

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

SEVENTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 8, 2019

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 | Peacock |
| Allain | Gatti | Peterson |
| Appel | Hensgens | Price |
| Barrow | Hewitt | Riser |
| Bishop | Johns | Smith, G. |
| Boudreaux | Lambert | Smith, J. |
| Carter | Long | Tarver |
| Chabert | Luneau | Thompson |
| Claitor | Mills | Ward |
| Cortez | Mizell | White |
| Donahue | Morrell | |
| Erdey | Morrish | |

Total - 34

ABSENT

| | | |
|---------|-----------|-----------|
| Colomb | Martiny | Walsworth |
| LaFleur | Milkovich | |

Total - 5

The President of the Senate announced there were 34 Senators present and a quorum.

Prayer

The prayer was offered by Doctor Les Colvin, 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 LaFleur, the reading of the Journal was dispensed with and the Journal of May 7, 2019, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 8, 2019

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. 86—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Matt Dunigan on being named as a 2019 inductee into the Louisiana Sports Hall of Fame.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 87—

BY SENATORS WARD AND PRICE AND REPRESENTATIVES JORDAN AND LACOMBE

A CONCURRENT RESOLUTION

To commend the Brusly High School Lady Panthers softball team on winning the 2019 Allstate Sugar Bowl/Louisiana High School Athletic Association Class 3A softball state championship.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 88—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend the Captain Shreve High School Lady Gators upon winning the Louisiana High School Athletic Association Class 5A girls' basketball state championship and to congratulate the players and coaches on an extraordinary 2018-2019 season.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 89—

BY SENATOR CLAITOR AND REPRESENTATIVE STEVE CARTER

A CONCURRENT RESOLUTION

To commend Louisiana State University student Syed Akbar Zamin of Baton Rouge, Louisiana, upon being named a 2019 Goldwater Scholar.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 90—

BY SENATOR LONG AND REPRESENTATIVES TERRY BROWN AND COX

A CONCURRENT RESOLUTION

To commend Doug Ireland upon his retirement as the sports information director for Northwestern State University of Louisiana.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 126—

BY SENATOR BISHOP

A RESOLUTION

To urge and request the state Department of Education to develop materials for and promote implementation of programs to teach necessary, basic life skills to all public high school seniors.

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

SENATE RESOLUTION NO. 127—

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

A RESOLUTION

To commend Senator Dan "Blade" Morrish upon being elected president of the National Council of Insurance Legislators for 2019.

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

May 8, 2019

SENATE RESOLUTION NO. 128—
BY SENATOR MIZELL

A RESOLUTION

To recognize Friday, May 10, 2019, as Child Care Provider Appreciation Day in the state of Louisiana.

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

Senate Resolutions on
Second Reading

SENATE RESOLUTION NO. 119—
BY SENATOR LUNEAU

A RESOLUTION

To commend the Peabody Magnet High School Lady Warhorses girls powerlifting team on winning the 2019 Allstate Sugar Bowl LHSAA Division III State Championship.

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

SENATE RESOLUTION NO. 120—
BY SENATOR MILLS

A RESOLUTION

To designate Tuesday, May 7, 2019, as "Hospital Day" at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 121—
BY SENATOR WHITE

A RESOLUTION

To commend the Global Bodybuilding Organization (GBO) on its impact on bodybuilding and fitness in Louisiana.

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

SENATE RESOLUTION NO. 122—
BY SENATOR TARVER

A RESOLUTION

To commend Carl E. Stewart on the end of his outstanding term as Chief Judge of the United States Court of Appeals for the Fifth Circuit and his return to active duty on the bench.

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

SENATE RESOLUTION NO. 123—
BY SENATOR BISHOP

A RESOLUTION

To commend Dillard University upon the occasion of its one hundred fiftieth anniversary.

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

SENATE RESOLUTION NO. 124—
BY SENATOR MILKOVICH

A RESOLUTION

To commend Father Peter Mangum of the Diocese of Shreveport, Louisiana, and Cheryl White, PhD in history at Louisiana State University in Shreveport, on the success of their efforts to bring the full-size replica of the Shroud of Turin to be publically displayed.

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

SENATE RESOLUTION NO. 125—
BY SENATOR BOUDREAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Don Anthony Vallien.

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

Senate Concurrent Resolutions on
Second Reading

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATOR CHABERT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to create the Higher Education Maritime Campus Consortium Task Force.

