOKES, ARMES, BACALA, BAGLEY, CHAD BROWN, TERRY BROWN, CARMODY, CONNICK, COX, DAVIS, EDMONDS, HILFERTY, HOFFMANN, HORTON, JONES, LYONS, MIGUEZ, JAY MORRIS, PYLANT, REYNOLDS, WILLMOTT, AND ZERINGUE

AN ACT

To enact R.S. 51:1422, relative to the regulation of the sale or the solicitation for sale of an extended service agreement for motor vehicles; to prohibit certain sales or offers for sale of an extended service agreement; to classify each violation as a deceptive and unfair trade practice; to provide for exceptions; 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 Reengrossed House Bill No. 340 by Representative Stokes

AMENDMENT NO. 1

On page 1, line 3, after "vehicles;" delete the remainder of the line and delete lines 4 and 5 and insert "to provide certain requirements for unsolicited offers; to provide certain definitions, terms, conditions, procedures, exceptions, and effects; to classify a violation as a deceptive and unfair trade practice; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 8, after "practice;" delete the remainder of the line and delete line 9 and insert "unsolicited offer to sell extended service agreement for a motor vehicle; requirements; exceptions; penalties"

AMENDMENT NO. 3

On page 1, delete lines 10 through 19 and insert

"A. The provisions of this Section shall apply to an unsolicited offer, made by mail or common carrier, to sell to another an extended service agreement relative to a motor vehicle.

B. If the unsolicited offer is in writing, it shall state at the top of each page "THIS IS AN ADVERTISEMENT TO PURCHASE AN EXTENDED SERVICE AGREEMENT ON A MOTOR VEHICLE. IT IS NOT AN OFFICIAL DOCUMENT." The statement shall be in conspicuous and legible type that is not smaller than fourteen-point font and is in contrast by typography, layout, or color with any other printing on the writing.

C. If the unsolicited offer is oral, it shall begin and end with the statement: "THIS IS AN ADVERTISEMENT TO PURCHASE AN EXTENDED SERVICE AGREEMENT ON A MOTOR VEHICLE. IT IS NOT AN OFFICIAL NOTIFICATION OR DEMAND FOR ACTION."

D. A violation of the provisions of this Section shall constitute a deceptive and unfair trade practice and subject the violator to any and all actions and penalties authorized in this Chapter. Each offer in violation of this Section shall be considered a separate offense.

E. For the purposes of this Section, "extended service agreement" shall include any vehicle mechanical breakdown insurance policy, vehicle service contract sold by an independent payment provider or their agent, or vehicle component coverage contract. "Unsolicited offer" shall not include an offer made subsequent to a prior personal contact that included a meaningful exchange between the offeror and offeree."

AMENDMENT NO. 4

On page 2, line 1, change "C" to "F"

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

HOUSE BILL NO. 472—

BY REPRESENTATIVE FALCONER
AN ACT

To enact R.S. 37:144(G), relative to powers and authority of the Louisiana State Board of Architectural Examiners; to establish the Louisiana Architecture Education and Research Fund; to restrict use of the fund; to regulate awards; to require annual reports; to provide for severability; to provide for effectiveness; 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. 532—

BY REPRESENTATIVE FALCONER
AN ACT

To amend and reenact R.S. 37:149 and 150(C) through (E) and to enact R.S. 37:150(F) and (G), relative to the Louisiana State Board of Architectural Examiners; to regulate the assessment and collection of fees; to provide for certificates of authority; to regulate renewals of licenses and certificates of authority; to provide for severability; to provide for effectiveness; 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. 606—

BY REPRESENTATIVES HOFFMANN, ABRAHAM, AMEDEE, ARMES, BAGLEY, BARRAS, BERTHELOT, BISHOP, CARMODY, STEVE CARTER, CHANEY, COUSSAN, COX, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, GAROFALO, GISCLAIR, LANCE HARRIS, HENSGENS, HILFERTY, HILL, HODGES, HOLLIS, HORTON, HOWARD, HUVAL, IVEY, JACKSON, MIKE JOHNSON, NANCY LANDRY, LEBAS, LEOPOLD, MACK, MCFARLAND, MIGUEZ, JAY MORRIS, JIM MORRIS, PEARSON, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SIMON, THIBAUT, WILLMOTT, AND ZERINGUE

AN ACT

To amend and reenact R.S. 40:1061.6(A) and to enact Chapter 1-A of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:21, relative to authorized uses of public funds; to prohibit certain uses of public funds by institutions, boards, commissions, departments, agencies, officials, and employees of the state or its political subdivisions; to prohibit entities that perform abortions from receiving public funding for any purpose; to provide for construction of the prohibition; 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. 719—

BY REPRESENTATIVE HODGES
AN ACT

To amend and reenact Children's Code Article 1431(D) and to enact Children's Code Article 1427(C), relative to minors who are mentally ill or suffering from substance abuse and in need of immediate medical treatment; to provide relative to procedures pursuant to issuance of a physician's emergency certificate for treatment of a minor; to provide relative to transportation of a child in whose name an emergency certificate has been issued; to authorize certain persons to accompany the child during such transportation; 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. 728—

BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 39:77, 461.1(B)(9)(b) and (C)(3), 461.4(B)(5) and (8)(b), (C), (D)(2), and (E), and 461.5, relative to the interim emergency board; to provide relative to procedures and requirements for obtaining consent of the legislature for the appropriation or borrowing of funds for an emergency or for capital outlay priority changes and adjustments; to provide relative to the authority, functions, and duties of the board; to provide relative to the authority, functions, and duties of the clerk of the House of Representatives and the secretary of the Senate; and to provide for related matters.

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

HOUSE BILL NO. 804—

BY REPRESENTATIVE PUGH
AN ACT

To amend and reenact R.S. 37:3397(B)(1) and (3), 3411, 3415.10, 3415.15(A) and to enact R.S. 37:3415.22, relative to the regulation of real estate appraisers and appraisal management companies; provides for licensing classifications and requirements; to regulate record keeping requirements; to change a sunset provision; to regulate real estate appraiser compensation; 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. 890—

