

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

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**TENTH 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 26, 2017

The Senate was called to order at 3:20 o'clock P.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	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Bishop	Johns	Peterson
Boudreaux	LaFleur	Riser
Carter	Lambert	Smith, G.
Chabert	Luneau	Smith, J.
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Total - 35		

**ABSENT**

Barrow	Long	Tarver
Total - 3		

The President of the Senate announced there were 35 Senators present and a quorum.

**Prayer**

The prayer was offered by Dr. Tommy Middleton, 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 Peterson, the reading of the Journal was dispensed with and the Journal of April 25, 2017, was adopted.

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 25, 2017

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATORS LONG, GATTI, MILKOVICH, PEACOCK AND TARVER AND REPRESENTATIVES BAGLEY, TERRY BROWN, CARMODY, COX, GLOVER, JENKINS, MCFARLAND, JIM MORRIS, REYNOLDS AND SEABAUGH

**A CONCURRENT RESOLUTION**

To commend James K. Elrod, the Willis-Knighton Health System and the staff of the system on their efforts to become a superior cancer treatment provider and a source for exceptional healthcare in Northwest Louisiana and beyond.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR PEACOCK AND REPRESENTATIVE SEABAUGH

**A CONCURRENT RESOLUTION**

To commend Adriana Martin of the Southfield School in Shreveport, Louisiana, upon her mathematical skills, her rendition of the numerical quotient of Pi, and the high rankings she achieved in the 2017 National Pi Day Challenge.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 41—**

BY SENATOR WALSWORTH AND REPRESENTATIVE STEVE CARTER

**A CONCURRENT RESOLUTION**

To commend Jerry Stovall upon his retirement from the Baton Rouge Area Sports Foundation.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 42—**

BY SENATOR COLOMB AND REPRESENTATIVE SMITH

**A CONCURRENT RESOLUTION**

To recognize Tuesday, June 27, 2017, as "Post Traumatic Stress Disorder Awareness Day" in the state of Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 43—**

BY SENATORS COLOMB AND BARROW AND REPRESENTATIVE SMITH

**A CONCURRENT RESOLUTION**

To express the sincere condolences of the Legislature of Louisiana upon the death of Willie Floyd Hawkins, a committed volunteer and a public servant of rare dedication and extraordinary capabilities who looked only to serve the people of Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 44—**

BY SENATOR COLOMB AND REPRESENTATIVE SMITH

**A CONCURRENT RESOLUTION**

To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2017, as the nineteenth annual PAISA Day at the Louisiana Legislature.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 46—**

BY SENATOR APPEL AND REPRESENTATIVE HENRY

**A CONCURRENT RESOLUTION**

To commend Bill Capo for outstanding service to people of Louisiana and beyond.

Reported without amendments.

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

**Introduction of Senate Resolutions**

**SENATE RESOLUTION NO. 50—**

BY SENATOR CHABERT

**A RESOLUTION**

To recognize Thursday, April 27, 2017, as Louisiana Society of Professional Surveyors Day at the Louisiana State Capitol.

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

April 26, 2017

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 52— BY SENATOR WARD

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Lawrence J. "Football" Badeaux, former mayor and town clerk of the village of Rosedale, Louisiana, and to celebrate the rich legacy of public service and accomplishment that he leaves to his community and state.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 47— BY SENATOR PERRY AND REPRESENTATIVES HENSGENS AND MIGUEZ

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Judge Marcus Anson Broussard Jr. of Abbeville, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdy Morrell
Allain Fannin Morrish
Appel Gatti Morrish
Bishop Hewitt Peacock
Boudreaux Johns Riser
Carter LaFleur Smith, G.
Chabert Lambert Smith, J.
Claitor Luneau Thompson
Colomb Martiny Walsworth
Cortez Milkovich Ward
Donahue Mills White
Total - 33

NAYS

Total - 0

ABSENT

Barrow Mizell Tarver
Long Peterson
Total - 5

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

SENATE CONCURRENT RESOLUTION NO. 48— BY SENATOR MILKOVICH

A CONCURRENT RESOLUTION

To urge and request the division of administration to request state agencies to publish certain information regarding the lease of nonpublic buildings.

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

SENATE CONCURRENT RESOLUTION NO. 49— BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To recognize May 13, 2017, as Louisiana Firefighters' Appreciation Day and commends all firefighters across the state for their dedication to public safety, and for their service to the citizens of Louisiana and the United States of America.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gatti Peacock
Allain Hewitt Perry
Appel Johns Perry
Bishop LaFleur Riser
Boudreaux Lambert Smith, G.
Carter Luneau Smith, J.
Claitor Martiny Thompson
Colomb Milkovich Walsworth
Cortez Mills Ward
Donahue Mizell White
Erdy Morrell
Fannin Morrish
Total - 34

NAYS

Total - 0

ABSENT

Barrow Long
Chabert Tarver
Total - 4

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

SENATE CONCURRENT RESOLUTION NO. 50— BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To recognize and express appreciation for the Louisiana Dental Association and Dental Lifeline Network - Louisiana's Donated Dental Services Program for donating \$10 million in dental treatment to people in Louisiana with disabilities or who are elderly or medically fragile.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Long	Tarver
Chabert	Peterson	
Total - 5		

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

SENATE CONCURRENT RESOLUTION NO. 51—  
BY SENATOR TARVER

A CONCURRENT RESOLUTION

To commend Pastor James C. Birdsong Jr. on his numerous accomplishments.

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

Message from the House

ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS

April 25, 2017

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. 28	HB No. 29	HB No. 40
HB No. 167	HB No. 227	HB No. 244
HB No. 400	HB No. 439	HB No. 476
HB No. 18	HB No. 30	HB No. 39
HB No. 65	HB No. 100	HB No. 115
HB No. 121	HB No. 128	HB No. 193
HB No. 191		

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

House Bills and Joint Resolutions  
on First Reading

HOUSE BILL NO. 18—  
BY REPRESENTATIVE JENKINS  
AN ACT

To designate the portion of Louisiana Highway 1 from East Dalzell Street to Crofton Street in Shreveport, Louisiana, as the "Deacon Cleophus Banks, Jr. Memorial Highway"; and to provide for related matters.

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

HOUSE BILL NO. 28—  
BY REPRESENTATIVE EMERSON  
AN ACT

To amend and reenact R.S. 47:463.73(G), relative to motor vehicle special prestige license plates; to provide for the "Acadiana High School" special prestige license plate; to provide for the creation, issuance, design, fees, distribution, and rule

promulgation applicable to such license plates; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 29—  
BY REPRESENTATIVES HOWARD, TERRY BROWN, STEVE CARTER,  
FRANKLIN, GISCLAIR, GUINN, PIERRE, POPE, AND STEFANSKI  
AN ACT

To redesignate a portion of United States Highway 171 in Anacoco, Louisiana, as the "Sergeant James Edward Martin Memorial Highway"; to provide relative to a potential route designation conflict; and to provide for related matters.

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

HOUSE BILL NO. 30—  
BY REPRESENTATIVE SCHEXNAYDER  
AN ACT

To enact R.S. 47:463.192, relative to motor vehicle special prestige license plates; to provide for the "Louisiana Patriot Guard Riders" specialty license plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 39—  
BY REPRESENTATIVES HILL AND HOWARD  
AN ACT

To designate a portion of Louisiana Highway 377 in Dido, Louisiana, in Vernon Parish, as the "Corporal Leonard Carroll Bond Memorial Highway"; and to provide for related matters.

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

HOUSE BILL NO. 40—  
BY REPRESENTATIVE HOWARD  
AN ACT

To redesignate a portion of Louisiana Highway 118, in the Peason Community in Sabine Parish, as the "Joe Kirk Memorial Highway"; to designate a portion of Louisiana Highway 26 in Jefferson Davis Parish as the "Michael Phillips Memorial Highway"; to designate a portion of Louisiana Highway 102 in Jennings, Louisiana, as the "Burton "Burt" LeBlanc Memorial Highway"; to provide relative to a potential route designation conflict; and to provide for related matters.

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

HOUSE BILL NO. 65—  
BY REPRESENTATIVE HENSGENS  
AN ACT

To enact R.S. 47:463.192, relative to motor vehicle special prestige license plates; to provide for the establishment of the "Sabine Pass Lighthouse" special prestige license plate; to provide for creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; to provide an effective date; and to provide for related matters.

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

April 26, 2017

**HOUSE BILL NO. 100—**

BY REPRESENTATIVE JOHNSON  
AN ACT

To designate a portion of Louisiana Highway 1 in Simmesport, Louisiana as "Joe Simon Boulevard"; and to provide for related matters.

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

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE CROMER  
AN ACT

To amend and reenact Civil Code Articles 2350, 2369.3, and 2375, relative to community property; to provide relative to a community enterprise; to provide for the effect of a judgment of separation of property upon reconciliation; and to provide for related matters.

