

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

THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, April 12, 2017

The Senate was called to order at 9:10 o'clock A.M. by Hon. John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Morrell |
| Appel | Gatti | Morrish |
| Barrow | Hewitt | Peacock |
| Bishop | Johns | Perry |
| Boudreaux | Lambert | Riser |
| Carter | Long | Smith, G. |
| Chabert | Luneau | Smith, J. |
| Claitor | Milkovich | Thompson |
| Cortez | Mills | Ward |
| Erdey | Mizell | White |
| Total - 30 | | |

ABSENT

| | | |
|-----------|----------|-----------|
| Allain | LaFleur | Tarver |
| Colomb | Martiny | Walsworth |
| Donahue | Peterson | |
| Total - 8 | | |

The President of the Senate announced there were 30 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Norman J. Farve, 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 Lambert, the reading of the Journal was dispensed with and the Journal of April 11, 2017, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 20—
BY SENATOR COLOMB

A RESOLUTION

To commend Malcolm Gerard Myer for his dedicated service and outstanding contributions to the citizens of the state of Louisiana.

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

SENATE RESOLUTION NO. 21—
BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Marion Overton White upon his induction into the St. Landry Parish Democratic Party Hall of Fame.

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

SENATE RESOLUTION NO. 22—
BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Clifton Louis Lemelle Sr. upon the occasion of being named to the St. Landry Parish Democratic Party Hall of Fame.

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

SENATE RESOLUTION NO. 23—
BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Gloria Nye, PhD upon her induction into the St. Landry Parish Democratic Party Hall of Fame.

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

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

SENATE BILL NO. 237—
BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 47:338.86(B), relative to the issuance of bonds by the Lafayette Public School Board; to provide for the maximum term; to provide for the application of the provisions of Chapters 13 and 13-A of Title 39 of the Louisiana Revised Statutes of 1950 to the bonds; to provide relative to the form, provisions, and negotiability of the bonds; to provide for an effective date; and to provide for related matters.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 19—
BY SENATOR MIZELL

A RESOLUTION

To commend the Loranger High School cheerleading team on winning the National Championship.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To commend the Slidell Republican Women's Club on the occasion of its fiftieth anniversary as a valuable asset in supporting and being committed to the Republican party and its candidates.

The concurrent 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

| | | |
|---------------|--------|---------|
| Mr. President | Erdey | Morrish |
| Allain | Hewitt | Peacock |

April 12, 2017

| | | |
|-----------|-----------|-----------|
| Appel | Johns | Perry |
| Barrow | Lambert | Peterson |
| Bishop | Long | Riser |
| Boudreaux | Luneau | Smith, G. |
| Carter | Milkovich | Smith, J. |
| Chabert | Mills | Thompson |
| Claitor | Mizell | Ward |
| Cortez | Morrell | White |

Total - 30

NAYS

Total - 0

ABSENT

| | | |
|---------|---------|-----------|
| Colomb | Gatti | Tarver |
| Donahue | LaFleur | Walsworth |
| Fannin | Martiny | |

Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To commend the Louisiana Developmental Disabilities Council and its grassroots advocacy network, LaCAN, and designate April 26, 2017, as "Disability Rights Day" in Louisiana.

The concurrent 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

| | | |
|---------------|-----------|-----------|
| Mr. President | Erdey | Morrish |
| Allain | Hewitt | Peacock |
| Appel | Johns | Perry |
| Barrow | Lambert | Peterson |
| Bishop | Long | Riser |
| Boudreaux | Luneau | Smith, G. |
| Carter | Milkovich | Smith, J. |
| Chabert | Mills | Thompson |
| Claitor | Mizell | Ward |
| Cortez | Morrell | White |

Total - 30

NAYS

Total - 0

ABSENT

| | | |
|---------|---------|-----------|
| Colomb | Gatti | Tarver |
| Donahue | LaFleur | Walsworth |
| Fannin | Martiny | |

Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 19—
BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To commend Randy K. Haynie upon receipt of the Outstanding Eagle Scout Award and to recognize his professional accomplishments and community service.