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

SENATE CONCURRENT RESOLUTION NO. 93—
BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to form a subcommittee to coordinate the state's involvement in the National Flood Insurance Program.

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

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Peyton Manning upon an extraordinary career in football and to congratulate him upon his induction on June 8, 2019, into the Louisiana Sports Hall of Fame.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATOR LONG AND REPRESENTATIVE CHANEY
A CONCURRENT RESOLUTION

To designate June 2019 as "Nephrotic Awareness Month" in Louisiana, and to commend NephCure for their continued efforts in finding treatments and a cure for diseases and conditions of the kidney.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Mr. President, Gatti, Peacock; Allain, Hensgens, Peterson; Appel, Hewitt, Price; Barrow, Johns, Riser; Bishop, LaFleur, Smith, G.; Boudreaux, Lambert, Smith, J.; Carter, Long, Tarver; Chabert, Luneau, Thompson; Claitor, Martiny, Walsworth; Colomb, Milkovich, Ward; Cortez, Mills, White; Erdey, Mizell; Fannin, Morrell; Total - 37.

NAYS

Total - 0

ABSENT

Table listing names of members who were absent: Donahue, Morrish; Total - 2.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 7, 2019

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:

Table listing House Bills and Joint Resolutions: HB No. 84, HB No. 164, HB No. 247; HB No. 250, HB No. 285, HB No. 336; HB No. 342, HB No. 349, HB No. 375; HB No. 397, HB No. 424, HB No. 431; HB No. 484, HB No. 491, HB No. 508; HB No. 536, HB No. 611, HB No. 537; HB No. 566.

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 84— BY REPRESENTATIVE WHITE AN ACT

To amend and reenact R.S. 34:851.32(A)(1), (B), and (C) and R.S. 56:10.2, relative to boat registration; to provide for the Derelict Houseboat Fund and the Conservation Fund in the state treasury; to provide for the distribution of boat registration fees; to provide for the use of funds; and to provide for related matters.

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

HOUSE BILL NO. 164— BY REPRESENTATIVE FRANKLIN AN ACT

To amend and reenact R.S. 32:388(B)(4)(b) and to enact R.S. 32:388(B)(1)(b)(v), relative to trucks hauling construction aggregates; to provide that such authorization to exceed the maximum gross vehicle weight limit shall not apply in certain circumstances; to provide for exceptions; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 247— BY REPRESENTATIVE ARMES AN ACT

To amend and reenact R.S. 26:90(A)(introductory paragraph) and (1)(a) and 286(A)(introductory paragraph) and (1)(a), relative to licensed retail dealers of alcoholic beverages; to provide licensed retail dealers of alcoholic beverages an alternative method of verifying age; and to provide for related matters.

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

HOUSE BILL NO. 250— BY REPRESENTATIVES DAVIS, BILLIOT, TERRY BROWN, FOIL, GUINN, HOFFMANN, LEBAS, MCFARLAND, STAGNI, STOKES, WHITE, AND ZERINGUE AN ACT

To amend and reenact R.S. 40:2156(B)(introductory paragraph) and (6) and to enact R.S. 40:2153(15) and 2159.1, relative to behavioral health services providers; to provide relative to licensure and regulation of such providers by the Louisiana Department of Health; to establish requirements for residential facilities licensed as behavioral health services providers which provide treatment for opioid use disorder; to prohibit certain actions against behavioral health services provider licenses prior to a specific date; to require the Louisiana Department of Health to furnish technical assistance to certain providers relative to opioid use disorder treatment; to require certain providers to submit reports to the Louisiana Department of Health concerning such treatment; to provide for definitions; 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. 285— BY REPRESENTATIVE BILLIOT AN ACT

To enact R.S. 23:1036.1, relative to benefits for volunteer reserve police officers and deputies; to provide medical benefits for injured reserve police officers and deputies under certain circumstances; to provide definitions; and to provide for related matters.

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

HOUSE BILL NO. 336—

BY REPRESENTATIVE LYONS

AN ACT

To amend and reenact R.S. 40:2154(A)(12), relative to behavioral health services providers; to exempt local public school governing authorities from certain behavioral health services provider licensing requirements; to provide criteria for such exemption; and to provide for related matters.