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

**HOUSE BILL NO. 121—**

BY REPRESENTATIVE GREGORY MILLER  
AN ACT

To amend and reenact Code of Civil Procedure Article 3396.18, relative to the independent administration of estates; to provide for the sealing of the detailed descriptive list; to provide court authorization for the release of relevant information to certain parties; and to provide for related matters.

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

**HOUSE BILL NO. 128—**

BY REPRESENTATIVE CARMODY  
AN ACT

To amend and reenact R.S. 45:164(E)(2)(a) and (c) and (3), relative to carriers of household goods; to impose certain requirements on the operation of a household goods carrier business; to authorize the commission to suspend or cancel a household goods carrier certificate in certain circumstances; to remove provisions related to the promulgation of rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 167—**

BY REPRESENTATIVES CARMODY, BAGLEY, BISHOP, COX, DAVIS, DWIGHT, FALCONER, GLOVER, HENSGENS, HOFFMANN, HORTON, MIGUEZ, REYNOLDS, SEABAUGH, SHADOIN, STAGNI, STEFANSKI, THIBAUT, AND THOMAS  
AN ACT

To amend and reenact R.S. 32:1261(A)(1)(k), relative to unauthorized acts regarding motor vehicles; to modify certain requirements regarding sales or offers to sell made directly to a consumer; and to provide for related matters.

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

**HOUSE BILL NO. 191—**

BY REPRESENTATIVE GUINN  
AN ACT

To amend and reenact R.S. 47:463.46(Section Heading) and (C)(2) and R.S. 56:10(B)(6)(b)(ii) and (10), relative to the Quail Unlimited prestige license plate; to rename the "Quail Unlimited" prestige license plate; and to provide for related matters.

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

**HOUSE BILL NO. 193—**

BY REPRESENTATIVE JIM MORRIS  
AN ACT

To designate a bridge located on Louisiana Highway 2 in Caddo Parish as the "Hart's Ferry Bridge"; and to provide for related matters.

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

**HOUSE BILL NO. 227—**

BY REPRESENTATIVE SHADOIN  
AN ACT

To amend and reenact Code of Civil Procedure Article 1446(A)(1), relative to depositions; to provide procedures for the sealing of certain depositions; to provide for delivery of electronically sealed depositions; and to provide for related matters.

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

**HOUSE BILL NO. 244—**

BY REPRESENTATIVE HILFERTY  
AN ACT

To enact Code of Evidence Article 902(11), relative to the admissibility of business records; to provide relative to the self-authentication of business records; 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 GAROFALO  
AN ACT

To amend and reenact R.S. 9:5172(A)(introductory paragraph) and (1) and (B) and 5173 and to enact R.S. 9:5172(A)(3) and 5173.1, relative to the cancellation of mortgages; to provide for procedure; to change certain form requirements; to provide a form for partial cancellation of a mortgage; and to provide for related matters.

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

**HOUSE BILL NO. 439—**

BY REPRESENTATIVES ZERINGUE AND MAGEE  
AN ACT

To amend and reenact Code of Civil Procedure Articles 253.3(A)(4), 284, 532(heading), 925(A)(3), 928(A), 1002, 1701 through 1704, 1843, 1913(B) and (C), 2002(A)(2), 3861, 3864, 3901, 3902, 3955(B), 4904, 4921, 4921.1(C), and 5095, R.S. 13:3205, and R.S. 23:1316 and 1316.1(A) and to enact Code of Civil Procedure Article 253(E), relative to civil procedure; to provide for the clarification of terminology; to provide with respect to lis pendens and motions to stay in pending suits; to provide for the timing of the filing of an answer or other pleading; to provide for the submission of a certified copy of a protective order or injunction in support of a preliminary default; to provide for the applicability of mandamus and quo warranto proceedings to limited liability companies; to provide for the acceptance of documents signed by electronic signature; to provide for the redesignation of Code of Civil Procedure Article 1067; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 476—**

BY REPRESENTATIVES HAZEL, TERRY BROWN, CARPENTER, STEVE CARTER, HALL, MARCELLE, PIERRE, POPE, AND STEFANSKI  
AN ACT

To amend and reenact R.S. 46:122(A)(1) and R.S. 47:463.131(A), (B)(2), and (D), relative to the Louisiana Military Family Assistance Fund; to provide relative to the Support Our Troops special prestige license plate; to provide for the design of the

license plate; to provide for the license plate fee; 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**

April 25, 2017

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. 45                      HCR No. 47                      HCR No. 48

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

**House Concurrent Resolutions on First Reading**

**HOUSE CONCURRENT RESOLUTION NO. 45—**  
BY REPRESENTATIVE STEVE CARTER  
A CONCURRENT RESOLUTION

To recognize and commemorate the bicentennial of Baton Rouge's incorporation as a city, and to encourage participation in the year-long Baton Rouge bicentennial celebration.

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

**HOUSE CONCURRENT RESOLUTION NO. 47—**  
BY REPRESENTATIVE GAROFALO  
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former state representative Reed Stephen Henderson.

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

**HOUSE CONCURRENT RESOLUTION NO. 48—**  
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 and placed on the Calendar for a second reading.

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

**HOUSE BILL NO. 460—**  
BY REPRESENTATIVES BERTHELOT, ABRAHAM, AMEDEE, BACALA, BAGNERIS, BARRAS, BILLIOT, CHAD BROWN, TERRY BROWN, CARMODY, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COX, DEVILLIER, EDMONDS, FALCONER, FOIL, FRANKLIN, GISCLAIR, LANCE HARRIS, HAVARD, HAZEL, HORTON, HOWARD, HUVAL, JOHNSON, JONES, LEOPOLD, LYONS, MARCELLE, MARINO, MCFARLAND, MIGUEZ, NORTON, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SHADOIN, STAGNI, STEFANSKI, AND STOKES

AN ACT

To enact R.S. 22:347(A)(1)(c) and R.S. 40:1593.1, relative to the authority of the state fire marshal to purchase group insurance; to provide for disposition of monies; to provide for definitions; to provide for legislative findings; to authorize the purchase of certain group insurance; to require certain qualifications for

benefit eligibility; to limit eligibility; to provide for procedure; 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 Concurrent Resolutions on Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 44—**  
BY REPRESENTATIVES AMEDEE AND LANCE HARRIS  
A CONCURRENT RESOLUTION

To commend the Louisiana State University at Alexandria men's basketball team for its meritorious achievements in its first three seasons and to congratulate the Generals on an outstanding 2016-2017 season.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Long	Tarver
Total - 3		

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 HEALTH AND WELFARE**

Senator Fred H. Mills, Jr., Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

April 26, 2017

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**SENATE BILL NO. 36—**  
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 46:1056(A) and (B), relative to employment contracts in hospital service districts; to provide for authority to execute certain employment contracts; to provide for definitions; to provide for employment terms; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 38—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 37:1103(7) and to repeal R.S. 37:1103(14) and 1116(F), relative to mental health counselors; to provide for changes to the definition of mental health counseling services; to provide for the repeal of the definition of serious mental illness; to provide for the repeal of provisions regarding consultation; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 58—**  
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 28:911, 912, 913, 914, 915, 916, 917, and 918, to enact R.S. 28:910, 913.1, 913.2, 913.3, 913.4, 913.5, 913.6, and 913.7, and to repeal R.S. 28:831, Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:851 through 856, Chapter 17 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:861 through 866, Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:871 through 876, Chapter 19 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:891 through 896, Chapter 20 of Title 28 of the Louisiana Revised Statutes of 1950, comprised of R.S. 28:901 through 906, and R.S. 28:919 and 920, relative to the statewide human services districts and authorities; to provide for legislative intent; to provide for definitions; to provide for board and district identification; to provide for governing board membership; to provide for terms; to provide for education and training for board members; to provide for sole source contracting to specific community partners; to provide for interagency council actions and obligations; to provide for coordination with the Louisiana Department of Health; to repeal expired statutes; to repeal duplicate provisions of law; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 88—**  
BY SENATOR LONG

AN ACT

To enact R.S. 46:460.72, relative to rural health clinic look-alike entities; to provide for creation of a provider type; to provide for Medicaid reimbursement; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 219—**  
BY SENATOR FANNIN

AN ACT

To authorize and provide for hospital service district board membership in any parish with a population greater than sixteen thousand and less than seventeen thousand, according to the latest federal decennial census; to provide for board composition; to provide for minimum qualifications; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 224—**  
BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 17:3052(2), 3053(B), 3053.1, 3054, and 3059, and R.S. 36:921(A), to enact R.S. 17:3051.1 and R.S. 36:4(BB), and to repeal R.S. 17:3052 (3) and (5), and 3053(C) through (G), and R.S. 36:651(D)(10), relative to the abolition of the Health Education Authority of Louisiana; to provide for the transfer of the powers, duties, functions, and responsibilities of the Health Education Authority of Louisiana from the Department of Education to the office of the governor; to delete references to the board and executive director of the Health Education Authority of Louisiana; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
FRED H. MILLS JR.  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

April 26, 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:

**SENATE BILL NO. 39—**  
BY SENATOR BOUDREAUX

AN ACT

To repeal R.S. 37:1263(F), relative to the Louisiana State Board of Medical Examiners; to repeal conflicting appointment term language; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
KAREN CARTER PETERSON  
Chairwoman

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

**SENATE BILL NO. 9—**  
BY SENATOR ALLAIN

AN ACT

To amend and reenact Civil Code Arts. 655 and 656, relative to servitudes; to provide relative to natural servitudes; to provide relative to natural drainage, obligations of owners, and dominant and servient estates; to provide certain terms and effects; and to provide for related matters.