The concurrent 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

| | | |
|---------------|-----------|-----------|
| Mr. President | Erdey | Morrish |
| Allain | Hewitt | Peacock |
| Appel | Johns | Peterson |
| Barrow | Lambert | Riser |
| Bishop | Long | Smith, G. |
| Boudreaux | Luneau | Smith, J. |
| Carter | Milkovich | Thompson |
| Chabert | Mills | Ward |
| Claitor | Mizell | White |
| Cortez | Morrell | |

Total - 29

NAYS

Total - 0

ABSENT

| | | |
|---------|---------|-----------|
| Colomb | Gatti | Perry |
| Donahue | LaFleur | Tarver |
| Fannin | Martiny | Walsworth |

Total - 9

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

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To designate the first week of December as "Shop Local Artists Week" in Louisiana.

The concurrent 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

| | | |
|---------------|-----------|-----------|
| Mr. President | Erdey | Morrish |
| Allain | Hewitt | Peacock |
| Appel | Johns | Peterson |
| Barrow | Long | Riser |
| Bishop | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Cortez | Morrell | White |

Total - 27

NAYS

Total - 0

ABSENT

| | | |
|---------|---------|-----------|
| Claitor | Gatti | Perry |
| Colomb | LaFleur | Smith, G. |
| Donahue | Lambert | Tarver |
| Fannin | Martiny | |

Total - 11

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

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To urge and request Louisiana medical schools, prescriber licensing boards, and prescriber trade associations to take all necessary steps to eliminate pain as the fifth vital sign and to increase prescriber education and awareness on assessing, identifying, and treating the symptom of pain.

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

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from certain federal, state, or local government retirement or pension systems, plans, or funds.

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

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To declare May 26, 2017, "John Wayne Day" at the Legislature in recognition of the legacy of an American film icon and of the work of the John Wayne Foundation in the fight against cancer.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Peterson |
| Allain | Johns | Riser |
| Appel | Long | Smith, G. |
| Barrow | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Claitor | Morrell | White |
| Cortez | Morrish | |
| Erdey | Peacock | |
| Total - 28 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|---------|--------|
| Bishop | Gatti | Perry |
| Colomb | LaFleur | Tarver |
| Donahue | Lambert | |
| Fannin | Martiny | |
| Total - 10 | | |

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

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATORS GATTI, PEACOCK AND TARVER AND REPRESENTATIVES CARMODY, HORTON, JENKINS, REYNOLDS AND SEABAUGH

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Don Martin Whittington, a lifelong resident of Benton, Louisiana and a man who loved his family and made countless contributions to his community.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Peterson |
| Allain | Johns | Riser |
| Appel | Long | Smith, G. |
| Boudreaux | Luneau | Smith, J. |
| Carter | Milkovich | Thompson |
| Claitor | Mills | Walsworth |
| Cortez | Mizell | Ward |
| Erdey | Morrish | White |
| Gatti | Peacock | |
| Total - 26 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|---------|---------|
| Barrow | Donahue | Martiny |
| Bishop | Fannin | Morrell |
| Chabert | LaFleur | Perry |
| Colomb | Lambert | Tarver |
| Total - 12 | | |

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 1—

BY REPRESENTATIVE NORTON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to develop, implement, and enforce policies and procedures that will enhance airport safety.

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

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE JAMES

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Sergeant Shawn T. Anderson of the East Baton Rouge Parish Sheriff's Office who was killed in the line of duty.