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

HOUSE BILL NO. 342—

BY REPRESENTATIVE STEVE CARTER

AN ACT

To amend and reenact R.S. 33:9097.12(B), (D)(2), (E)(7), and (F)(3)(c) and (4), relative to the Jefferson Place/Bocage Crime Prevention and Improvement District; to provide relative to the boundaries of the district; to provide relative to the governing board of the district; to provide relative to the levy of a parcel fee; and to provide for related matters.

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

HOUSE BILL NO. 349—

BY REPRESENTATIVE CARMODY

AN ACT

To amend and reenact R.S. 26:271.2(2) and 274(A) and to enact R.S. 26:271.2(1)(j), 271.4, and 307, relative to the delivery of alcoholic beverages; to provide relative to the delivery of alcoholic beverages of low alcoholic content, sparkling wine, and still wine; to provide for agreements between certain retail dealers and a third party for the delivery of alcoholic beverages; to provide for the delivery of alcoholic beverages by a third party and establishments with certain alcohol beverage permits; to provide for delivery restrictions; to provide for recordkeeping; to provide for fees; to provide for permits; to provide for requirements and limitations; to provide for rulemaking authority; to provide relative to the liability of a third-party delivery agent; and to provide for related matters.

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

HOUSE BILL NO. 375—

BY REPRESENTATIVE TURNER

AN ACT

To amend and reenact R.S. 44:4.1(B)(26) and to enact R.S. 40:973.1, relative to criminal history records checks; to provide relative to licensing requirements for a controlled dangerous substance license issued by the Louisiana Board of Pharmacy; to authorize the Louisiana Board of Pharmacy to perform criminal history records checks on certain applicants; to provide for definitions; to provide relative to the procedures and costs for the criminal history records checks; to provide for the use of the criminal history 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. 397—

BY REPRESENTATIVE BAGNERIS

AN ACT

To amend and reenact Code of Criminal Procedure Article 885.1, relative to suspension of driving privileges; to provide relative to the surrender of driver's licenses of persons who fail to pay criminal fines; to authorize the court to grant an extension of time to pay the fine; to authorize the court to order the performance of community service in lieu of payment of the fine; to provide relative to the effectiveness of changes made to Code of Criminal Procedure Article 885.1 by Act No. 260 of the 2017 Regular Session of the Legislature; and to provide for related matters.

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

HOUSE BILL NO. 424—

BY REPRESENTATIVE STAGNI

AN ACT

To amend and reenact R.S. 46:460.71(C) and to enact R.S. 46:460.51(15) and 460.74, relative to the medical assistance program of this state known commonly as Medicaid; to provide requirements for Medicaid managed care organizations relative to information on denied claims to be transmitted to healthcare providers; to provide for notices by Medicaid managed care organizations to healthcare providers concerning prior authorization requirements; to require Medicaid managed care organizations and the Louisiana Department of Health to take certain actions pursuant to denial of prior authorization requests by healthcare providers; to require publication of certain information relative to prior authorization requirements on the websites of Medicaid managed care organizations and the Louisiana Department of Health; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 431—

BY REPRESENTATIVES JACKSON, BAGLEY, COX, HOFFMANN, LEBAS, MCMAHEN, MOORE, AND STAGNI

AN ACT

To enact R.S. 40:2184(3) and 2192, relative to the Hospice Licensing Law; to provide for the rules, regulations, and standards for licensing; to provide for the issuance of permits to nonlicensed persons; to provide for the training of such persons; and to provide for related matters.

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

HOUSE BILL NO. 484—

BY REPRESENTATIVE CREWS AND SENATOR MIZELL AND REPRESENTATIVE GAROFALO

AN ACT

To amend and reenact R.S. 40:1061.19 and 1061.29, relative to regulation of abortion; to provide requirements relative to medical records of women upon whom abortions are performed; to establish duties of physicians and medical directors, administrators, and owners of abortion facilities relative to such medical records; to establish retention periods for such records; to institute penalties for violations of laws relative to abortion-related records; to provide conditions and requirements for obtaining and maintaining an abortion facility license; to provide legislative findings; and to provide for related matters.