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

**SENATE BILL NO. 109—**  
BY SENATOR CLAITOR

AN ACT

To enact Part V of Chapter 1 of Code Title XXIV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5836, relative to the effect of obligations during certain emergencies and disasters; to provide relative to suspension of prescription and preemptive periods and other

legal deadlines; to provide relative to the extension of prescription and preemptive periods and other legal deadlines; to provide relative to the ratification of Executive Orders JBE 2016-53, 2016-57, and 2016-66; to provide certain terms, conditions, procedures, and requirements; to provide for retroactive application; and to provide for related matters.

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

**SENATE BILL NO. 128—**

BY SENATOR MILKOVICH

AN ACT

To amend and reenact R.S. 14:87.3(C) and (D) and to enact R.S. 14:87.3(E), to prohibit cutting, resection, excision, harvesting, or removing a body part, organ, or tissue of an aborted baby for sale, commerce, transport, research, or profit; to provide penalties; 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. 128 by Senator Milkovich

**AMENDMENT NO. 1**

On page 1, line 4, after "aborted" change "baby" to "unborn child"

**AMENDMENT NO. 2**

On page 1, delete lines 13 through 15 and insert the following:

**"C. After an induced abortion has been completed, no person shall intentionally cut, resection, excise, harvest, or remove any body part, organ, or tissue of the aborted unborn child for any purpose prohibited by this Section, or for sale, commerce, transport, research, or profit."**

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. 129—**BY SENATORS ALLAIN AND APPEL  
AN ACT

To amend and reenact R.S. 9:1254(A), relative to rights and servitude of passage on certain waterways; to provide for limitations of a servitude of passage; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 129 by Senator Allain

**AMENDMENT NO. 1**

On page 1, line 10, after "**bound to**" insert "**reasonably**"

**AMENDMENT NO. 2**

On page 1, after line 17, insert

"Section 2. The provisions of this Act shall have prospective application only."

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

**SENATE BILL NO. 142—**BY SENATOR CLAITOR AND REPRESENTATIVE TERRY LANDRY  
AN ACT

To amend and reenact R.S. 14:30(C), 42(D), and 113(C), relative to offenses punishable by death; to eliminate the death penalty as punishment for the crimes of first degree murder, first degree rape, and treason; to provide for the penalty of life imprisonment without benefit of parole, probation, or

suspension of sentence for the crime of treason; to provide for prospective application; 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. 146—**

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 15:529.1(C) and (G), relative to the Habitual Offender Law; to decrease the cleansing period for offenses that are not crimes of violence or sex offenses; to provide for the suspension of imposition or execution of a sentence under the Habitual Offender Law under certain circumstances; 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. 151—**

BY SENATOR WHITE

AN ACT

To enact R.S. 29:733-A and to repeal R.S. 29:733, relative to emergency preparedness; to create the Interstate Emergency Management Assistance Compact; to provide for responsibilities, powers, duties, functions, and liability of the compact; to provide terms, conditions, procedures, and requirements; to repeal the Interstate Emergency Preparedness and Disaster Compact; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 151 by Senator White

**AMENDMENT NO. 1**

On page 1, at the beginning of line 2, after "To" delete "enact R.S. 29:733-A and to repeal R.S. 29:733," and insert "amend and reenact R.S. 29:733 and R.S. 40:1379.1(F),"

**AMENDMENT NO. 2**

On page 1, line 3, delete "Interstate"

**AMENDMENT NO. 3**

On page 1, line 5, after "requirements;" delete the remainder of the line and on line 6 delete "Preparedness and Disaster Compact;"

**AMENDMENT NO. 4**

On page 1, line 8, after "R.S." delete "29:733-A is hereby enacted" and insert "29:733 is hereby amended and reenacted"

**AMENDMENT NO. 5**

On page 1, delete lines 9 through 17, and delete pages 2 through 8 and insert the following:

"§733. ~~Interstate Emergency Preparedness and Disaster Management Assistance Compact~~

A. ~~This~~ The state of Louisiana enacts into law and enters into the ~~Interstate Emergency Preparedness and Disaster Management Assistance Compact~~ with all states, as defined ~~therein herein~~ and referred to as **EMAC or Compact**, which states have enacted or shall hereafter enact the ~~compact Compact~~ in the form substantially as follows **in accordance with Public Law 104-321:**

B. ~~The Interstate Emergency Preparedness and Disaster Compact~~, heretofore in force in this state by virtue of execution pursuant to this ~~Chapter Section~~, is hereby confirmed and codified. The ~~compact Compact~~ is and shall hereafter be in effect with any and all jurisdictions which have joined or which may hereafter legally join therein in the form substantially as contained in this Section, provided that such other jurisdiction or jurisdictions have signified their joinder with this state by enactment without limitation as to parties or in some other manner sufficient in law to make it clear that joinder has been effected with this state.

C. The contracting states solemnly agree state of Louisiana hereby agrees :

Article 1. The purpose of this compact ~~Compact~~ is to provide mutual aid ~~assistance among~~ between the states in meeting an emergency or disaster. The prompt, full, and effective utilization of the resources of the respective states, including such resources as may be available from the United States government or any other source, are essential to the safety, care, and welfare of the people thereof in the event of an emergency or disaster, and any other resources, including personnel, equipment, or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the emergency preparedness agencies or similar bodies of the states that are parties hereto. The directors of emergency preparedness of all party states shall constitute a committee to formulate plans to take all necessary steps for the implementation of this compact. The purpose of this Compact is to provide for mutual assistance between the states entering into this Compact in managing any emergency disaster that may be duly declared by the governor of the affected state, whether arising from natural disaster, technological hazard, man-made disaster, civil emergency aspects of resources shortages, community disorders, insurgency, or enemy attack. This Compact shall also provide for mutual cooperation in emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party states or subdivisions of party states during emergencies, such actions occurring outside actual declared emergency periods. Mutual assistance in this Compact may include the use of the states' national guard forces, either in accordance with the National Guard Mutual Assistance Compact or by mutual agreement between states.

Article 2 ~~2.A.~~ It shall be the duty of each party state to formulate plans and programs for application within such state. There shall be frequent consultation between the representatives of the states and ~~with the United States government and~~ the free exchange of information and plans, including inventories of any materials and equipment available. In carrying out such plans and programs the party states shall, so far as possible, provide and follow uniform standards, practices, and rules and regulations. On behalf of the governor of each state participating in the Compact, the legally designated state official who is assigned responsibility for emergency management will be responsible for formulation of the appropriate interstate mutual aid plans and procedures necessary to implement this Compact. In Louisiana, the director of the Governor's Office of Homeland Security and Emergency Preparedness, hereinafter referred to as "director", bears that legal responsibility in accordance with R.S. 29:725.

B. The director may designate an EMAC coordinator or EMAC authorized representative to administer this Compact. The Governor's Office of Homeland Security and Emergency Preparedness may promulgate and adopt regulations with respect to the administration and use of this Compact.

Article 3 ~~3.A.~~ Any party state requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact ~~Compact~~ in accordance with the terms hereof; provided that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall extend to the civil defense forces of any other party state, while operating within its state limits under the terms and conditions of this compact ~~Compact~~, the same powers, (except that of arrest unless specifically authorized by the receiving state), duties, rights, privileges, and immunities as if they were performing their duties in the state in which they are normally employed or rendering services. Additionally, the party states, insofar as practical, shall:

(1) Review individual state hazards analyses and, to the extent reasonably possible, determine all those potential emergencies the party states might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster, emergency aspects of resources shortages, civil disorders, insurgency, or enemy attack.

(2) Review party states' individual emergency plans and develop a plan which will determine the mechanism for the

interstate management and provision of assistance concerning any potential emergency.

(3) Develop interstate procedures to fill any identified gaps and to resolve any identified inconsistencies or overlaps in existing or developed plans.

(4) Assist in warning communities adjacent to or crossing the state boundaries.

(5) Protect and assure uninterrupted delivery of services, medicines, water, food, energy, fuel, search and rescue, critical lifeline equipment, services, and resources, both human and material.