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 18:18(A)(7), 116(A)(1)(introductory paragraph) and (a), (B)(1)(a) and (d) and (2)(a) and (b), and (C), 193(D), 424(B)(1), 425(B), 444(D), 463(A)(2)(b), 470(B), 532.1(D)(2)(a) and (E), 563(D)(2), 583(A)(2), 1285(B)(1)(a), 1300(C)(1), 1306(A)(3), 1307(B)(1)(a), and 1313(J)(2)(b), to enact R.S. 18:18(A)(10), 116(A)(3), 1309(E)(5)(b)(iii), 1310(D), and 1313(F)(11), and to repeal R.S. 18:116(A)(1)(c), relative to the Louisiana Election Code; to revise the system of laws comprising the Louisiana Election Code; to provide relative to the powers, duties, and authority of the secretary of state; to authorize the secretary of state to develop and implement a pilot program for new voting technology and equipment; to provide relative to voter registration agencies; to provide relative to the duty to provide voter registration services at such agencies; to prohibit certain conduct at such agencies; to provide relative to qualifications to serve as a commissioner or commissioner-in-charge; to allow certain students at institutions of higher learning in the state to serve as commissioners under certain circumstances; to require certain notice of the officers of parish executive committees; to provide relative to the notice of candidacy; to provide relative to the execution of the certificate on a notice of candidacy; to provide relative to qualifying fees; to provide relative to changes in precinct boundaries; to require the parish governing authority to provide certain information prior to adopting any such change; to require the secretary of state to report certain information relative to such changes; to provide deadlines for making such changes; to provide for the effectiveness of such changes; to provide relative to anticipated vacancies; to provide relative to procedures for applying to vote absentee by mail; to provide for the deadline for filing a request for recount of absentee by mail ballots; to provide relative to voter registration; to require the registrar to transfer registration information under certain circumstances; to provide for the cancellation of a registration under certain circumstances; to provide deadlines for notice of certain elections; to provide relative to absentee by mail voting; to require certain information concerning correction procedures to appear on the ballot; to provide relative to paper ballots; to provide for

replacement ballots; to provide for effectiveness; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 890 by Representative Danahay

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:18(A)(7)," insert "23(A)(introductory paragraph) and (B),"

AMENDMENT NO. 2

On page 1, line 6, after "18:18(A)(10)," insert "23(A)(8), 65,"

AMENDMENT NO. 3

On page 1, line 7, change "18:116(A)(1)(c)," to "18:105(B) and (C) and 116(A)(1)(c),"

AMENDMENT NO. 4

On page 2, at the end of line 7, insert the following: "relative to procedures and requirements for establishing eligibility; to provide relative to retirement or resignation of a registrar; to provide for the membership of the State Board of Election Supervisors; to provide"

AMENDMENT NO. 5

On page 2, line 13, after "R.S. 18:18(A)(7)," insert "23(A)(introductory paragraph) and (B),"

AMENDMENT NO. 6

On page 2, line 16 after "R.S. 18:18(A)(10)" insert a comma "," and "23(A)(8), 65"

AMENDMENT NO. 7

On page 3, between lines 8 and 9, insert the following:
"§23. State Board of Election Supervisors

A. The State Board of Election Supervisors is created and established in the Department of State as provided in R.S. 36:802. The board shall be composed of the following ~~seven~~ persons:

(8) One member of the Police Jury Association of Louisiana or its successor, who shall be elected by the membership thereof to serve a four-year term concurrent with that of the governor. A vacancy shall be filled in the same manner for the remainder of the unexpired term.

B. ~~Four~~ Five members of the board shall constitute a quorum for the transaction of business, and all actions of the board shall require the affirmative vote of at least ~~four~~ five members.

§65. Retirement or resignation of a registrar

A. A registrar who retires or resigns shall file a notice of retirement or resignation with the secretary of state.

B. A notice of retirement or resignation of a registrar shall be in writing, shall be dated, may specify a prospective date on which the retirement or resignation is to be effective, and shall be signed by the registrar and duly acknowledged by him before an officer authorized to administer oaths.

C. Upon receiving a notice of retirement or resignation from a registrar, the secretary of state shall immediately transmit a copy of the notice to the governing authority for the parish of the registrar who filed the notice.

D. A notice of retirement or resignation of a registrar shall not be effective until the original notice of retirement or resignation is received by the secretary of state and shall become irrevocable upon such receipt by the secretary of state.

* * *

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AMENDMENT NO. 8

On page 15, line 11, change "18:116(A)(1)(c) is" to "18:105(B) and (C) and 116(A)(1)(c) are"

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

HOUSE BILL NO. 934—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 37:786(D)(1) and (2) and 788(B)(1), relative to administrative decisions of the Louisiana State Board of Dentistry; to provide for procedures and amounts furnished as security in judicial review of board decisions; to provide relative to the subpoena authority of the board; 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. 951—

BY REPRESENTATIVE GARY CARTER

AN ACT

To amend and reenact R.S. 18:101(D)(introductory paragraph) and 152(C)(2)(b) and to enact R.S. 18:135(A)(3), relative to requirements for voting; to provide relative to voter registration; to provide relative to voter registration requirements for presidential elections; to provide relative to the close of voter registration; to provide relative to election procedures; to provide relative to the precinct register; to provide relative to procedures for supplementing the precinct register after printing; to provide relative to the duties of certain election officials relative to voter registration and election procedures; and to provide for related matters.

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

HOUSE BILL NO. 960—

BY REPRESENTATIVE ADAMS

AN ACT

To enact R.S. 40:1730.56(D), relative to restrictions imposed on temporary housing; to require certain standards for temporary housing; to provide for exceptions; 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. 1014—

BY REPRESENTATIVE BERTHELOT

AN ACT

To amend and reenact R.S. 40:1664.8(E), relative to licensing law of persons as provided in the Life Safety and Property Protection Licensing Act; to amend a certain provision with respect to the statutory reference of the "sex offense" definition; 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. 1081—

BY REPRESENTATIVES MIKE JOHNSON, ABRAHAM, AMEDEE, ARMES, BAGLEY, BARRAS, BERTHELOT, BILLIOT, BISHOP, BROADWATER, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CROMER, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, FOIL, FRANKLIN, GAROFALO, GUINN, HALL, LANCE HARRIS, HAVARD, HAZEL, HENRY, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, ROBERT JOHNSON, JONES, NANCY LANDRY, LEBAS, LEOPOLD, LOPINTO, LYONS, MACK, MAGEE, MCFARLAND, MIGUEZ,

DUSTIN MILLER, GREGORY MILLER, MONTOU CET, JAY MORRIS, JIM MORRIS, NORTON, PEARSON, PIERRE, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SHADON, STOKES, TALBOT, THIBAUT, WHITE, WILLMOTT, AND ZERINGUE

AN ACT

To enact R.S. 40:1061.1.1, relative to regulation of abortion; to provide for defined terms including "dismemberment abortion"; to prohibit performance of dismemberment abortions; to provide penalties for violations of the prohibition; to provide relative to legal proceedings pursuant to violations of the prohibition; to provide for construction of certain provisions; 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. 1133—

BY REPRESENTATIVE BERTHELOT

AN ACT

To amend and reenact Subpart A of Part VII of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1484.1 through 1484.28, and 1485.2(introductory paragraph), (2), (3), (4), and (5) and to enact R.S. 40:1485.2(6) and 1485.9, relative to the regulation of inflatable amusement devices, amusement attractions, and amusement rides; to provide for administration, enforcement, and rulemaking authority of the state fire marshal; to provide for definitions; to require registration of inflatable amusement devices, amusement attractions, and amusement rides with the office of state fire marshal; to regulate the operation of such devices, attractions, and rides; to provide for third-party inspections and certificates of inspection; to provide for set-up inspections; to provide relative to license requirements of third-party inspectors, set-up inspectors, firms, and certain persons; to require certain insurance; to provide for applicable fees, costs, penalties, and injunctive relief; to provide for applicability; to provide for prohibitions and exemptions; 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.