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

HOUSE BILL NO. 491—

BY REPRESENTATIVES SCHEXNAYDER, ADAMS, AMEDEE, ANDERS, BAGNERIS, BARRAS, BOUIE, BOURRIAQUE, BRASS, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, STEVE CARTER, CONNICK, COUSSAN, COX, DAVIS, DEVILLIER, DUPLESSIS, EMERSON, FOIL, GAINES, GISCLAIR, GLOVER, GUINN, JIMMY HARRIS, LANCE HARRIS, HOWARD, JACKSON, JAMES, JEFFERSON, JENKINS, JORDAN, LACOMBE, NANCY LANDRY, TERRY LANDRY, LARVADAIN, LEGER, LYONS, MARCELLE, MARINO, MCMAHEN, DUSTIN MILLER, MUSCARELLO, NORTON, PIERRE, PYLANT, STAGNI, STOKES, AND TURNER

AN ACT

To enact R.S. 3:1449(B)(3), Part V of Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:1461 through 1472, and R.S. 40:4.9(F) and 961.1, relative to the regulation of industrial hemp; to authorize industrial hemp farming; to provide for definitions; to provide for powers and duties of the commissioner of agriculture; to provide for powers and duties of the Agricultural Chemistry and Seed Commission; to provide for licensure; to provide for fees; to establish testing,

inspection, and record keeping requirements; to provide for research; to prohibit certain activities; to provide for regulation of hemp-derived cannabidiol products; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 508—

BY REPRESENTATIVE LEOPOLD
AN ACT

To amend and reenact R.S. 26:2(7) through (26) and 241(5) through (19) and to enact R.S. 26:2(27) through (30), 153, 241(20) through (24), and 307, relative to the delivery of alcohol; to provide for definitions; to provide relative to high content alcoholic beverages; to provide relative to low alcoholic content beverages; to provide for the delivery of high and low alcohol content beverages; to provide for alcohol delivery regulations; to provide alcohol beverage delivery restrictions; and to provide for related matters.

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

HOUSE BILL NO. 536—

BY REPRESENTATIVE HILFERTY
AN ACT

To enact R.S. 40:1203.1(3)(z), 2006(A)(2)(s), (B)(2)(j), and (E)(2)(x), and Part VI-G of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2180.21 through 2180.28, relative to free-standing birth centers; to provide for definitions; to provide for licensing; to provide for rules and regulations; to provide for licensing fees; and to provide for related matters.

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

HOUSE BILL NO. 537—

BY REPRESENTATIVE MIKE JOHNSON
AN ACT

To enact R.S. 46:51.1.1, relative to the assignment of rights to the Department of Children and Family Services; to provide for obligations owed to the department by parents or other individuals responsible for providing support to their children in foster care; to provide for the appointment of the child support enforcement administrator as attorney for parents or other individuals whose children are in foster care when subject to support proceeding; to provide for the involuntary consent of parents or other individuals to such proceedings; to prohibit parents and other individuals from entering a contract for the collection of support when their children are in foster care; to provide for application; and to provide for related matters.

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

HOUSE BILL NO. 566—

BY REPRESENTATIVE GAROFALO
AN ACT

To enact R.S. 47:338.220, relative to the parish of St. Bernard; to authorize the governing authority of the parish to levy a hotel occupancy tax, subject to voter approval; to provide for the use of tax proceeds; and to provide for related matters.

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

HOUSE BILL NO. 611— (Substitute for House Bill No. 255 by Representative Magee)

BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact Code of Criminal Procedure Article 885.1 and Section 3 of Act No. 260 of the 2017 Regular Session of the

Legislature as amended by Act Nos. 137 and 668 of the 2018 Regular Session of the Legislature, relative to the financial obligations for criminal offenders; to provide relative to the court's authority to suspend the driver's license of a defendant for failure to pay a criminal fine; to authorize the court to grant an extension of time to pay the fine; to authorize the court to order the performance of community service in lieu of payment of the fine; to provide relative to the effectiveness of changes made to Code of Criminal Procedure Article 885.1 by Act No. 260 of the 2017 Regular Session of the Legislature; to delay the effective date of certain provisions in Act No. 260 of the 2017 Regular Session of the Legislature which provided relative to the financial obligations for criminal offenders; to provide relative to the payment of fines, fees, costs, restitution, and other monetary obligations related to an offender's conviction; to require the court to determine the offender's ability to pay the financial obligations imposed; to authorize the court to waive, modify, or create a payment plan for the offender's financial obligations; to provide relative to the court's authority to extend probation under certain circumstances; to provide relative to the recovery of uncollected monetary obligations at the end of a probation period; to provide for legislative intent; to provide relative to the disbursement of collected payments; to authorize the court to impose certain conditions in lieu of payment in certain situations; to provide relative to the penalties imposed when an offender fails to make certain payments or fails to appear for a hearing relative to missed payments; to require notice to an offender upon his failure to make certain payments; and to provide for related matters.