(6) Inventory and set procedures for the interstate loan and delivery of human and material resources, together with procedures for reimbursement or forgiveness.

(7) Provide, to the extent authorized by law, for temporary suspension of any statutes or ordinances that restrict the implementation of the above responsibilities.

B. The director may request assistance of another party state by contacting the authorized representative of that state. The provisions of this Compact shall only apply to requests for assistance made by the director and to authorized representatives of another state. Requests may be verbal or in writing. If verbal, the request shall be confirmed in writing within thirty days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, including but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building, inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time they will be needed.

(3) The specific place and time for staging of the assisting party's response and a point of contact at that location.

C. There shall be frequent consultation between state officials who have assigned emergency management responsibilities and other appropriate representatives of the party states with affected jurisdictions and the government of United States of America, with free exchange of information, plans, and resource records relating to emergency capabilities.

Article 4. Any party state requested to render mutual aid or conduct exercises and training for mutual aid shall take such action as is necessary to provide and make available the resources covered by this Compact in accordance with the terms hereof; provided that it is understood that the state rendering aid may withhold resources to the extent necessary to provide reasonable protection for such state. Each party state shall afford to the emergency forces of any party state, while operating within its state limits under the terms and conditions of this Compact, the same powers, except that of arrest unless specifically authorized by the receiving state, duties, rights, and privileges as are afforded forces of the state in which they are performing emergency services. Emergency forces will continue under the command and control of their regular leaders, but the organizational units will come under the operational control of the emergency services authorities of the state receiving assistance. These conditions may be activated as needed, only subsequent to a declaration of a state emergency or disaster by the governor of the party state that is to receive assistance or upon commencement of exercises or training for mutual aid and shall continue so long as the exercises or training for mutual aid are in progress, the state of emergency or disaster remains in effect, or loaned resources remain in the receiving state, whichever is longer.

Article 5. Whenever any person holds a license, certificate, or other permit issued by any state party to the Compact evidencing the meeting of qualifications for professional, mechanical, or other skills, such person may render aid involving such skill in any party state to meet an emergency or disaster and such state shall give due recognition to such license, certificate, or other permit as if issued in the state in which aid is rendered and when such assistance is requested by the receiving party state,

such person shall be deemed licensed, certified, or permitted by the state requesting assistance to render aid involving such skill to meet a declared emergency or disaster, subject to such limitations and conditions as the governor of the requesting state may prescribe by executive order or otherwise.

~~Article 5~~ **Article 6.** Officers or employees of a party state, to include political subdivisions and local governments of that state, rendering aid in another state pursuant to this Compact shall be considered agents of the requesting state for tort liability and immunity purposes. No party state or its officers or employees, including local political subdivisions and local governments, rendering aid in another state or in its own state pursuant to this compact Compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged; or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this Article shall not include willful misconduct, gross negligence, or recklessness.

~~Article 6~~ **Article 7.** Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among two or more states may differ from that appropriate among other states party hereto, this instrument contains elements of a broad base common to all states, and nothing herein contained shall preclude any state from entering into supplementary agreements with another state or states. Such supplementary agreements may comprehend but shall not be limited to provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment, and supplies.

~~Article 7~~ **Article 8.** Each party state shall provide for the payment of compensation and death benefits to injured members of the ~~response~~ **emergency** forces of that state and the representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this ~~compact~~ **Compact**, in the same manner and on the same terms as if the injury or death were sustained within ~~such~~ **their own** state.

~~Article 8~~ **Article 9.** Any party state rendering aid in another state pursuant to this ~~compact~~ **Compact** shall be reimbursed by the party state receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid, and for the ~~cost costs~~ incurred in connection with such request; ~~however, provided that~~ any aiding party state may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost; and provided further, that any two or more party states may enter into supplementary agreements establishing a different allocation of costs as among those states. ~~The United States government may relieve the party state receiving aid from any liability and reimburse the party state supplying forces for the compensation paid to and the transportation, subsistence, and maintenance expense of such forces during the time of the rendition of such aid or assistance outside the state and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment, or facilities so utilized or consumed.~~

~~Article 9~~ **Article 10.** Plans for the orderly evacuation and interstate reception of portions of the civilian population as the result of an emergency or disaster of sufficient proportions to so warrant, shall be worked out from time to time between representatives of the party states and the various local areas thereof and maintained between the party states and the emergency management services directors of the various jurisdictions where any type of incident requiring evacuations might occur. Such plans shall be put into effect by request of the state from which evacuees come and shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing, and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends, and the forwarding of such evacuees to other areas or the bringing in of additional materials, and supplies, and all other relevant factors. Such plans shall provide that the party state receiving evacuees and the party state from which evacuees come shall be reimbursed generally for the mutually agree as to reimbursement of out-of-pocket expenses incurred in receiving and caring for such evacuees

for expenditures for transportation, food, clothing, medicines, and medical care, and like items. Such expenditures shall be reimbursed as agreed by the party state ~~of from~~ which the evacuees are residents, or by the United States government under plans approved by it come. After the termination of the emergency or disaster, the party state ~~of from~~ which the evacuees are residents come shall assume the responsibility for the ultimate support ~~or of~~ repatriation of such evacuees.

~~Article 10.~~ This compact shall be available to any state, territory, or possession of the United States, and the District of Columbia. The term "state" may also include any neighboring foreign country or province or state thereof.

~~Article 11.~~ The committee established pursuant to Article 1 of this compact may request the Federal Emergency Management Agency to act as an informational and coordinating body under this compact, and representatives of such agency of the United States government may attend meetings of such committee.

~~Article 12~~ **Article 11.A.** This compact ~~Compact~~ shall become operative effective immediately upon its ratification by any state as between it and any other state or states so ratifying and shall be subject to approval by congress unless prior congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and emergency preparedness agency and other appropriate agencies of the United States government signature of the governor or lapse of time for gubernatorial action. Thereafter, this Compact shall become effective as to any other state upon enactment by such state.

**B.** Any party state may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until thirty days after the governor of the withdrawing state has given notice in writing of such withdrawal to the governors of all other party states. Such action shall not relieve the withdrawing state from obligations assumed hereunder prior to the effective date of withdrawal.

**C.** Duly authenticated copies of this Compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party states and with the Federal Emergency Management Agency and other appropriate agencies of the government of the United States of America.

~~Article 13.~~ This compact shall continue in force and remain binding on each party state until the legislature or the governor of such party state takes action to withdraw therefrom. Such action shall not be effective until thirty days after notice thereof has been sent by the governor of the party state desiring to withdraw to the governors of all other party states.

~~Article 14.~~ This compact shall be constructed to effectuate the purposes stated in Article 1 hereof. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability of other persons and circumstances shall not be affected thereby.

~~Article 15.(a)~~ This Article shall be in effect only as among those states which have enacted it into law or in which the governors have adopted it pursuant to constitutional or statutory authority sufficient to give it the force of law as part of this compact\* or any obligation undertaken by a state pursuant thereto, except that if its terms so provide, a supplementary agreement in implementation of this Article may modify, expand, or add to any such obligation as among the parties to the supplementary agreement.

(b) In addition to the occurrences, circumstances, and subject matter to which preceding Articles of this compact make it applicable, this compact and the authorizations, entitlement, and procedures thereof shall apply to:

(i) Searches for and rescue of persons who are lost, marooned, or otherwise in danger.

(ii) Action useful in coping with emergencies or disasters arising from any cause or designed to increase the capacity to cope with any such emergencies or disasters.

(iii) Incidents, or the imminence thereof, which endanger the health or safety of the public and which require the use of special

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equipment, trained personnel in larger numbers than are locally available in order to reduce, counteract, or remove the danger.

(iv) The giving and receiving of aid by subdivisions of party states.

(v) Exercises, drills or other training or practice activities designed to aid personnel to prepare for, cope with, or prevent any disaster or other emergency to which this compact applies.

(c) Except as expressly limited by this compact or a supplementary agreement in force pursuant thereto, any aid authorized by this compact or such supplementary agreement may be furnished by any agency of a party state, a subdivision of such state, or by a joint agency providing such aid shall be entitled to reimbursement therefor to the same extent and in the same manner as a state. The personnel of such joint agency, when rendering aid pursuant to this compact shall have the same rights, authority, and immunity as personnel of party states.

(d) Nothing in this Article shall be construed to exclude from the coverage of Articles 1-14 of this compact any matter which, in the absence of this Article, could reasonably be construed to be covered thereby.