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

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Peacock |
| Allain | Johns | Peterson |
| Appel | Long | Riser |
| Boudreaux | Luneau | Smith, G. |
| Carter | Milkovich | Smith, J. |
| Chabert | Mills | Thompson |
| Claitor | Mizell | Walsworth |
| Cortez | Morrell | Ward |
| Erdey | Morrish | White |
| Total - 27 | | |

April 12, 2017

NAYS

Total - 0

ABSENT

| | | |
|------------|---------|---------|
| Barrow | Fannin | Martiny |
| Bishop | Gatti | Perry |
| Colomb | LaFleur | Tarver |
| Donahue | Lambert | |
| Total - 11 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 16— BY REPRESENTATIVE HOFFMANN A CONCURRENT RESOLUTION

To recognize the month of June 2017 as Post-Traumatic Stress Injury Awareness Month.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Peterson |
| Allain | Johns | Riser |
| Appel | Long | Smith, G. |
| Barrow | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Claitor | Morrell | White |
| Cortez | Morrish | |
| Erdey | Peacock | |
| Total - 28 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|---------|--------|
| Bishop | Gatti | Perry |
| Colomb | LaFleur | Tarver |
| Donahue | Lambert | |
| Fannin | Martiny | |
| Total - 10 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 18— BY REPRESENTATIVES STEVE CARTER AND STOKES A CONCURRENT RESOLUTION

To memorialize the United States Congress to pass the Trickett Wendler Right to Try Act of 2017.

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

HOUSE CONCURRENT RESOLUTION NO. 19— BY REPRESENTATIVE MAGEE A CONCURRENT RESOLUTION

To commend Augustus Brown Sr., posthumously for his extraordinary life and numerous accomplishments.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Gatti | Peacock |
| Allain | Hewitt | Peterson |
| Appel | Johns | Riser |
| Barrow | Lambert | Smith, G. |
| Bishop | Long | Smith, J. |
| Boudreaux | Luneau | Thompson |
| Carter | Milkovich | Walsworth |
| Chabert | Mills | Ward |
| Cortez | Mizell | White |
| Erdey | Morrish | |
| Total - 29 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|---------|
| Claitor | Fannin | Morrell |
| Colomb | LaFleur | Perry |
| Donahue | Martiny | Tarver |
| Total - 9 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 20— BY REPRESENTATIVE HENSGENS AND SENATOR PERRY A CONCURRENT RESOLUTION

To commend the Gueydan High School girls' basketball team for winning the 2017 Class A state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Erdey | Peterson |
| Allain | Hewitt | Riser |
| Appel | Johns | Smith, G. |
| Barrow | Lambert | Smith, J. |
| Bishop | Long | Thompson |
| Boudreaux | Luneau | Walsworth |
| Carter | Milkovich | Ward |
| Chabert | Mills | White |
| Claitor | Morrish | |
| Cortez | Peacock | |
| Total - 28 | | |

NAYS

Total - 0

ABSENT

| | | |
|------------|---------|--------|
| Colomb | LaFleur | Perry |
| Donahue | Martiny | Tarver |
| Fannin | Mizell | |
| Gatti | Morrell | |
| Total - 10 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 21—
 BY REPRESENTATIVES COUSSAN AND BISHOP
 A CONCURRENT RESOLUTION

To commend the St. Thomas More Catholic High School football team upon winning the 2016 Division II state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Perry |
| Allain | Johns | Peterson |
| Appel | Lambert | Riser |
| Barrow | Long | Smith, G. |
| Bishop | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Claitor | Morrell | White |
| Cortez | Morrish | |
| Erdey | Peacock | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|--------|
| Colomb | Gatti | Tarver |
| Donahue | LaFleur | |
| Fannin | Martiny | |
| Total - 7 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 22—
 BY REPRESENTATIVES COUSSAN AND BISHOP
 A CONCURRENT RESOLUTION