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

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 8, 2019

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. 65 HCR No. 31 HCR No. 5

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

**House Concurrent Resolutions
on First Reading****HOUSE CONCURRENT RESOLUTION NO. 5—**

BY REPRESENTATIVE BARRAS
A CONCURRENT RESOLUTION

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

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

HOUSE CONCURRENT RESOLUTION NO. 31—

BY REPRESENTATIVE MARCELLE
A CONCURRENT RESOLUTION

To urge and request the commissioner of conservation to study, outline the requirements, and make recommendations as to the necessity of an area of groundwater concern or a critical area of groundwater concern declaration in the Baton Rouge area to limit saltwater intrusion and protect regional groundwater supplies for the future and to submit a report of the study no later than February 15, 2020.

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

HOUSE CONCURRENT RESOLUTION NO. 65—

BY REPRESENTATIVE BISHOP
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to work with the Department of Education and the Louisiana School Boards Association to provide firearm and hunter education as a voluntary physical education elective in public high schools.

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. 14—

BY REPRESENTATIVE CARPENTER
AN ACT

To amend and reenact R.S. 11:157(A) and (C) and to enact R.S. 11:157(D), relative to membership in the Firefighters' Retirement System and the Municipal Police Employees' Retirement System; to provide relative to rejoining the system and the purchase of service credit under certain circumstances; to provide for membership verification; and to provide for related matters.

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

HOUSE BILL NO. 22—

BY REPRESENTATIVE BACALA
AN ACT

To enact R.S. 11:2225(F), to provide relative to the earnable compensation of certain employees of the Baton Rouge Police Department who are members of the Municipal Police Employees' Retirement System; to provide for retirement benefits; to provide for actuarial certification of the cost of such benefits; to provide for repayment of associated costs paid by the system; and to provide for related matters.

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE STAGNI
AN ACT

To amend and reenact R.S. 11:1903(A)(introductory paragraph) and to enact R.S. 11:1902(12)(e), relative to membership in the Parochial Employees' Retirement System of Louisiana; to provide for membership of employees of certain public trusts; and to provide for related matters.

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

HOUSE BILL NO. 42—

BY REPRESENTATIVE CHAD BROWN
AN ACT

To amend and reenact R.S. 33:4569, 4569.1, 4569.2, and 4569.3(introductory paragraph), (1), (5), (12), and (13), relative to the Iberville Parks and Recreation District; to provide relative to the name of the district; to provide relative to the board of commissioners; to provide relative to the membership of the board; and to provide for related matters.

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

HOUSE BILL NO. 132—

BY REPRESENTATIVES CREWS, BRASS, TERRY BROWN, CARPENTER,
STEVE CARTER, FRANKLIN, GISCLAIR, HILL, HOWARD, LEBAS,
NORTON, WHITE, AND WRIGHT
AN ACT

To amend and reenact R.S. 32:681(Section heading), (A), and (B) and to enact R.S. 32:681(E) and (F), relative to postaccident drug testing requirements; to provide for the extension of a postaccident drug testing requirement to accidents involving a serious bodily injury; to provide for a definition; and to provide for related matters.

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

HOUSE BILL NO. 176—

BY REPRESENTATIVE CHAD BROWN
AN ACT

To enact R.S. 33:3887.8, relative to sewerage districts; to provide relative to the governance of districts created by certain parishes; to authorize the governing authority of any such parish to provide, by ordinance, for the governance of the districts; and to provide for related matters.

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

HOUSE BILL NO. 230—

BY REPRESENTATIVE MIKE JOHNSON
AN ACT

To amend and reenact R.S. 40:1203.3(A)(1), relative to ambulance personnel; to prohibit the employment of licensed ambulance personnel or nonlicensed persons convicted of certain offenses; to remove an outdated reference; and to provide for related matters.

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

HOUSE BILL NO. 246—

BY REPRESENTATIVE SIMON
AN ACT

To amend and reenact R.S. 26:241(10) and to enact R.S. 26:307 relative to alcohol beverage control; to provide relative to brewing facilities; to authorize manufacturers or brewers to host private events at brewing facilities; to provide for certain restrictions with respect to private events at brewing facilities; to authorize manufacturers or brewers to charge certain fees for private events at brewing facilities; and to provide for related matters.