**Article 12. This Compact shall be construed to effectuate the purposes stated in Article 1. If any provision of this Compact is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Compact and the applicability thereof to other persons and circumstances shall not be affected.**

**Article 13. Nothing in this Compact shall authorize or permit the use of military force by the national guard of a state at any place outside that state in any emergency for which the president of the United States of America is authorized by law to call into federal service the militia, or for any purpose for which the use of the United States Army or the United States Air Force would, in the absence of express statutory authorization, be prohibited under Section 1385 of Title 18 of the United States Code. Nothing in this Compact shall be construed as understanding that Article 13 does not affect the authority of the president of the United States of America over the national guard provided by Article I of the United States Constitution and Title 10 of the United States Code."**

AMENDMENT NO. 6

On page 9, delete line 1, and insert the following:

"Section 2. R.S. 40:1379.1(F) is hereby amended and reenacted to read as follows:  
§1379.1. Special officers; powers and duties; concealed handgun permit

\* \* \*

F. During a declared state of emergency or disaster by the governor, the deputy secretary of the Department of Public Safety and Corrections, public safety services, office of state police may issue a special officer's commission to a commissioned law enforcement officer who responds to a request for assistance pursuant to the Southern Regional Homeland Security and Emergency Preparedness Management Assistance Compact **Emergency Management Assistance Compact**, as found in R.S. ~~29:751~~ **29:733** and is determined by the deputy secretary to need statewide police power and power to arrest. Any person who receives a special officer's commission under this Subsection shall not be required to be bonded and shall adhere to all restrictive stipulations as set forth in the special officer's commission and regulations promulgated and adopted pursuant to Subsection C of this Section. Such person shall have the powers and duties of a peace officer, provided, that when he is not performing tasks directly related to the special officer's commission, he shall be regarded as a private citizen and his commission shall not be in effect.

\* \* \*"

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

**SENATE BILL NO. 185—**  
BY SENATOR LUNEAU

AN ACT

To amend and reenact Code of Civil Procedure Art. 1464, relative to physical or mental examinations of persons in custody or under the legal control of a party; to limit the number of examinations to which a person must submit; to provide relative to videotaping of examinations under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 185 by Senator Luneau

AMENDMENT NO. 1

On page 2, line 10, delete "**If the party to be examined is under**"

AMENDMENT NO. 2

On page 2, line 11, delete "**the age of eighteen years, the**" and insert "**The**"

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

**SENATE BILL NO. 212—**  
BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 40:2405(A)(3), relative to peace officers; to provide regarding the authority to carry a concealed weapon by reserve or part-time peace officers; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 212 by Senator Gary Smith

AMENDMENT NO. 1

On page 1, line 9, after "contrary" insert "**and subject to the policy and procedures of the law enforcement agency head**"

AMENDMENT NO. 2

On page 1, line 10, after "officer" delete "shall" and insert "**may**"

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

**SENATE BILL NO. 222—**  
BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Chapter 7-C of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1668, relative to disability benefits for certain public employees; to provide benefits for firemen and law enforcement officers who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 222 by Senator Erdey

AMENDMENT NO. 1

On page 1, line 10, after "A." insert "**(1)**"

AMENDMENT NO. 2

On page 2, between lines 13 and 14, insert the following:

**"(2) Payments for law enforcement officers and firemen survivor and disability benefits as provided for in R.S. 40:1665(C), R.S. 40:1665.2(C), and R.S. 40:1668, shall be made by the office of risk management on behalf of the Law Enforcement Officers and Firemen's Survivor Benefit Review Board as a result of a specific appropriation received for that purpose."**

AMENDMENT NO. 3

On page 3, delete lines 7 through 15, and insert the following:

**"C.(1) In any case in which an officer is determined by the board or a court of competent jurisdiction pursuant to Paragraph (E)(2) of this Section to be permanently and totally disabled as the direct and proximate result of a catastrophic injury arising out of and in the course of the performance of the officer's official duties, the following shall be paid by the state risk manager out of the Self-Insurance Fund on behalf of the officer, from the date of the catastrophic injury until the officer's death:**

**(a) Premiums due from the officer for the amount and type of life, health, accident, accidental death and dismemberment, hospital, surgical, and medical expense insurance maintained by the officer through the officer's employer at the time of the catastrophic injury.**

**(b) Copayments and deductibles applicable to any insurance policy for which premiums are paid pursuant to Subparagraph (a) of this Paragraph for healthcare benefits received by the officer."**

AMENDMENT NO. 4

On page 3, line 16 between "premiums" and "paid" insert ", deductibles, and copayments"

On motion of Senator Gary Smith, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

**Senate Resolutions on Third Reading and Final Passage**

**SENATE RESOLUTION NO. 39—**

BY SENATOR MILKOVICH

A RESOLUTION

To urge and request each state retirement system to provide the Senate Committee on Retirement with comprehensive quarterly reports on the funds invested, a listing of each investment and with whom, the returns on each investment and the fees paid for services related to that investment, the methodology by which the fees are calculated, and to whom paid, commencing with the quarter beginning on July 1, 2017.

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

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

**SENATE BILL NO. 7—**

BY SENATORS PEACOCK, CHABERT, CORTEZ, LONG, MILKOVICH, MIZELL AND MORRISH

AN ACT

To amend and reenact R.S. 11:1316 and 1345.8, relative to members of the Louisiana State Police Retirement System killed in the line of duty by an intentional act of violence; to provide for the survivor benefits of these members; to provide for qualifications to receive such survivor benefits; to provide for benefit calculations; to provide for an effective date; and to provide for related matters.

**Floor Amendments**

Senator Peacock proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Peacock and Cortez to Engrossed Senate Bill No. 7 by Senator Peacock

AMENDMENT NO. 1

On page 4, between lines 13 and 14 insert the following:

"Section 3. The Louisiana State Police Retirement System board of trustees shall electronically notify all members of the legislature when a survivor benefit is granted pursuant to R.S. 11:1316(A)(2) or 1345.8(B)(2) as provided for in this Act."

AMENDMENT NO. 2

On page 4, line 14, change "Section 3." to "Section 4."

On motion of Senator Peacock, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Long	Tarver
Peterson	White
Total - 4	

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

**SENATE BILL NO. 8—**

BY SENATOR PEACOCK

AN ACT

To enact R.S. 11:143.1 and 888.1 and to repeal R.S. 11:896, 1119, and 2214.1, relative to enrollment in certain state and statewide retirement systems; to provide for the correction of enrollment errors, including the transfer of monies, service credit, and liabilities; to provide for the payment of costs of the transfer; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mizell
Allain	Fannin	Morrell

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Appel	Gatti	Morrish
Barrow	Hewitt	Peacock
Bishop	Johns	Perry
Boudreaux	LaFleur	Smith, G.
Carter	Lambert	Smith, J.
Chabert	Luneau	Thompson
Colomb	Martiny	Walsworth
Cortez	Milkovich	Ward
Donahue	Mills	White

Total - 33

NAYS

Total - 0

ABSENT

Claitor	Peterson	Tarver
Long	Riser	

Total - 5

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

**SENATE BILL NO. 11—**  
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:701 (introductory paragraph), (7), and (29), 702, 821, 822(A)(2), (7), (8) (introductory paragraph), (9), and (10), 826, 831, 832, 833, 834(A)(1) and (2) (introductory paragraph), (B), (C), and (D), 1001, 1002 (introductory paragraph), (8), and (26), and 1161, to enact R.S. 11:691, 701(22.2), and 1002(21.1), and to repeal R.S. 11:1162 through 1165 and 1166 through 1171 and R.S. 36:769(D)(4), relative to the merger of the Teachers' Retirement System of Louisiana and the Louisiana School Employees' Retirement System; to provide for consolidation of administration of the two systems; to provide for the maintenance of separate plans, including asset pools, actuarial valuations, and contribution rates, without a change in benefits; to provide for development of a strategy to consolidate the plans; to provide for the redesignation of certain provisions of the Louisiana Revised Statutes of 1950 and to direct the Louisiana State Law Institute with respect to the redesignations; to provide for an effective date; and to provide for related matters.

**Floor Amendments**

Senator Peacock proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Peacock to Engrossed Senate Bill No. 11 by Senator Peacock

AMENDMENT NO. 1

On page 1, line 3, change "822(A)(2)" to "822(A)(1), (2)"

AMENDMENT NO. 2

On page 2, line 1, change "822(A)(2)" to "822(A)(1), (2)"

AMENDMENT NO. 3

On page 5, delete line 15 and insert the following:

~~"(1) The state superintendent of education, ex officio, or his designee~~ **One member representing the members of LSERP shall be elected by a majority of the voting members for a four-year term."**

AMENDMENT NO. 4

On page 5, line 17, delete "**and the members of LSERP**"

AMENDMENT NO. 5

On page 5, line 28, after "Subsection" and before "and" insert "**and those members who are members of LSERP and who elect a representative pursuant to Paragraph (1) of this Subsection**"

AMENDMENT NO. 6

On page 5, line 29, delete "**and the members of LSERP**"

AMENDMENT NO. 7

On page 12, delete lines 7 through 16 and insert the following:

"(B) Upon the effective date of this Act, the trustee position representing active members of the Louisiana School Employees' Retirement Plan in accordance with R.S. 11:822(A)(1), shall be filled pursuant to Section 5(B) of this Act. Such representation shall continue until December 31, 2018, unless extended by election in the special election provided for herein. A special election shall be held on or before October 1, 2018, for the trustee to be elected from the constituencies provided in R.S. 11:822(A)(1) as amended by this Act. The member elected in the special election shall take office on January 1, 2019, and shall serve the four-year term of office."