To commend Coach Jim Hightower on his induction into the Louisiana Sports Hall of Fame and his outstanding athletic career as head coach of the St. Thomas More Catholic High School football team in Lafayette, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Perry |
| Allain | Johns | Peterson |
| Appel | Lambert | Riser |
| Barrow | Long | Smith, G. |
| Bishop | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Claitor | Morrell | White |
| Cortez | Morrish | |
| Erdey | Peacock | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|--------|
| Colomb | Gatti | Tarver |
| Donahue | LaFleur | |
| Fannin | Martiny | |
| Total - 7 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 23—
 BY REPRESENTATIVE DWIGHT
 A CONCURRENT RESOLUTION

To commend the South Beauregard Lady K's basketball team upon winning the 2017 girls Class 3A state championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Perry |
| Allain | Johns | Peterson |
| Appel | Lambert | Riser |
| Barrow | Long | Smith, G. |
| Bishop | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Claitor | Morrell | White |
| Cortez | Morrish | |
| Erdey | Peacock | |
| Total - 31 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|--------|
| Colomb | Gatti | Tarver |
| Donahue | LaFleur | |
| Fannin | Martiny | |
| Total - 7 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 24—
 BY REPRESENTATIVE TERRY BROWN
 A CONCURRENT RESOLUTION

To commend Sergeant Scott Bullitt on his exemplary service to and sacrifice for Louisiana.

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

| | | |
|---------------|-----------|-----------|
| Mr. President | Hewitt | Perry |
| Allain | Johns | Peterson |
| Appel | Lambert | Riser |
| Barrow | Long | Smith, G. |
| Bishop | Luneau | Smith, J. |
| Boudreaux | Milkovich | Thompson |
| Carter | Mills | Walsworth |
| Chabert | Mizell | Ward |
| Claitor | Morrell | White |

April 12, 2017

Cortez
Erdey
Total - 31

Morrish
Peacock

NAYS

Total - 0

ABSENT

Colomb
Donahue
Fannin
Total - 7

Gatti
LaFleur
Martiny

Tarver

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

HOUSE CONCURRENT RESOLUTION NO. 25

BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To recognize Wednesday, April 19, 2017, as Louisiana A+ Schools Day at the state capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Allain
Appel
Barrow
Bishop
Boudreaux
Carter
Chabert
Claitor
Cortez
Erdey
Total - 31

Gatti
Hewitt
Johns
Lambert
Long
Luneau
Milkovich
Mills
Mizell
Morrell
Morrish

Peacock
Peterson
Riser
Smith, G.
Smith, J.
Thompson
Walsworth
Ward
White

NAYS

Total - 0

ABSENT

Colomb
Donahue
Fannin
Total - 7

LaFleur
Martiny
Perry

Tarver

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 14

BY SENATORS LUNEAU, BOUDREAUX, CHABERT AND MILLS
AN ACT

To amend and reenact R.S. 40:1131(5), relative to emergency medical services; to provide for a definition of auto-injector; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 28
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 40:2852(D) and (E), relative to facilities providing housing or temporary residence for individuals arrested for commission of a crime; to remove accreditation requirement; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 34

BY SENATOR BOUDREAUX

AN ACT

To amend and reenact R.S. 46:2626(I)(5), relative to emergency ground ambulance service providers; to provide for a definition; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 41

BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 14:46.2(B)(4), 46.3(D)(3), 81.1(E)(5)(c) and (d), 82.1(D)(4), 83(B)(4), 83.1(B)(4), 83.2(B)(4), 84(B)(4), 85(B)(4), 86(B)(2) and (3), 104(B)(4), 105(B)(4), and 282(B)(4), and R.S. 15:539.1(A), (B)(1), (C), the introductory paragraph of (D), and (E), and to enact R.S. 15:539.1(F), relative to sex offenses; to provide for forfeiture of currency by persons convicted of certain sex offenses; to provide for the disposition and distribution of forfeited currency; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 41 by Senator Johns

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "82.1(D)(4)" and insert "82.1(A), (D)(4), and (E)"

AMENDMENT NO. 2

On page 1, line 4, after "R.S. 15:539.1(A), (B)(1), (C)," delete the remainder of the line and delete line 5 and insert "and (E) and 539.2(B)(1), relative to sex offenses; to"