Reconsideration

The vote by which Senate Bill No. 408 failed to pass on Wednesday, May 11, 2016, was reconsidered.

SENATE BILL NO. 408—

BY SENATOR MILKOVICH

AN ACT

To enact R.S. 17:3975, relative to public schools; to authorize a charter group to submit an application to the local school board or the State Board of Elementary and Secondary Education to operate a charter school to replace a closed public school; to provide for special circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Hewitt	Perry
Appel	Lambert	Riser
Claitor	Luneau	Smith, G.
Cortez	Martiny	Smith, J.
Donahue	Milkovich	Thompson
Erdey	Mills	Walsworth
Fannin	Mizell	Ward
Gatti	Peacock	White

Total - 24

NAYS

Barrow	Carter	Morrell
Bishop	Colomb	Morrish
Boudreaux	Johns	Tarver
Brown	Long	
Total - 11		

ABSENT

Mr. President	LaFleur
Chabert	Peterson
Total - 4	

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 84— BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To urge and request the division of administration to provide a report to the legislature of all reports required of the executive branch by statute or resolution and a survey evidencing the utility of the required reports.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Fannin	Morrish
Appel	Gatti	Peacock
Barrow	Hewitt	Perry
Bishop	Johns	Peterson
Boudreaux	Lambert	Riser
Brown	Long	Smith, G.
Carter	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	White
Donahue	Mizell	
Erdey	Morrell	
Total - 34		

NAYS

Total - 0

ABSENT

Mr. President	LaFleur	Ward
Chabert	Smith, J.	
Total - 5		

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

Bagneris Rule

Senator Claitor moved to invoke the Bagneris Rule for the remainder of the legislative day.

Without objection, so ordered.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 257— BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 30:2194(B)(1), (3) and (6), 2194.1, 2195(C), (E), (F)(1), and the introductory paragraph of (3) and (3)(e), 2195.2(A)(1)(c)(ii), (2), (3), and (5), 2195.3(A)(1)(b), (6), and (10), 2195.4(A)(2) and (3) and (B)(1), 2195.8(A) and (C), 2195.9(B), 2195.10(C), 2195.12(A), and to enact R.S. 30:2194(B)(8)(c) and 2195.12(E), relative to underground storage tanks; to provide certain prohibitions; to provide for monies deposited in the Tank Trust Fund; to provide certain reporting requirements; to provide for monies received from certain payments; to provide for certain third party claims; to require the maintaining of certain documents and records; to provide for the membership of the Motor Fuels Underground Storage Tank Trust Fund Advisory Board; to provide for certain reimbursement eligibility requirements; to provide for the issuance of grants or loans relative to the delivery of motor fuels; to provide terms, conditions, and requirements; and to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 257 by Senator Walsworth

AMENDMENT NO. 1

On page 10, line 14, following "participation in the" and before "Trust Fund" insert "Tank"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Walsworth proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Walsworth to Engrossed Senate Bill No. 257 by Senator Walsworth

AMENDMENT NO. 1

On page 2, lines 24 and 25, change "Effective September 6, 1991, this" to "This"

AMENDMENT NO. 2

On page 3, line 8, change "On or after January 1, 1996, no" to "No"

AMENDMENT NO. 3

On page 4, line 13, change "Beginning July 1, 2001, all" to "All"

On motion of Senator Walsworth, the amendments were adopted.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Allain Fannin Peacock
Appel Gatti Perry
Barrow Hewitt Peterson
Bishop Johns Riser
Boudreaux Lambert Smith, G.
Brown Long Smith, J.
Carter Luneau Tarver
Claitor Martiny Thompson
Colomb Milkovich Walsworth
Cortez Mills White
Donahue Morrell
Erdey Morrish
Total - 34

NAYS

Total - 0

ABSENT

Mr. President LaFleur Ward
Chabert Mizell
Total - 5

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

SENATE BILL NO. 477— (Substitute of Senate Bill No. 342 by Senator Boudreaux)

BY SENATORS BOUDREAU, APPEL, BISHOP, MILKOVICH, MORRISH, WALSWORTH AND WHITE AND REPRESENTATIVES HALL AND PRICE

AN ACT

To amend and reenact R.S. 17:3902(B)(5) and 3997(D)(2), relative to the evaluation of public school teachers and administrators; to provide relative to the use of value-added data in such evaluations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain Fannin Morrish
Appel Gatti Peacock
Barrow Hewitt Perry
Bishop Johns Peterson
Boudreaux Lambert Riser
Brown Long Smith, G.
Carter Luneau Smith, J.
Claitor Martiny Tarver
Colomb Milkovich Thompson
Cortez Mills Walsworth
Donahue Mizell Ward
Erdey Morrell White
Total - 36

NAYS

Total - 0

ABSENT

Mr. President Chabert LaFleur
Total - 3

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

House Concurrent Resolutions on Second Reading Reported by Committees

HOUSE CONCURRENT RESOLUTION NO. 22— BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To continue and provide with respect to the study committee to evaluate Louisiana's statewide system of healthcare delivery created by House Concurrent Resolution No. 170 of the 2015 Regular Session of the Legislature.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain Gatti Peacock
Appel Hewitt Perry
Bishop Johns Peterson
Boudreaux Lambert Riser
Brown Long Smith, G.
Carter Luneau Smith, J.
Claitor Martiny Tarver
Colomb Milkovich Thompson
Cortez Mills Walsworth
Donahue Mizell White
Erdey Morrell
Fannin Morrish
Total - 34

NAYS

Total - 0

ABSENT

Mr. President Chabert Ward
Barrow LaFleur
Total - 5

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

HOUSE CONCURRENT RESOLUTION NO. 88— BY REPRESENTATIVE GAINES

A CONCURRENT RESOLUTION

To urge and request parish governing authorities to work with public postsecondary education institutions in the state to establish polling places on the campuses of those institutions.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original House Concurrent Resolution No. 88 by Representative Gaines

AMENDMENT NO. 1

On page 1, line 3, after "state" insert "and the secretary of state"

AMENDMENT NO. 2

On page 1, line 17, after "state" insert "and the secretary of state"

On motion of Senator Peterson, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Erdey	Morrish
Appel	Fannin	Perry
Barrow	Gatti	Peterson
Bishop	Johns	Smith, G.
Boudreaux	Lambert	Smith, J.
Brown	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Martiny	Ward
Colomb	Milkovich	White
Cortez	Mills	
Donahue	Morrell	
Total - 31		

NAYS

Hewitt	Mizell	Riser
Total - 3		

ABSENT

Mr. President	LaFleur	Tarver
Chabert	Peacock	
Total - 5		

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

HOUSE CONCURRENT RESOLUTION NO. 100—
BY REPRESENTATIVE MARCELLE

A CONCURRENT RESOLUTION

To urge and request the metropolitan council of the parish of East Baton Rouge to work with Louisiana State University to consolidate polling places for residents of the Baton Rouge campus of the university to provide for one, centralized polling place on campus.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original House Concurrent Resolution No. 100 by Representative Marcelle

AMENDMENT NO. 1

On page 1, line 3, after "University" insert "and the secretary of state"

AMENDMENT NO. 2

On page 2, line 8, after "University" insert "and the secretary of state"

AMENDMENT NO. 3

On page 2, line 11, after "Rouge" change "and the" to ", the" and on line 12, after "University" insert "and the secretary of state"

On motion of Senator Peterson, the committee amendment was adopted.