AMENDMENT NO. 8

On page 13, between lines 4 and 5 insert the following:

"Section 5.(A) The Louisiana School Employees' Retirement Plan Advisory Board is hereby established to assist the Teachers' Retirement System of Louisiana board of trustees, as defined in this Act, in the transition and management of the incorporation. The following provisions shall apply to the advisory board:

(1) The advisory board shall consist of two active representatives and one retiree representative to be elected by the Louisiana School Employees' Retirement System board of trustees from its membership.

(2) The advisory board shall meet as frequently as necessary, but not less than quarterly.

(3) The advisory board shall operate under the laws, rules, and regulations of the Teachers' Retirement System of Louisiana board of trustees, including those governing open meetings (Chapter 1-A of Title 42 of the Louisiana Revised Statutes of 1950), per deim requirements (R.S. 11:181(D)), and fiduciary duty (R.S. 11:261 et seq.).

(B) The Louisiana School Employees' Retirement System board of trustees shall elect from its membership an active member to represent LSERP as provided for in R.S. 11:822(A)(1) as amended by this Act. The elected member shall serve as an interim member on the Teachers' Retirement System of Louisiana board of trustees until such time as the position is filled pursuant to Section 3 (B) of this Act.

(C) All elections required by this Section shall occur on or before June 30, 2017."

AMENDMENT NO. 9

On page 13, line 5, change "Section 5." to "Section 6."

AMENDMENT NO. 10

On page 13, line 20, change "Section 6." to "Section 7."

AMENDMENT NO. 11

On page 13, line 24, change "Section 7." to "Section 8."

AMENDMENT NO. 12

On page 14, line 3, change "Section 8." to "Section 9."

AMENDMENT NO. 13

On page 14, delete line 13 and insert

"Section 10. The provisions of Sections 1, 2, 3, 4, 6, 7, 8, 9, and this Section of this Act shall become effective on July 1, 2017; if vetoed by the"

AMENDMENT NO. 14

On page 14, line 14, change "this Act" to "the provisions of Sections 1, 2, 3, 4, 6, 7, 8, 9, and this Section of this Act"

AMENDMENT NO. 15

On page 14, after line 15, insert the following:

"Section 11. The provisions of Section 5 and this Section of this Act shall become effective on June 11, 2017; if vetoed by the governor and subsequently approved by the legislature, this provisions of Section 5 and this Section of this Act shall become

effective on June 11, 2017, or the day following such approval by the legislature, whichever is later."

On motion of Senator Peacock, the amendments were adopted.

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

SENATE BILL NO. 15— BY SENATOR HEWITT

AN ACT

To repeal R.S. 38:291(V)(5), relative to certain levee, drainage and conservation districts; to repeal provision that prohibits a commissioner of the St. Tammany Levee, Drainage and Conservation District, whose term is expired, from continuing to serve or vote notwithstanding any provision of law to the contrary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrish
Allain Fannin Peacock
Appel Gatti Perry
Barrow Hewitt Smith, G.
Bishop Johns Smith, J.
Boudreaux LaFleur Thompson
Carter Lambert Walsworth
Claitor Luneau Ward
Colomb Martiny White
Cortez Mills
Donahue Mizell
Total - 31

NAYS

Milkovich
Total - 1

ABSENT

Chabert Morrell Riser
Long Peterson Tarver
Total - 6

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

SENATE BILL NO. 20— BY SENATOR WARD

AN ACT

To amend and reenact the introductory paragraph of R.S. 34:1221(A) and 1222, relative to ports, harbors, and terminals; to provide relative to meetings, election of officers, and per diem for members of the Greater Baton Rouge Port Commission; and to provide for related matters.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Engrossed Senate Bill No. 20 by Senator Ward

AMENDMENT NO. 1

On page 2, line 20, after "commission" insert ", not to exceed three hundred dollars."

On motion of Senator Ward, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fannin Morrish
Allain Gatti Peacock
Barrow Hewitt Perry
Bishop Johns Peterson
Boudreaux LaFleur Smith, G.
Carter Lambert Smith, J.
Chabert Luneau Thompson
Colomb Martiny Walsworth
Cortez Milkovich Ward
Donahue Mills White
Erdey Mizell
Total - 32

NAYS

Total - 0

ABSENT

Appel Long Riser
Claitor Morrell Tarver
Total - 6

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

SENATE BILL NO. 23— BY SENATOR ALARIO

AN ACT

To provide relative to state highways; to designate the new bridge across Goose Bayou on Louisiana Highway 45 in Jefferson Parish as the "Jules Nunez Bridge"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Long Riser Tarver
Total - 3

April 26, 2017

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

SENATE BILL NO. 24— BY SENATOR MORRELL

AN ACT

To enact R.S. 47:305.72, relative to sales and use tax exemptions; to exempt consumer purchases of certain diapers and feminine hygiene products from state sales and use tax; to authorize an exemption from local sales and use taxes; to provide for an effective date; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and recommitted to the Committee on Finance.

SENATE BILL NO. 27— BY SENATOR MORRELL

A JOINT RESOLUTION

Proposing to add Article VII, Section 2.2(D) of the Constitution of Louisiana, relative to the limitations on the power of taxation; to prohibit the imposition of state and local sales and use tax on certain items; to provide for an effective date; to provide and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 61— BY SENATOR ALLAIN

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(N) of the Constitution of Louisiana, relative to ad valorem tax exemptions; to authorize local economic development authorities or districts, or parish governing authorities to exempt offshore vessels from ad valorem taxes; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 71— BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 17:5002(A)(2), (B), (D)(1)(b) and (2)(b), the introductory paragraph of 5041, and the introductory paragraph of 5042, relative to the Taylor Opportunity Program for Students; to provide relative to the amounts of program awards; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Erdey, Mizell, Allain, Fannin, Morrish, Appel, Gatti, Peacock, Barrow, Hewitt, Perry, Bishop, Johns, Peterson, Boudreaux, LaFleur, Smith, G., Chabert, Lambert, Smith, J., Claitor, Luneau, Thompson, Colomb, Martiny, Walsworth

Table with 3 columns: Cortez, Milkovich, Ward, Donahue, Mills, White, Total - 33

NAYS

Total - 0

ABSENT

Table with 3 columns: Carter, Morrell, Tarver, Long, Riser, Total - 5

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

SENATE BILL NO. 77— BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 56:322.2(D), relative to shad gill nets; to provide for the commercial harvest of shad and skipjack; to provide for the seasons for taking of shad and skipjack; to provide limitations for the taking of shad as bait; to provide terms and requirements; and to provide for related matters.

Floor Amendments

Senator Lambert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Engrossed Senate Bill No. 77 by Senator Lambert

AMENDMENT NO. 1

On page 2, after line 9, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fannin, Morrish, Allain, Gatti, Peacock, Appel, Hewitt, Perry, Barrow, Johns, Peterson, Bishop, LaFleur, Smith, G., Boudreaux, Lambert, Smith, J., Chabert, Luneau, Thompson, Claitor, Martiny, Walsworth, Colomb, Milkovich, Ward, Cortez, Mills, White, Donahue, Mizell, Erdey, Morrell, Total - 34

NAYS

Total - 0

ABSENT

Carter Riser
Long Tarver
Total - 4

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

SENATE BILL NO. 90— BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 17:1681.1(A) and (B), relative to scholarships for children of certain law enforcement officers and other investigative employees killed or permanently disabled in the performance of duty; to allow use of the scholarships for part-time attendance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Carter Morrell Tarver
Long Riser
Total - 5

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

SENATE BILL NO. 93— BY SENATORS MILLS AND ALLAIN AND REPRESENTATIVES BARRAS, HUVAL, TERRY LANDRY AND MIGUEZ AN ACT

To enact R.S. 47:301(14)(g)(iv), relative to sales and use tax; to clarify the definition of repairs to tangible personal property; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Luneau proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Luneau to Engrossed Senate Bill No. 93 by Senator Mills

AMENDMENT NO. 1

On page 2, line 3, after "state" and before the period "." insert: "and the following conditions are met:

(aa) The surface preparation, coating, and painting is performed due to a change in ownership of the aircraft or a change in the logo or the livery of the owner of the aircraft and is performed within one year of the change.