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

HOUSE BILL NO. 254—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact Civil Code Article 133, relative to child custody; to provide relative to an award of custody to a nonparent; to provide for consideration of factors; to provide for

a burden of proof; to provide relative to petitioning the court for a change in custody; and to provide for related matters.

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

HOUSE BILL NO. 264—

BY REPRESENTATIVE HILFERTY
AN ACT

To amend and reenact R.S. 33:9091.7(C) and (F)(1) and (3)(b) and (c), relative to the Lakeshore Crime Prevention District in Orleans Parish; to provide relative to the purpose of the district; to provide relative to the parcel fee levied within the district; to provide relative to the maximum amount and expiration of the fee; and to provide for related matters.

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

HOUSE BILL NO. 277—

BY REPRESENTATIVE LYONS
AN ACT

To amend and reenact R.S. 26:91(B), relative to permits for alcoholic beverages; to require the suspension or revocation of retail dealer's permits under certain circumstances; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 335—

BY REPRESENTATIVE GISCLAIR
AN ACT

To enact R.S. 40:5.5.4, relative to regulation of food service establishments; to require such establishments that serve crawfish or shrimp which originate outside of the United States to inform patrons that the seafood is of foreign origin; to provide for enforcement of the requirement by the Louisiana Department of Health; to provide for definitions; to provide for legislative intent; and to provide for related matters.

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

HOUSE BILL NO. 368—

BY REPRESENTATIVE MOSS
AN ACT

To enact R.S. 37:2405(B)(15), relative to the Louisiana Physical Therapy Board; to provide for the powers, duties, and limitations of the board; to provide for the collection of a core set of data elements; to provide for the creation of a healthcare workforce database; to provide for agreements the board may enter into with private or public entities to maintain such database; and to provide for related matters.

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

HOUSE BILL NO. 406—

BY REPRESENTATIVE IVEY
AN ACT

To enact R.S. 33:9097.30, relative to East Baton Rouge Parish; to create a crime prevention and improvement district; to provide for the governance of the district; to provide for the duties and powers of the district; to provide for the levy of a parcel fee within the district; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE SMITH
A CONCURRENT RESOLUTION

To continue the Louisiana Women's Incarceration Task Force that was created pursuant to House Concurrent Resolution No. 27 of the 2018 Regular Session of the Legislature to study, evaluate, analyze, and undertake a comprehensive review of the state's criminal justice system as it relates to women and to report its findings and policy recommendations by January 1, 2020.

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

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE DUBUISSON
A CONCURRENT RESOLUTION

To urge and request each state agency to offer interviews to each qualified veteran who applies to fill a job vacancy at the agency.

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

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:

May 8, 2019

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 94—

BY SENATOR BOUDREAU
A RESOLUTION

To urge and request the Louisiana Department of Health to submit a report on the implementation of Act No. 582 of the 2018 Regular Session of the Legislature relative to specialized behavioral health rehabilitation services in the Louisiana Medicaid program.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR BARROW
A CONCURRENT RESOLUTION

To create the Louisiana Community Health Worker Workforce Study Committee to study and provide recommendations to the secretary of the Louisiana Department of Health relative to supporting and expanding the community health worker workforce in Louisiana.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 84—

BY SENATORS APPEL, PETERSON AND GARY SMITH AND REPRESENTATIVES BILLIOT, CONNICK, GISCLAIR, HENRY, HILFERTY, LEOPOLD AND STOKES
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to take all steps necessary to approve peer support services as a Medicaid covered service.

Reported favorably.

May 8, 2019

SENATE BILL NO. 218—
BY SENATOR BARROW

AN ACT

To enact Chapter 15-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:5081, relative to shared housing; to provide for legislative findings; to provide for definitions; to provide relative to operating standards; to provide for residency requirements and rights; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 219—
BY SENATOR BARROW

AN ACT

To enact Subpart I-1 of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1195 through 1198, relative to health insurance; to provide relative to coverage; to require coverage for dependent children; to prohibit preexisting condition exclusions and annual and lifetime limits; 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:

May 8, 2019

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. 57—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 44:415, relative to the records management program at the division of archives, records management, and history within the Department of State; to provide for the centralized document conversion center for the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 123—
BY REPRESENTATIVES HILL AND BOURRIQUE
AN ACT