On motion of Senator Martiny the amended resolution was read by title and returned to its regular order on House Concurrent Resolutions Reported by Committee to be Adopted.

Senator Martiny in the Chair

House Bills and Joint Resolutions on Third Reading and Final Passage

HOUSE BILL NO. 85—

BY REPRESENTATIVE DAVIS

AN ACT

To amend and reenact R.S. 33:9097.8(B), relative to the Broadmoor Crime Prevention and Improvement District in East Baton Rouge Parish; to modify the boundaries of the district; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Fannin	Morrish
Appel	Gatti	Peacock
Bishop	Hewitt	Perry
Boudreaux	Johns	Peterson
Brown	Lambert	Riser
Carter	Luneau	Smith, G.
Claitor	Martiny	Smith, J.
Colomb	Milkovich	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrell	White
Total - 33		

NAYS

Total - 0

ABSENT

Mr. President	Chabert	Long
Barrow	LaFleur	Tarver
Total - 6		

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

HOUSE BILL NO. 136—

BY REPRESENTATIVE MACK

AN ACT

To amend and reenact R.S. 15:168(B)(1), relative to the judicial district indigent defender fund; to extend the period of time in which the special cost assessed in criminal cases in each judicial district court shall be collected for the district indigent defender fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Erdey	Morrish
Appel	Fannin	Peacock
Barrow	Gatti	Perry
Bishop	Hewitt	Peterson
Boudreaux	LaFleur	Riser
Brown	Lambert	Smith, G.
Carter	Luneau	Smith, J.
Chabert	Martiny	Tarver
Claitor	Milkovich	Thompson

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Colomb	Mills	Walsworth
Cortez	Mizell	Ward
Donahue	Morrell	White
Total - 36		

NAYS

Total - 0

ABSENT

Mr. President	Johns	Long
Total - 3		

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

HOUSE BILL NO. 138—
BY REPRESENTATIVE ARMES
AN ACT

To enact R.S. 33:2541.5, relative to the municipal fire and police civil service; to authorize the governing authority of the city of DeRidder to create the position of deputy fire chief; to provide that the position is appointed on a competitive basis; to provide relative to the appointment, supervision, and discharge of any person in any such position; to provide relative to the qualifications, duties, and responsibilities for such position; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Erdey	Morrell
Appel	Fannin	Morrish
Barrow	Gatti	Peacock
Bishop	Hewitt	Perry
Boudreaux	Johns	Peterson
Brown	LaFleur	Riser
Carter	Lambert	Smith, G.
Chabert	Luneau	Smith, J.
Claitor	Martiny	Tarver
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Total - 36		

NAYS

Total - 0

ABSENT

Mr. President	Long	Thompson
Total - 3		

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

HOUSE BILL NO. 157—
BY REPRESENTATIVE ARMES
AN ACT

To amend and reenact R.S. 33:2533(20), 2541.1(C)(1), 2541.2(C)(1), 2550(E) and (F), 2551(4) and (8), 2551.1(A), 2554(C), and 2558, relative to the city of DeRidder; to provide relative to the classified police civil service; to provide relative to departmental and promotional seniority; to provide relative to the establishment and maintenance of employment lists; to provide relative to the certification and appointment of eligible persons; to provide relative to the abolition of classes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Fannin	Peacock
Appel	Gatti	Perry
Barrow	Hewitt	Peterson
Bishop	Johns	Riser
Boudreaux	LaFleur	Smith, G.
Brown	Lambert	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White
Donahue	Morrell	
Erdey	Morrish	
Total - 37		

NAYS

Total - 0

ABSENT

Mr. President	Long
Total - 2	

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

HOUSE BILL NO. 181—
BY REPRESENTATIVE BISHOP
AN ACT

To enact R.S. 49:191(9)(b) and to repeal R.S. 49:191(6)(c), relative to the Department of Natural Resources, including provisions to provide for the re-creation of the Department of Natural Resources and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Erdey	Morrish
Appel	Fannin	Peacock
Barrow	Gatti	Perry
Bishop	Hewitt	Riser
Boudreaux	Johns	Smith, G.
Brown	LaFleur	Smith, J.
Carter	Lambert	Tarver
Chabert	Luneau	Thompson
Claitor	Martiny	Walsworth
Colomb	Milkovich	Ward
Cortez	Mills	White
Donahue	Mizell	
Total - 35		

NAYS

Total - 0

ABSENT

Mr. President Morrell
 Long Peterson
 Total - 4

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

HOUSE BILL NO. 465—

BY REPRESENTATIVE BISHOP

AN ACT

To enact R.S. 30:21(B)(1)(e) and to repeal R.S. 30:21(B)(1)(d)(xiv), (xvi), (xviii), (xx), and (xxi), relative to fees collected by the commissioner of conservation; to provide for fees for activities regulated by the office of conservation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Fannin	Peacock
Appel	Gatti	Perry
Barrow	Hewitt	Peterson
Boudreaux	Johns	Riser
Carter	Lambert	Smith, G.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	White
Donahue	Mizell	
Erdey	Morrish	
Total - 31		

NAYS

Total - 0

ABSENT

Mr. President	LaFleur	Smith, J.
Bishop	Long	Ward
Brown	Morrell	
Total - 8		

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

HOUSE BILL NO. 610—

BY REPRESENTATIVES ABRAHAM AND BARRAS

AN ACT

To amend and reenact R.S. 47:2323(C)(3) and to enact R.S. 47:2323(E), relative to ad valorem property tax assessments; to provide with respect to the fair market valuation of property for purposes of assessment; to prohibit consideration of the value of certain federal tax and financial benefits for certain residential housing unit property in determining fair market value; to provide with respect to the income approach for property valuation; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Erdey	Morrish
Appel	Fannin	Peacock
Barrow	Gatti	Perry
Bishop	Hewitt	Peterson
Boudreaux	Johns	Riser
Carter	Lambert	Smith, G.
Chabert	Luneau	Smith, J.
Claitor	Martiny	Tarver
Colomb	Milkovich	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	White
Total - 33		