(bb) The surface preparation, coating, and painting is not performed in accordance with a regular maintenance or repair schedule"

On motion of Senator Luneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Claitor
Total - 1

ABSENT

Long Riser Tarver
Total - 3

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

SENATE BILL NO. 94— BY SENATORS GARY SMITH AND WARD AND REPRESENTATIVE GAINES

AN ACT

To provide relative to state highways; to designate the parallel bridges crossing the Reserve Relief Canal on Interstate 10 in St. John the Baptist Parish as the "Spencer Chauvin Memorial Bridge"; to designate a portion of United States Highway 190 in West Baton Rouge Parish as the "Trooper Francis C. Zinna Memorial Highway"; to designate that portion of United States Highway 190 within the corporate limits of the town of Livonia as the "Lawrence Russo Memorial Highway"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrell
Allain Fannin Morrish

April 26, 2017

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

NAYS

Total - 0

ABSENT

Long	Riser	Tarver
Total - 3		

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

**SENATE BILL NO. 102—**

BY SENATOR JOHNS

AN ACT

To enact R.S. 17:1876, relative to the programs in the Louisiana Community and Technical Colleges; to create the Louisiana Educational Workforce Training Fund; to provide for the creation of a fund; to provide for purposes; to provide for sources of funding; to provide for a private match; to provide for distribution of the fund; to provide for the exclusion of certain funds; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 103—**

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 56:722(A)(2) and 727, relative to game and fish commissions; to provide for the adoption of rules and regulations; to provide for limitation of liability; to provide for terms and conditions; and to provide for related matters.

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

**SENATE BILL NO. 112—**

BY SENATOR WHITE

AN ACT

To enact R.S. 39:1622(H), relative to performance-based energy efficiency contracts; to provide for the effect of certain modifications and change order and approvals thereof; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Allain	Fannin	Morrish
Appel	Gatti	Peacock
Barrow	Hewitt	Perry
Bishop	Johns	Peterson
Boudreaux	LaFleur	Smith, G.
Carter	Lambert	Smith, J.
Chabert	Luneau	Thompson
Claitor	Martiny	Walsworth

Colomb	Milkovich	Ward
Cortez	Mills	White
Donahue	Mizell	
Total - 35		

NAYS

Total - 0

ABSENT

Long	Riser	Tarver
Total - 3		

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

**SENATE BILL NO. 125—**

BY SENATOR THOMPSON

AN ACT

To authorize and provide for the transfer of certain state property; to provide for the transfer of state property in Tensas Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms, conditions, and requirements; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Long	Riser	Ward
Morrell	Tarver	
Total - 5		

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

**SENATE BILL NO. 127—**

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 32:53(A)(3), relative to motor vehicles; to provide relative to display of a motor vehicle license plate; to prohibit coverings and devices from obstructing a motor vehicle license plate; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Allain	Hewitt	Morrish
Bishop	Johns	Peacock
Colomb	Lambert	Perry
Cortez	Martiny	Smith, J.
Erdey	Milkovich	Thompson
Fannin	Mills	Walsworth
Gatti	Mizell	White

Total - 21

**NAYS**

Mr. President	Claitor	Peterson
Appel	Donahue	Ward
Boudreaux	Luneau	
Carter	Morrell	

Total - 10

**ABSENT**

Barrow	Long	Tarver
Chabert	Riser	
LaFleur	Smith, G.	

Total - 7

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

**SENATE BILL NO. 148—**  
BY SENATOR CHABERT

**AN ACT**

To enact Chapter 48 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3471 through 3483, relative to waterways; to provide for a priority program for the deepening and dredging of waterways; to establish the Dredging and Deepening Fund; to provide for certain terms, definitions, language, conditions, procedures, and requirements; and to provide for related matters.

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

**SENATE BILL NO. 150—**  
BY SENATORS CHABERT AND MORRELL  
**AN ACT**

To amend and reenact R.S. 47:6036(C)(1)(b), (G), the introductory paragraph of R.S. 47:6036(I)(1), (I)(1)(c) and (2)(a) and to repeal R.S. 47:6036(K), relative to the Ports of Louisiana tax credits; to streamline the approval process; to change the overall credit caps; to extend the sunset date of the credit; to remove an expired reporting provision; to provide for an effective date; 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. 150 by Senator Chabert

**AMENDMENT NO. 1**

On page 1, line 2, following "of" delete "R.S."

**AMENDMENT NO. 2**

On page 1, line 3, delete "47:6036"

**AMENDMENT NO. 3**

On page 1, line 8, following "of" delete "R.S."

**AMENDMENT NO. 4**

On page 1, line 9, delete "47:6036"

**AMENDMENT NO. 5**

On page 3, line 18, following "Subsection" and before "provided" change ";" to " ,"

**AMENDMENT NO. 6**

On page 4, line 14, following "that" and before "the" delete "provided for in this Subsection whether from"

On motion of Senator Martiny, the amendments were adopted.

**Floor Amendments**

Senator Chabert proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chabert to Engrossed Senate Bill No. 150 by Senator Chabert

**AMENDMENT NO. 1**

On page 4, line 14, delete "provided for in this Subsection whether from"

On motion of Senator Chabert, the amendments were adopted.

On motion of Senator Chabert the amended bill was read by title and recommitted to the Committee on Finance.

**SENATE BILL NO. 180—**  
BY SENATOR MORRELL

**AN ACT**

To enact R.S. 47:302(AA)(29) and 321.1(F)(66)(u), relative to state sales and use tax; to provide with respect to the exemption for sales and purchases of medical devices used by patients under the supervision of a physician; to provide for effectiveness and applicability of the exclusion; and to provide for related matters.

On motion of Senator Morrell the bill was read by title and recommitted to the Committee on Finance.

**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.

**Floor Amendments**

Senator Martiny sent up floor amendments.

April 26, 2017

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 237 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 3, following the beginning of line and before "School" change "Public" to "Parish"

AMENDMENT NO. 2

On page 2, line 4, following ", " and before "bonds" change "said" to "the"

AMENDMENT NO. 3

On page 3, line 20, following "series" and before "or" insert "1"

AMENDMENT NO. 4

On page 4, line 1, following "delivery" and before "provided" change ", " to "1"

AMENDMENT NO. 5

On page 4, line 21, following "collection" and before "and" insert "1"

AMENDMENT NO. 6

On page 4, line 26, following "collect" and before "and" insert "1"

AMENDMENT NO. 7

On page 4, line 27, following "of" and before "ordinance" change "said" to "the"

AMENDMENT NO. 8

On page 5, line 27, following "happen" and before "and" insert "1"

AMENDMENT NO. 9

On page 5, line 29, following "form" and before "and" insert "1"

AMENDMENT NO. 10

On page 6, line 19, following "." and before "bonds" change "Said" to "The"

AMENDMENT NO. 11

On page 6, line 20, following "municipality" and before "or" insert "1"

On page AMENDMENT NO. 12

On page 6, line 20, following "the" and before "of" change "State" to "state"

AMENDMENT NO. 13

On page 7, line 12, following "of" and before "resolution" change "said" to "the"

AMENDMENT NO. 14

On page 7, line 15, following "formality" and before "or" insert "1"

AMENDMENT NO. 15

On page 7, line 17, following "tax" and before "or" insert "1"

AMENDMENT NO. 16

On page 7, line 25, following "action" and before "or" insert "1"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Allain, Erdey Fannin, Morrell Morrish

Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Gatti, Hewitt, Johns, LaFleur, Lambert, Luneau, Martiny, Milkovich, Mills, Mizell, Peacock, Perry, Peterson, Smith, G., Smith, J., Thompson, Walsworth, White

Total - 34 NAYS, Total - 0 ABSENT, Long, Riser, Tarver, Ward, Total - 4

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

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

Called from the Calendar

Senator Claitor asked that Senate Bill No. 16 be called from the Calendar.

SENATE BILL NO. 16— BY SENATOR CLAITOR AN ACT

To amend and reenact Code of Criminal Procedure Article 878.1(A) and the introductory paragraph of R.S. 15:574.4(E)(1) and 574.4(E)(1)(a), and to enact R.S. 15:574.4(F), relative to juvenile parole eligibility; to provide parole eligibility for juveniles sentenced to life imprisonment without the possibility of parole for certain homicide offenses; to provide for conditions; to provide relative to the sentencing hearing for certain juvenile offenders convicted of first degree murder; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 16 by Senator Claitor

AMENDMENT NO. 1

On page 1, delete lines 2 through 8 and insert: "To amend and reenact the introductory paragraph of R.S. 15:574.4(D)(1) and 574.4(D)(1)(a) and (2) and to repeal Code of Criminal Procedure Article 878.1 and R.S. 15:574.4(E), relative to juvenile parole eligibility; to provide parole eligibility for juveniles sentenced to life imprisonment without the possibility of parole for certain offenses; to provide for conditions; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 10 through 17 and delete pages 2 and 3 in their entirety and on page 4, delete lines 1 through 4 and insert the following: "Section 1. The introductory paragraph of R.S. 15:574.4(D)(1) and 574.4(D)(1)(a) and (2) are hereby amended and reenacted to read as follows:

§574.4. Parole; eligibility; juvenile offenders

D.(1) **Regardless of the date of conviction and sentence and notwithstanding** Notwithstanding any provision of law to the contrary, any person serving a sentence of life imprisonment who was under the age of eighteen years at the time of the commission of the offense, except for a person serving a life sentence for a conviction of first degree murder (R.S. 14:30) or second degree murder (R.S. 14:30.1), shall be eligible for parole consideration pursuant to the provisions of this Subsection if all of the following conditions have been met:

(a) The offender has served ~~thirty~~ twenty-five years of the sentence imposed.