To amend and reenact R.S. 44:4(45), relative to exemptions from the Public Records Law; to exempt information relative to certain activities associated with stocking and breeding of alligators; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION
AND INTERNATIONAL AFFAIRS

Senator Daniel R. Martiny, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 8, 2019

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

HOUSE BILL NO. 145—
BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 6:333(F)(11), relative to the disclosures by a bank or any affiliate; to provide for financial records obtained pursuant to search warrants; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 155—
BY REPRESENTATIVE BERTHELOT
AN ACT

To amend and reenact R.S. 40:1567, relative to fire departments; to delete the requirement that a fee and mileage be paid pursuant to fire reports; to provide for the issuance and use of fire department identification numbers; to provide for the submission of fire reports; to provide for violations; to make technical corrections; to provide a definition; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 297—
BY REPRESENTATIVES HOWARD AND FOIL
AN ACT

To amend and reenact R.S. 9:3403(A), 3409(B) and (C), 3422(A), 3427, 3428(B) and (C), and 3445(B), R.S. 12:1-121(B), 1-1007(C), 205(A) and (E)(1), 205.1(B) and (C), 238(B), 239.1(A), 241, 243(F)(1) and (H), 247.1(B)(2) and (C)(1)(b), 250(C)(2), 250.1(A), 256(A)(2), 257(B), 262.1(E)(1), 304(A)(11)(a), 307.1, 312(C), 312.1, 313(D), 492(C), 1304(A), 1308.1(B), 1308.2(C)(1), 1308.3(C)(introductory paragraph), 1309(B), 1310(F), 1335.1(A), 1339(B), 1340(A)(1), 1349, 1350.1(B), 1352, 1353(D), 1360(B), 1702, and 1804(A), and R.S. 51:211(A), 215.1(A), and 219 and to enact R.S. 9:3409(D) and 3428(D), R.S. 12:205.1(D), 236(F), 243(G)(5), 308(G), 309(C), 1307(D), 1308(G), 1308.1(C), 1350(G), and 1350.1(C), and R.S. 51:217(C), relative to the secretary of state's office; to provide for filing procedures; to provide for withdrawal procedure; to provide for revocation or suspension of certificate of authority; to provide for conversion of state of organization requests; to provide for confidentiality of information; to make technical corrections; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 303—
BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 51:703(D)(5)(b) and to enact R.S. 6:121.2(F), relative to the Office of Financial Institutions obtaining information for criminal background checks; to provide for the application of the commissioner's authority; to provide for the procedure to submit fingerprints; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 305—

BY REPRESENTATIVES FALCONER, AMEDEE, BACALA, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BOURRIAQUE, CHAD BROWN, TERRY BROWN, CARMODY, CHANEY, CONNICK, COUSSAN, COX, DAVIS, DUBUISSON, EMERSON, GAINES, GAROFALO, GISCLAIR, GUINN, HILFERTY, HOLLIS, HORTON, HOWARD, HUVAL, IVEY, JACKSON, JEFFERSON, JORDAN, LACOMBE, NANCY LANDRY, LEBAS, LEOPOLD, LYONS, MARCELLE, MCMAHEN, MIGUEZ, GREGORY MILLER, JAY MORRIS, MOSS, NORTON, PEARSON, PIERRE, PUGH, PYLANT, SCHEXNAYDER, STAGNI, STOKES, THOMAS, TURNER, WHITE, WRIGHT, AND ZERINGUE

AN ACT

To enact R.S. 51:1409.1, relative to unfair trade practices; to provide with respect to elder persons and persons with disabilities; to provide for a private right of action; to provide with respect to fraudulent marketing through telephone, electronic mail, or text messaging; to provide for damages; to provide definitions; to provide for limitation of liability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 340—

BY REPRESENTATIVE HOLLIS

AN ACT

To amend and reenact R.S. 37:3410(A) and to enact R.S. 37:3392(14), relative to real estate appraisers; to provide definitions regarding financial regulations; to provide for standards for the development and communication of real estate appraisers; to provide for an appraisal of real property for a federally insured depository institution; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 396—

BY REPRESENTATIVE ANDERS

AN ACT

To amend and reenact R.S. 6:822(3)(d) and 1229.1 and to enact R.S. 6:243(C)(1)(d) and 246, relative to bank operating subsidiaries; to provide conditions for a state bank to hold immovable property in perpetuity; to provide for permitted conduct; to provide for notice; to provide for applicability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 464—