NAYS

Total - 0

ABSENT

Mr. President	LaFleur	Morrell
Brown	Long	Ward
Total - 6		

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

HOUSE BILL NO. 967—

BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact R.S. 33:1236(5), relative to the powers of parish governing authorities; to authorize parish governing authorities to take actions to regulate livestock; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Allain	Fannin	Perry
Appel	Gatti	Peterson
Barrow	Hewitt	Riser
Bishop	Johns	Smith, G.
Boudreaux	Lambert	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Mills	Walsworth
Colomb	Mizell	Ward
Cortez	Morrell	White
Donahue	Morrish	
Erdey	Peacock	
Total - 34		

NAYS

Total - 0

ABSENT

Mr. President	LaFleur	Milkovich
Brown	Long	
Total - 5		

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

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Mr. President in the Chair

Rules Suspended

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

House Concurrent Resolutions to be Adopted

HOUSE CONCURRENT RESOLUTION NO. 100— BY REPRESENTATIVE MARCELLE A CONCURRENT RESOLUTION

To urge and request the metropolitan council of the parish of East Baton Rouge to work with Louisiana State University to consolidate polling places for residents of the Baton Rouge campus of the university to provide for one, centralized polling place on campus.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' including Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Brown, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, Lambert, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, and White.

Total - 37

NAYS

Total - 0

ABSENT

Table listing names of senators who were absent: LaFleur, Long.

Total - 2

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

Rules Suspended

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

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

Called from the Calendar

Senator Johns asked that Senate Bill No. 473 be called from the Calendar.

SENATE BILL NO. 473— (Substitute of Senate Bill No. 362 by Senator Johns)

BY SENATOR JOHNS

AN ACT

To enact Part VIII of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:451 through 455, relative to the Louisiana Medical Assistance Program; to provide for the Health Insurance Premium Assistance Program; to provide for rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' including Mr. President, Allain, Appel, Barrow, Boudreaux, Carter, Chabert, Claitor, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, Lambert, Luneau, Martiny, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, and White.

Total - 32

NAYS

Table listing names of senators voting 'NAYS': Riser.

Total - 1

ABSENT

Table listing names of senators who were absent: Bishop, Brown, Colomb, LaFleur, Long, Milkovich.

Total - 6

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 123—

BY SENATOR HEWITT

A RESOLUTION

To re-create the Lower Pearl River Basin Ecosystem Study Commission.

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

Rules Suspended

Senator Martiny asked for and obtained a suspension of the rules to recall Senate Bill No. 476 from the Committee on Finance.

SENATE BILL NO. 476— (Substitute of Senate Bill No. 132 by Senator Martiny)

BY SENATOR MARTINY

AN ACT

To enact R.S. 22:1055, relative to the requirement for health insurance coverage of diagnosis and treatment for temporal

mandibular joint and associated musculature and neurology; to provide for an effective date; and to provide for related matters.

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

Introduction of Senate Resolutions, Resumed

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

SENATE RESOLUTION NO. 124—
BY SENATOR LAMBERT

A RESOLUTION

To commend Tim Detillier, head football coach and athletic director for the Lutchter High School Bulldogs, upon his many career accomplishments and to congratulate him on his 2015 winning season and upon his retirement.

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

SENATE RESOLUTION NO. 125—
BY SENATOR LAMBERT

A RESOLUTION

To commend and congratulate the players and coaches of the Lutchter High School football team on an outstanding season and on its first place finish in the Louisiana High School Athletic Association Class 3-A State Championship for 2015.

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

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 12, 2016

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 87—
BY SENATOR JOHN SMITH

AN ACT

To designate the interchange of Interstate 10 with United States Highway 171 in Calcasieu Parish as the "Louisiana State Master Trooper Stephen H. Gray Memorial Interchange"; and to provide for related matters.

SENATE BILL NO. 126—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 6:314(A) and 766.1(A), relative to payable on death accounts; to provide for acts under private signature; to provide for certain procedures; and to provide for related matters.

SENATE BILL NO. 159—
BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 48:2078(A), relative to the Louisiana Transportation Authority; to authorize the authority to undertake certain projects in the Louisiana Statewide Transportation Plan; and to provide for related matters.

SENATE BILL NO. 220—
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 12:1333(A) and (D), relative to powers of estate of a deceased or incompetent member; to provide certain terms, conditions, procedures, requirements, and effects; and to provide for related matters.

SENATE BILL NO. 234—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 6:966.1(B), relative to the Additional Default Remedies Act; to provide relative to additional default remedies by certain debtors under certain secured transactions; to provide for the "Notice of Repossession"; to provide that no additional fees may be assessed for filing of the "Notice of Repossession"; to provide terms and conditions; and to provide for related matters.

SENATE BILL NO. 368—
BY SENATOR MORRISH

AN ACT

To amend and reenact Children's Code Art. 1243(B), relative to intrafamily adoptions; to provide for the adoption of a child by a married blood relative grandparent as a sole petitioner in certain circumstances; and to provide for related matters.

SENATE BILL NO. 404—
BY SENATOR PEACOCK

AN ACT

To enact Part VI of Chapter 2 of Code Title VII of Code Book III Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2991.1 through 2991.11, relative to the sale of mineral rights by mail solicitation; to create the Sale of Mineral Rights by Mail Solicitation Act; to define sale of mineral rights by mail solicitation; to require sales of mineral rights by mail solicitation to be in proper form; to provide for required disclosures; to provide for rescission of sales of mineral rights by mail solicitation; to provide for the mechanics and effects of rescission; to provide for prohibited terms; to provide terms, conditions, and requirements; and to provide for related matters.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

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

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 12, 2016

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. 97—
BY SENATOR LAMBERT AND REPRESENTATIVE BACALA

A CONCURRENT RESOLUTION

To designate May 21 through 27, 2016, as Safe Boating Week in Louisiana.

May 12, 2016

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATOR PERRY AND REPRESENTATIVE HENSGENS
A CONCURRENT RESOLUTION

To commend the Kaplan High School Lady Pirates softball team on winning the 2016 Allstate Sugar Bowl/LHSAA Softball Fast Pitch 56 tournament to become the Class 3A Girls' State Softball Champion.

SENATE CONCURRENT RESOLUTION NO. 103—
BY SENATOR LONG AND REPRESENTATIVE LANCE HARRIS
A CONCURRENT RESOLUTION

To commend and congratulate Janet Joseph-Richard on being named to the 2016 Louisiana Sports Hall of Fame.

SENATE CONCURRENT RESOLUTION NO. 104—
BY SENATOR LONG AND REPRESENTATIVE BAGNERIS
A CONCURRENT RESOLUTION

To commend and congratulate David Julius Malarcher on being named to the 2016 Louisiana Sports Hall of Fame Induction Class.