(2) For each offender eligible for parole consideration pursuant to the provisions of this Subsection, the ~~board~~ **committee on parole** shall meet in a three-member panel, and each member of the panel shall be provided with and shall consider a written evaluation of the offender by a person who has expertise in adolescent brain development and behavior and any other relevant evidence pertaining to the offender.

Section 2. Code of Criminal Procedure Article 878.1 is hereby repealed.

Section 3. R.S. 15:574.4(E) is hereby repealed."

Senator Martiny moved the adoption of the amendments.

Senator Claitor objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Colomb	Mills
Allain	Cortez	Morrell
Barrow	Gatti	Morrish
Bishop	Johns	Peterson
Boudreaux	LaFleur	Smith, G.
Carter	Luneau	Smith, J.
Chabert	Martiny	
Total - 20		

**NAYS**

Appel	Hewitt	Perry
Claitor	Lambert	Thompson
Donahue	Milkovich	Walsworth
Erdey	Mizell	Ward
Fannin	Peacock	White
Total - 15		

**ABSENT**

Long	Riser	Tarver
Total - 3		

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Colomb	Morrell
Allain	Cortez	Morrish
Barrow	Hewitt	Peterson
Bishop	Johns	Smith, G.
Boudreaux	LaFleur	Smith, J.
Carter	Luneau	Ward

Chabert	Martiny
Claitor	Mills
Total - 22	

**NAYS**

Appel	Lambert	Thompson
Donahue	Milkovich	Walsworth
Erdey	Mizell	White
Fannin	Peacock	
Gatti	Perry	
Total - 13		

**ABSENT**

Long	Riser	Tarver
Total - 3		

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Claitor 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. 51—**

BY SENATOR BARROW

**A RESOLUTION**

To recognize Friday, April 28, 2017, as Workers' Memorial Day in recognition of workers killed, injured, and disabled on the job.

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

**SENATE RESOLUTION NO. 52—**

BY SENATOR GATTI

**A RESOLUTION**

To commend Zachary Evans Cryer on being named Louisiana's Elementary Student of the Year for 2016-2017.

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

**Introduction of Senate Concurrent Resolutions**

**SENATE CONCURRENT RESOLUTION NO. 53—**

BY SENATOR ALARIO

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of a beloved gentleman, renowned lobbyist, community activist, and former member of the Louisiana House of Representatives, the Honorable Ralph R. Miller, and to celebrate a life well lived in service to the betterment of the state of Louisiana.

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS**

April 26, 2017

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:

April 26, 2017

HB No. 26 HB No. 82 HB No. 90
HB No. 142 HB No. 171 HB No. 185

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

House Bills and Joint Resolutions
on First Reading

HOUSE BILL NO. 26—
BY REPRESENTATIVE BARRAS
AN ACT

To authorize and provide for the transfer of certain state property; to
authorize the transfer of certain state property in Iberia Parish; to
provide for the property description; to provide for
reservation of mineral rights; to provide terms and conditions;
to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 82—
BY REPRESENTATIVE MACK
AN ACT

To enact R.S. 15:147(B)(17) through (19), relative to the Louisiana
Public Defender Board; to provide relative to the powers, duties,
and responsibilities of the board; to provide relative to the
supervision of staff; to provide relative to the adoption of
procedures necessary for the review and preservation of
materials; to provide relative to the decision making process of
the board; and to provide for related matters.

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

HOUSE BILL NO. 90—
BY REPRESENTATIVES DANAHAY AND GREGORY MILLER
AN ACT

To enact R.S. 42:1111.1 and to repeal R.S. 42:1123(36), relative to
ethics; to allow public servants to accept certain donations and
contributions from not-for-profit organizations or funds within
the organizations following a gubernatorially declared disaster
or emergency; to require disclosures to the Board of Ethics; to
provide relative to the effectiveness of such provisions; to
remove a substantially similar exception specific to Hurricanes
Katrina and Rita; and to provide for related matters.

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

HOUSE BILL NO. 142—
BY REPRESENTATIVE PUGH
AN ACT

To provide for a special statewide election to be held on October 14,
2017, for the purpose of submitting proposed constitutional
amendments to the electors of the state; to provide for the
conduct of such election; and to provide for related matters.

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

HOUSE BILL NO. 171—
BY REPRESENTATIVE STEVE CARTER
AN ACT

To amend and reenact R.S. 17:7(2)(f)(iii), (6)(d), (28)(b), and (33)(b),
10.3(A), 10.7.1(D)(2)(introductory paragraph) and (c)(i) and
(E)(6), 24.4(F)(2)(h) and (3)(a) and (b)(ii) and (iii) and
(J)(1)(introductory paragraph) and (a), 100.1(A)(1), (C)(6), and
(D), 183.2(B)(2)(a), 194(D), 223(B), 407.22(A)(2), (3), (4), (5),
(6), (7), and (9), 407.23(B)(2) and (3)(a), 407.51(A)(5), (7), and
(12) and (L)(1) and (2), 416.21(K), 436.3(C)(1) and
(6)(introductory paragraph), 440(C)(2), 444(B)(4)(c)(i),
1519.2(C)(1), 1681(B), 1982(4), 2925(A)(2), (3), and (4),

3023(A)(2)(a), (6), and (9), 3095(A)(1)(b) and (c) and (D),
3165.2(C)(1)(introductory paragraph), 3168(introductory
paragraph), 3351(H)(4), 3351.20(C), 3803(B)(1)(e),
3995(A)(3)(b), 5002(D)(1) and (2) and (G), 5021(A)(2)(b),
5023(D)(1) and (2)(a), 5024(A)(3)(a), 5025(7), 5029(B)(1)(b)(i),
5061, 5064, 5067(A)(2), 5068(B) and (C), 5081(F) and (G),
5101(B)(1)(introductory paragraph) and (2) and (C), and
5102(B)(1)(introductory paragraph) and (2) and (C); to provide
for technical corrections in various education laws in Title 17 of
the Louisiana Revised Statutes of 1950; and to provide for
related matters.

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

HOUSE BILL NO. 185—
BY REPRESENTATIVES ARMES, BAGLEY, CHANEY, COX, HENSGENS,
HOFFMANN, HORTON, HUNTER, JOHNSON, LEBAS, DUSTIN MILLER,
MORENO, POPE, RICHARD, AND STAGNI
AN ACT

To enact Chapter 59-A of Title 37 of the Louisiana Revised Statutes
of 1950, to be comprised of R.S. 37:3661 through 3665, relative
to military medical personnel; to establish a pilot program to
authorize retired military medical personnel to provide certain
healthcare services; to provide for definitions; to require
progress reports and final recommendations; to provide for a
termination date of the pilot program; and to provide for related
matters.

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

Rules Suspended

Senator Colomb asked for and obtained a suspension of the rules
to recall Senate Bill No. 85 from the Committee on Education.

SENATE BILL NO. 85—
BY SENATOR COLOMB
AN ACT

To amend and reenact R.S. 17:281(A)(2), relative to student health;
to authorize the state Department of Education and the
Louisiana Department of Health to survey students about risk
behavior associated with chronic health conditions; and to
provide for related matters.

On motion of Senator Colomb, Senate Bill No. 85 was read by
title and recommitted to the Committee on Health and Welfare.

Rules Suspended

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

Senate Resolutions on
Second Reading

SENATE RESOLUTION NO. 51—
BY SENATOR BARROW
A RESOLUTION

To recognize Friday, April 28, 2017, as Workers' Memorial Day in
recognition of workers killed, injured, and disabled on the job.

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President Erdey Morrell
Allain Fannin Morrish
Appel Gatti Peacock
Barrow Hewitt Perry

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

Total - 36

ABSENT

Long  
Total - 2

Tarver

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Long 1 Day Tarver 1 Day

**Announcements**

The following committee meetings for April 27, 2017, were announced:

Education	At Adj	Hainkel Room
Local and Mun. Affairs	At Adj	Room F
Natural Resources	At Adj	Room A
Transportation	At Adj	Room E

**Adjournment**

On motion of Senator Thompson, at 5:15 o'clock P.M. the Senate adjourned until Thursday, April 27, 2017, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP  
Secretary of the SenateDIANE O' QUIN  
Journal Clerk