AMENDMENT NO. 3

On page 1, at the end of line 10, delete "82.1(D)(4)" and insert "82.1(A), (D)(4), and (E)"

AMENDMENT NO. 4

On page 3, line 17, delete "eighteen" and insert "twenty-one"

AMENDMENT NO. 5

On page 3, between lines 17 and 18, insert the following:

"A. It shall be unlawful:

(1) For any person over the age of seventeen to engage in sexual intercourse with any person under the age of eighteen twenty-one who is practicing prostitution, and there is an age difference of greater than two years between the two persons.

(2) For any parent or tutor of any person under the age of eighteen twenty-one knowingly to consent to the person's entrance or detention in the practice of prostitution."

AMENDMENT NO. 6

On page 4, between lines 2 and 3, insert the following:
 "E. It shall not be a defense to prosecution for a violation of this Section that the person practicing prostitution who is believed to be under the age of ~~eighteen~~ **twenty-one** is actually a law enforcement officer or peace officer acting within the official scope of his duties."

AMENDMENT NO. 7

On page 8, line 26, after "R.S. 15:539.1(A),(B)(1), (C)," delete "the introductory paragraph of (D)," and after "and (E)" insert "and 539.2(B)(1)"

AMENDMENT NO. 8

On page 8, line 27, after "amended and reenacted" delete "and R.S. 15:539.1(F) is hereby enacted"

AMENDMENT NO. 9

On page 9, line 7, after "persons under" delete "eighteen" and insert "**twenty-one**"

AMENDMENT NO. 10

On page 10, delete lines 2 through 12 and insert the following:

** * *

E. Notwithstanding Subsection D of this Section, when the **currency, instruments, securities, or other** property is forfeited pursuant to the"

AMENDMENT NO. 11

On page 10, line 20, after "(operation of places of prostitution), the" insert "**currency, instruments, and securities and**"

AMENDMENT NO. 12

On page 10, line 23, after "Any remaining" insert "**currency, instruments, securities, or**"

AMENDMENT NO. 13

On page 11, delete lines 2 through 27

AMENDMENT NO. 14

On page 11, between lines 27 and 28, insert the following:
 "§539.2. Exploited Children's Special Fund
 * * *

B.(1) There is established in the state treasury the Exploited Children's Special Fund, hereinafter referred to as the "fund". Appropriations by the legislature and all monetary assessments paid and interest accrued on funds collected pursuant to Subsection A of this Section shall be deposited into the Bond Security and Redemption Fund, and after a sufficient amount is allocated from the Bond Security and Redemption Fund to pay all the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay the remainder of such monies into the fund. **The fund shall be subject to public audit.**

* * **

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

SENATE BILL NO. 42—
 BY SENATOR JOHNS

AN ACT

To enact Part II of Chapter 28-B of Title 46 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 46:2165 through 2168, relative to human trafficking; to provide for the Louisiana Human Trafficking Prevention Commission; to provide for the Louisiana Human Trafficking Prevention Commission Advisory Board; to provide for duties; to provide for reporting; to provide for the composition of the commission and board; to provide for meetings; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 42 by Senator Johns

AMENDMENT NO. 1

On page 4, line 23, after "**Defender**" insert "**or his designee**"

AMENDMENT NO. 2

On page 4, line 25, after "**Association**" insert "**or his designee**"

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

SENATE BILL NO. 70—
 BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 40:639 and to enact R.S. 40:971.3, relative to controlled dangerous substances; to make the misbranding or adulteration of drugs with the intent to defraud or mislead a felony offense; to provide penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 76—
 BY SENATOR LAMBERT