SENATE CONCURRENT RESOLUTION NO. 105—
BY SENATOR LONG AND REPRESENTATIVE SCHEXNAYDER
A CONCURRENT RESOLUTION

To commend and congratulate Ben M. Sheets on being named to the 2016 Louisiana Sports Hall of Fame Induction Class.

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR LONG AND REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

To commend and congratulate Rick Jones on being named to the 2016 Louisiana Sports Hall of Fame Induction Class.

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATORS LONG AND LUNEAU AND REPRESENTATIVES HALL,
LANCE HARRIS AND HAZEL
A CONCURRENT RESOLUTION

To commend the Alexandria Senior High School Trojans softball team on winning the 2016 Allstate Sugar Bowl/LHSAA Softball Fast Pitch 56 tournament to become the Class 5A Girls' State Softball Champion.

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR PEACOCK AND REPRESENTATIVE SEABAUGH
A CONCURRENT RESOLUTION

To commend Adriana Martin of the Southfield School in Shreveport, Louisiana, upon her mathematical skills and to congratulate her for outstanding scholastic achievements and high rankings in the Pi Day Challenge.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

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

Message from the House

SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

May 12, 2016

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 7—
BY REPRESENTATIVE PRICE
AN ACT

To amend and reenact Code of Criminal Procedure Articles 978(B)(1), 989, and 992 and to enact Code of Criminal Procedure Articles 976(A)(4) and 978(E), relative to

expungement; to provide for eligibility for an expungement in cases of factual innocence; to provide for the expungement of certain crimes of violence after a cleansing period; to provide for the expungement forms to be used; and to provide for related matters.

HOUSE BILL NO. 17—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 11:1732(14)(a)(x), relative to participation in the Municipal Employees' Retirement System; to authorize participation by certain employers; and to provide for related matters.

HOUSE BILL NO. 177—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 25:1001(B) and (C) and to enact R.S. 25:1001(E), relative to the Louisiana Naval War Memorial Commission; to provide with respect to the quorum and meeting requirements of the commission; to provide relative to the removal of commission members; and to provide for related matters.

HOUSE BILL NO. 189—
BY REPRESENTATIVE CHAD BROWN
AN ACT

To amend and reenact R.S. 27:418(C), relative to the operation of a restaurant at a qualified truck stop facility; to provide with respect to closing the operation of a restaurant during certain legal holidays; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 193—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:4163(C)(1), relative to the ex parte legislative continuance; to provide for time periods of application; to provide for qualifying activities; and to provide for related matters.

HOUSE BILL NO. 212—
BY REPRESENTATIVE DAVIS AND SENATORS BISHOP, GATTI, AND
WARD
AN ACT

To enact R.S. 46:236.3(E)(6), relative to enforcement of support by income assignment; to provide for procedures for the issuance of lump-sum payments; to provide definitions; and to provide for related matters.

HOUSE BILL NO. 252—
BY REPRESENTATIVE DAVIS
AN ACT

To enact R.S. 37:36(E)(1)(aa) and (3), relative to provisional licenses for ex-offenders; to exempt the Louisiana Licensed Professional Counselors Board of Examiners from certain provisions relative to the issuance of provisional licenses to ex-offenders; to require certain record keeping of certain licensing entities; to require certain annual reports; and to provide for related matters.

HOUSE BILL NO. 284—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 12:1-1007(A) and (C) and 1-1621(D), relative to the business filings of corporations; to require restated articles of incorporation to include the original articles of incorporation; to remove the grace period relative to filing corrected annual reports; and to provide for related matters.

HOUSE BILL NO. 310—
BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 45:1163(C), relative to the Louisiana Public Service Commission; to require the commission to audit adjustment clause filings and modify the fuel adjustment charge of an electric utility; and to provide for related matters.

HOUSE BILL NO. 313—

BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact R.S. 19:2.2(B) and (C) and to enact R.S. 19:2.2(D), relative to expropriation by certain expropriating authorities under certain circumstances; to require notice to property owners by certain expropriation authorities; to require for disclosures of certain information to property owners under certain circumstances; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 403—

BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 15:1199.4(C), (D)(introductory paragraph), (E)(introductory paragraph) and (6), and (G) and to enact R.S. 15:1199.4(D)(8), (9), and (10) and (E)(7) through (12), relative to the reentry advisory council; to provide for additional members to the council; to provide for the nominating criteria for the additional members; and to provide for related matters.

HOUSE BILL NO. 423—

BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact R.S. 56:637(B) and (E), relative to reptiles and amphibians; to provide for records required for the transfer or sale of reptiles and amphibians; to provide for the completion and return of commercial receipt forms; and to provide for related matters.

HOUSE BILL NO. 476—

BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 22:890, relative to certificates of insurance; to provide for use of certain certificates of insurance; to provide for definitions; to provide that certain parties may not request an insurance producer provide information or documentation regarding insurance coverage other than a certificate of insurance; to allow certain parties to request an addendum to a certificate of insurance from an insurer; and to provide for related matters.

HOUSE BILL NO. 482—

BY REPRESENTATIVES JEFFERSON, AMEDEE, BACALA, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BROADWATER, TERRY BROWN, CARMODY, CARPENTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COX, CROMER, DAVIS, DEVILLIER, EDMONDS, FALCONER, GAINES, GAROFALO, GISCLAIR, JIMMY HARRIS, LANCE HARRIS, HAZEL, HILFERTY, HOFFMANN, HORTON, HOWARD, HUNTER, JACKSON, JENKINS, MIKE JOHNSON, ROBERT JOHNSON, NANCY LANDRY, LEBAS, LOPINTO, LYONS, MAGEE, MARCELLE, MIGUEZ, JIM MORRIS, NORTON, PEARSON, POPE, PRICE, PYLANT, REYNOLDS, SCHEXNAYDER, SCHRODER, SEABAUGH, SMITH, STOKES, WHITE, WILLMOTT, AND ZERINGUE AND SENATORS BISHOP, BOUDREAUX, BROWN, ERDEY, LUNEAU, MILLS, AND WALSWORTH

AN ACT

To enact Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2431 through 2434, relative to foster care; to create and provide for the Foster Care and Permanence Task Force; to provide for the composition, functions, and duties of the task force; to provide for termination of the task force; and to provide for related matters.

HOUSE BILL NO. 488—

BY REPRESENTATIVES JACKSON, ADAMS, AMEDEE, BACALA, BAGLEY, BAGNERIS, BARRAS, BISHOP, CHAD BROWN, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, COUSSAN, COX, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, GAROFALO, GUINN, LANCE HARRIS, HAZEL, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUVAL, IVEY, MIKE JOHNSON, LEBAS, LYONS, MACK, MAGEE, MIGUEZ, DUSTIN MILLER, JAY MORRIS, PIERRE, POPE, PYLANT, REYNOLDS, SEABAUGH, STOKES, TALBOT, THIBAUT, AND ZERINGUE AND SENATORS ALARIO, APPEL, BARROW, BOUDREAUX,

COLOMB, CORTEZ, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LONG, MARTINY, MILKOVICH, MILLS, MIZELL, PEACOCK, PERRY, RISER, TARVER, THOMPSON, WALSWORTH, AND WARD

AN ACT

To amend and reenact R.S. 40:1061.10(A)(1), relative to regulation of abortion; to provide for qualifications of physicians who perform elective abortions; and to provide for related matters.

HOUSE BILL NO. 494—

BY REPRESENTATIVE MORENO
AN ACT

To amend and reenact R.S. 40:2019(A)(2), (C)(introductory paragraph), (12), and (13), (D)(2)(b), (E)(1), (F), and (G), and to enact R.S. 40:2019(C)(21) and (22), relative to the Louisiana State Child Death Review Panel; to revise the membership of the panel; to authorize functions of the panel and of the Department of Children and Family Services relative to child death investigations; to authorize sharing of information, documents, and records between the panel and the Department of Children and Family Services; to provide limitations relative to use of certain information obtained by the panel; to specify the age range of children whose deaths are subject to investigation by the panel; and to provide for related matters.

HOUSE BILL NO. 525—

BY REPRESENTATIVE ROBBY CARTER
AN ACT

To amend and reenact R.S. 46:2133(C) and to enact R.S. 46:2133(D), relative to venue in applications for protection from family violence; to provide for proper venue in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 530—

BY REPRESENTATIVE DWIGHT
AN ACT

To enact R.S. 13:5554(G)(5), relative to payment for certain benefits for retirees from the Calcasieu Parish Sheriff's Office; to provide for the qualification for and payment of certain insurance premiums; and to provide for related matters.

HOUSE BILL NO. 672—

BY REPRESENTATIVES DAVIS, BAGNERIS, JEFFERSON, AND NORTON

AN ACT

To amend and reenact R.S. 8:655(A), (B)(1), (C), and (D) and R.S. 37:848(B), 876(A), (B), (D), (E), and (F), 877(B)(1)(a)(v) and (b)(ii), and 879(K) and to enact R.S. 8:655(E) and R.S. 37:855 and 876(G), relative to the disposing of human remains; to provide with respect to a decedent's notarial testament; to provide for a change in priority of persons with respect to the right to control interment and the authorized arrangement of cremation; to distinguish adult grandchildren as a priority group of persons; to allow the disposal of certain human remains by certain assistants of certified embalmers; to provide for the right to arrange funeral goods and services; to limit liability of certain persons with respect to the arrangement of funeral goods and services; to require a majority relative to certain surviving family members and the right to authorize cremation; to expressly make certain military provisions applicable to cremation authorizations; to require the attachment of declarations to cremation authorization forms; to exempt the remains of certain fetuses with respect to provisions requiring identification of human remains; to authorize a representative of a funeral establishment to deliver cremated human remains to authorized persons; to authorize a legal entity to receive cremated human remains; to require funeral establishments and cemetery authorities to retain certain receipts; to provide for other clarifying changes; and to provide for related matters.

May 12, 2016

HOUSE BILL NO. 806—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 12:1335.1(A), relative to the dissolution by affidavit of a limited liability company; to provide for such dissolution if the limited liability company does not own immovable property; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 894—

BY REPRESENTATIVE THIBAUT
AN ACT

To amend and reenact R.S. 15:745.2(D), relative to the reentry of offenders who are housed in parish jails; to provide relative to the Offender Reentry Support Pilot Program; to provide for the reporting of program results; and to provide for related matters.

HOUSE BILL NO. 966—

BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact R.S. 29:295(C), relative to burials at state veterans cemeteries; to provide for fees for such burials; to provide authority for the waiving of burial fees; to provide relative to use of funds generated from burial fees; and to provide for related matters.

HOUSE BILL NO. 969—

BY REPRESENTATIVES COX, BAGLEY, HENSGENS, HOFFMANN, HORTON, MIKE JOHNSON, MAGEE, AND DUSTIN MILLER
AN ACT

To enact R.S. 40:2011 and 2166.9, relative to immunizations for adults; to require the Department of Health and Hospitals to provide educational information on shingles and pneumonia; to require nursing homes and adult residential care providers to disseminate educational information on shingles and pneumonia; to establish the minimum content of the information; to provide for interpretations; and to provide for related matters.

HOUSE BILL NO. 1015—

BY REPRESENTATIVE BERTHELOT AND SENATOR THOMPSON
AN ACT

To amend and reenact R.S. 40:1563(L)(2), relative to certain rule making authority of the Department of Health and Hospitals; to redesignate such rule making authority from the Department of Health and Hospitals to the state fire marshal; and to provide for related matters.

HOUSE BILL NO. 270—

BY REPRESENTATIVE POPE
AN ACT

To amend and reenact R.S. 17:1(D) and to repeal R.S. 17:2, relative to the Board of Elementary and Secondary Education; to provide relative to vacancies in elective positions on the board; to provide relative to special elections to fill vacancies in elective positions on the board; to remove certain redundant provisions of law relative to the board; and to provide for related matters.

HOUSE BILL NO. 562—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3991(B)(3), relative to charter schools; to permit city, parish, and other local public school boards to assign students to charter schools under certain circumstances; to provide for such assignment to be based on parental preferences, charter school admission requirements and contracts, and local board policies; and to provide for related matters.

HOUSE BILL NO. 612—

BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 22:366, relative to vehicle mechanical breakdown insurers; to allow such insurers to file certain audited statements in lieu of an audited financial statement; to provide for the auditing of submitted statements; and to provide for related matters.

HOUSE BILL NO. 694—

BY REPRESENTATIVES MORENO, ABRAHAM, ADAMS, AMEDEE, ANDERS, BAGNERIS, BERTHELOT, BILLIOT, BISHOP, BROADWATER, CHAD BROWN, TERRY BROWN, CARPENTER, CHANEY, CROMER, DAVIS, EDMONDS, FOIL, GISCLAIR, GLOVER, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HUVAL, LYONS, GREGORY MILLER, PEARSON, PIERRE, POPE, PRICE, PYLANT, REYNOLDS, SCHEXNAYDER, SEABAUGH, TALBOT, WHITE, WILLMOTT, AND ZERINGUE AND SENATORS GATTI, JOHNS, LONG, MORRISH, GARY SMITH, AND WARD
AN ACT

To amend and reenact R.S. 22:1077 and to repeal R.S. 22:272(E) and R.S. 40:2209, relative to required coverage of reconstructive surgeries following mastectomies; to delete the requirement that such coverage be performed under the same policy under which the mastectomy was performed; to specify that such coverage shall be for breast reconstruction procedures selected by the patient in consultation with attending physicians; to provide with respect to covered components of reconstruction; to provide with respect to notices of the availability of such coverage; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 864—

BY REPRESENTATIVE LEBAS
AN ACT

To enact R.S. 22:1860.2, relative to pharmacy claims fees; to prohibit health insurance issuers and pharmacy benefit managers from assessing certain such fees; and to provide for related matters.