AN ACT

To amend and reenact Code of Criminal Procedure Article 611(C), relative to venue in criminal matters; to allow venue for certain criminal matters to be the parish in which the victim resides as well as the parish in which the crime occurred; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 96—
 BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 40:1007(A), (B), the introductory paragraph of (E), the introductory paragraph of (F), (I), and (J), 1008(A), and 1009(A) and (B) and to enact R.S. 40:1003(15) and 1007(E)(5), (6), and (7), and (K), relative to the prescription monitoring program; to provide for definitions; to provide for access to prescription monitoring information; to provide for immunity; to provide for education and training; to provide for penalties; 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. 96 by Senator Johns

AMENDMENT NO. 1

On page 2, line 4, after "**regulations**" insert "**, provided however, that audit trail information shall not include any information produced or requested by the Louisiana legislative auditor**"

AMENDMENT NO. 2

On page 3, line 11, delete "**drug courts**" and insert "**specialty courts within the criminal justice system that are authorized by the Louisiana Supreme 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.

April 12, 2017

SENATE BILL NO. 116—
BY SENATOR MILLS

AN ACT

To enact Part III of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:111 through 114, relative to exercise and healthier communities; to create the Work Out Now: WON Louisiana Legislative Commission; to provide for commission membership, powers, duties, and functions; to provide for staff support and finances for the commission; to provide for cooperation with and support for the commission; 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. 116 by Senator Mills

AMENDMENT NO. 1

On page 3, line 3, between "following" and "members" insert "twelve"

AMENDMENT NO. 2

On page 3, line 5, between "Welfare," and "to" insert "one who shall be the chairman and one additional member"

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. 211—
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 40:1563.1(A)(20) and (C), (D), and (E) and to enact R.S. 14:206.1 and R.S. 40:1563.1(A)(21) and (F), relative to life safety and property protection contracting; to create the crime of life safety and property protection contracting without authority; to provide the elements of the crime; to provide penalties; to provide relative to the authority of the fire marshal to investigate the crime; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 211 by Senator Gary Smith

AMENDMENT NO. 1

On page 3, line 4, change "R.S. 40:403.4" to "R.S. 14:403.4"

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 24—
BY SENATOR BOUDREAUX

A RESOLUTION

To commend and congratulate Patrick Fontenot upon his induction into the St. Landry Parish Democratic Party Hall of Fame.

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

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:

April 12, 2017

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. 5—

BY SENATORS CLAITOR, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

A CONCURRENT RESOLUTION

To commend Daniel Wesley of Central, Louisiana, for his heroic actions as a Good Samaritan to render aid during a dangerous medical emergency.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR BARROW AND REPRESENTATIVES JACKSON AND SMITH

A CONCURRENT RESOLUTION

To designate Tuesday, April 11, 2017, as "AKA Day" at the capitol and to commend the members of Alpha Kappa Alpha Sorority, Incorporated.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Morrish |
| Allain | Gatti | Peacock |
| Appel | Hewitt | Perry |
| Barrow | Johns | Peterson |
| Bishop | Lambert | Riser |
| Boudreaux | Long | Smith, G. |
| Carter | Luneau | Smith, J. |
| Chabert | Milkovich | Thompson |
| Claitor | Mills | Walsworth |
| Cortez | Mizell | Ward |
| Erdey | Morrell | White |

Total - 33

ABSENT

| | | |
|---------|---------|--------|
| Colomb | LaFleur | Tarver |
| Donahue | Martiny | |

Total - 5

Leaves of Absence

The following leaves of absence were asked for and granted:

| | | | |
|---------|-------|---------|-------|
| Colomb | 1 Day | Donahue | 1 Day |
| LaFleur | 1 Day | Martiny | 1 Day |
| Tarver | 1 Day | | |

Announcements

The following committee meetings for April 17, 2017, were announced:

| | | |
|----------------------------|-----------|--------------|
| Finance | TBA | Room A |
| Revenue and Fiscal Affairs | 1:00 P.M. | Hainkel Room |

Adjournment

On motion of Senator Thompson, at 9:45 o'clock A.M. the Senate adjourned until Monday, April 17, 2017, at 5:00 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