HOUSE BILL NO. 913—

BY REPRESENTATIVE CARPENTER AND SENATOR BARROW
AN ACT

To enact Children's Code Article 581(A)(9), relative to the Child Protection Representation Commission; to provide for the membership of the commission; to add the chairwoman of the Louisiana Legislative Women's Caucus or her designee as a commission member; and to provide for related matters.

HOUSE BILL NO. 1136— (Substitute for House Bill No. 394 by Representative Lopinto)

BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:41(B), relative to vital records; to authorize the disclosure of data from birth and death certificates to law enforcement; and to provide for related matters.

HOUSE BILL NO. 1140— (Substitute for House Bill No. 705 by Representative Broadwater)

BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact R.S. 22:1007(J) and to enact R.S. 22:1007(K), relative to managed care organizations; to provide for certain prohibited clauses in provider contracts; to provide that a managed care organization may not require as a condition of contract that a healthcare provider provide healthcare services under all health benefit plans offered by the managed care organization; to provide that a managed care organization may not terminate a healthcare provider when the provider refuses to provide certain services; to provide an exception for out-of-state services; and to provide for related matters.

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

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

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 11, 2016

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE THIBAUT

A CONCURRENT RESOLUTION

To extend the existence of the False River Watershed Council until June 30, 2017.

HOUSE CONCURRENT RESOLUTION NO. 116—

BY REPRESENTATIVE HOWARD AND SENATOR LONG

A CONCURRENT RESOLUTION

To commend the 2016 Florien High School Lady Blackcats softball team upon winning its fourth consecutive Class B state championship.

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

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

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

Message to the Governor

SIGNED SENATE BILLS

May 12, 2016

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 2—

BY SENATORS PEACOCK, ALARIO, BOUDREAUX, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, FANNIN, HEWITT, JOHNS, LONG, MARTINY, MILKOVICH, MILLS, MIZELL, PERRY, RISER, GARY SMITH, TARVER, THOMPSON, WALSWORTH AND WHITE

AN ACT

To enact R.S. 11:542.2, 883.4, 1145.3, and 1332.1, to authorize payments funded by state retirement system experience accounts to certain retirees and beneficiaries; to provide qualifications for receipt of such payments; to provide relative to the amount of such payments; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 27—

BY SENATOR JOHN SMITH

AN ACT

To amend and reenact R.S. 22:1762, 1763(A), and 1766(A) and (B), relative to motor vehicle rental insurers; to provide with respect to limited licensing; to authorize employees and authorized agents to be licensed under a limited licensee's license when acting for or on behalf of a limited licensee; and to provide for related matters.

SENATE BILL NO. 266—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 22:1664(C)(2), 1665(D) and (E), 1669, 1671 (A), (D), (E), (F), and (G), and 1672(A), to enact R.S. 22:1665(F) and 1671(H), and to repeal R.S. 22:1662(13), relative to the licensing of insurance claims adjusters; to provide for licensing requirements; and to provide for related matters.

SENATE BILL NO. 432—

BY SENATORS PETERSON, APPEL, BARROW, BISHOP, BOUDREAUX, BROWN, CARTER, CLAITOR, COLOMB, MILLS AND MORRELL AND REPRESENTATIVES BAGNERIS, GARY CARTER, JIMMY HARRIS, HILFERTY, LEGER AND MORENO

AN ACT

To amend and reenact R.S. 17:3995(A)(3) and (4)(a)(ii) and (I), and 3999, and to enact R.S. 17:10.7.1, 100.11(I), and 3995(K), relative to the return of certain schools from the Recovery School District to the transferring school system; to provide for the governance, funding, and status of such schools; to provide for the return of school buildings, facilities, and property; to provide relative to charter contracts and enrollment and discipline policies; to provide relative to testing; to provide for the duties and responsibilities of the local school board, the local school superintendent, the Recovery School District, and the State Board of Elementary and Secondary Education; to provide for an implementation plan and an advisory committee to help develop the plan; to provide for immunity from civil liability for local school board members; to provide with respect to the funding of a charter school acting as its own local education agency; to provide for rules; to provide for effectiveness; to provide for reporting; and to provide for related matters.

SENATE BILL NO. 18—

BY SENATORS PEACOCK, BOUDREAUX, CORTEZ, LONG, MILKOVICH AND MIZELL

AN ACT

To amend and reenact R.S. 11:102(B)(1), (2), (3)(a), (b), (c), and (d), (i), (ii), (iii), and (iv), (4), and (5)(a) and (b), (C), and (D), 102.1(B)(2)(b), (3)(a)(i), (4), (5), and (6) and (C)(2), (3)(a) and (c), (4), (5), and (6), 102.2(B)(2)(a), (3)(a)(i), (4), and (5) and (C)(2), (3)(a) and (c), (4), (5), and (6), 102.3, 542(A), (B), (C), (E), and (F), 883.1(A), (B), (C), (E), and (F), 927(B)(2)(a)(introductory paragraph) and (i) and (b)(i) and (3)(a), 1145.1(A), (B), (C), (D), and (E), and 1332(A), (B), (C), (D), (E), and (F), to enact R.S. 11:23, 102(E) and (F), 102.1(A)(4), (B)(3)(a)(iv), and (D), 102.2(A)(4), (B)(3)(a)(iv), and (D), 102.4, 102.5, 102.6, 542(D) and 883.1(D), and to repeal R.S. 11:102(B)(3)(d)(v), (vi), (vii), and (viii), 542(G), 883.1(G) and (H), 1145.1(F), and 1332(G), to provide for actuarial determinations and application of retirement system funds without allowing, authorizing, or granting benefit improvements; to provide for the determination of required employer contributions and application of investment earnings to certain debts and accounts; to prioritize excess return allocations; to provide for an effective date; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted, GLENN A. KOEPP Secretary of the Senate

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Table with 3 columns: Name, Position, Status. Includes Mr. President, Allain, Appel, Barrow, Erdey, Fannin, Gatti, Hewitt, Morrell, Morrish, Peacock, Perry.

May 12, 2016

Bishop	Johns	Peterson
Boudreaux	LaFleur	Riser
Brown	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White

Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for May 13, 2016, were announced:

Finance	TBA	Room A
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The following committee meetings for May 15, 2016, were announced:

Finance	1:00 P.M.	Room A
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The following committee meetings for May 16, 2016, were announced:

Finance	TBA	Room A
Revenue and Fiscal Affairs	9:30 A.M.	Hainkel Room

Adjournment

On motion of Senator Thompson, at 10:30 o'clock A.M. the Senate adjourned until Monday, May 16, 2016, at 4:00 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