BY REPRESENTATIVE BERTHELOT

AN ACT

To amend and reenact R.S. 40:1484.3(4), (15), (16), and (18), 1484.4(D), 1484.5, 1484.6(B), (D), (E)(2) and (3), 1484.7(B), (D), (E)(2) and (3), and (F), 1484.8, 1484.9(A), 1484.10, 1484.11(A) and (B), 1484.13(B)(6), (C), and (G), 1484.15(B) and (C), 1484.16(7), 1484.18(D) and (K), 1484.19(3), 1484.22, 1484.23(A)(introductory paragraph), (C), and (D), and 1484.24(A) and (B)(1), (2), and (3) and to enact R.S. 40:1484.3(24) through (27), relative to inflatable amusement devices, amusement attractions, and amusement rides; to provide for definitions; to provide for lost or damaged registration plates or decals; to require a person to obtain certain registration materials; to provide for manufacturer's recommendations and specifications relative to inspections; to require a certificate of inspection be submitted to an owner; to provide for the issuance and lifting of an order to cease and desist by the office of the state fire marshal; to change the amount of certain fines; to prohibit operation prior to registration; to provide for inspections of amusements operating at a fixed operating location; to provide for set-up inspections; to provide for inspector certifications; to provide a licensing exception for ride operators; to prohibit assisting unlicensed persons in certain activities relative to amusements; to require a firm to notify the office of state fire marshal of the termination of a licensed employee; to provide for inspections and audits; to remove certain fees; to allow an operator to provide certain documents only upon request; to provide for the office of the

state fire marshal's authority over inspectors; to provide for restraining orders and permanent injunctions; to make technical changes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

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

SENATE BILL NO. 237—

BY SENATOR COLOMB AND REPRESENTATIVE MARCELLE

AN ACT

To enact R.S. 33:9038.72, relative to certain special tax increment financing; to provide for the creation of tax increment financing districts; to provide for cooperative economic development; to provide for the powers and duties of the district, including the authority to levy ad valorem taxes, sales taxes, and hotel occupancy taxes; to provide relative to exemptions from taxation; to authorize the incurrence of debt through the issuance of bonds, notes, and other forms of indebtedness; to provide for the validation of bonds and cooperative endeavor agreements; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 237 by Senator Colomb

AMENDMENT NO. 1

On page 2, line 5, after "**parish that**" insert "**are economically distressed and**"

AMENDMENT NO. 2

On page 2, line 8, after "**(2)**" and before "**The**" insert "**(a)**"

AMENDMENT NO. 3

On page 2, between lines 10 and 11, insert the following:

"(b) When determining whether a portion of a parish suffers from a lack of economic opportunities and specifically the creation of employment opportunities, the governing authority of a parish shall consider and use the data published by the United States Census Bureau relative to individuals below poverty level contained in the most recent edition of the "American Community Survey 5-year estimates". Specifically, the governing authority of a parish shall establish the boundaries of any district established pursuant to this Section utilizing the data relative to poverty levels as found in Zip Code Tabulation Areas (ZCTA) published by the United States Census Bureau and which are approximate representations of United States Postal Service five-digit zip codes. The district may contain all or a part of one or more ZCTAs with a poverty rate of twenty percent or more than the poverty rate for the entire parish. The ZCTA in which the seat of government for a parish is located shall not be included in any such district."

AMENDMENT NO. 4

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

"(4) Notwithstanding any other provision of law to the contrary, if the governing authority of a parish proposes to establish, by ordinance, an increment financing district whose boundaries include any territory located within the corporate limits of a municipality, the governing authority of the parish shall not adopt the ordinance to create any such district without

the prior written consent of the governing authority of the municipality."

AMENDMENT NO. 5

On page 2, after line 29, insert:

"(f) One member with economic development experience appointed by the president or chief executive officer of the parish."

AMENDMENT NO. 6

On page 3, line 1, change "(f)" to "(g)"

AMENDMENT NO. 7

On page 5, line 8, change "33:9038.34." to the following: "33:9038.34, except that the state sales tax increment shall not exceed the greater of the aggregate portion of the local sales tax increment dedicated for the purposes of the district or the portion of the state sales tax from a tax levy of two percent."

AMENDMENT NO. 8

On page 5, line 16, after "agreement" and before "entered" insert "shall be"

AMENDMENT NO. 9

On page 5, line 18, after "taxes" insert a period "." and insert "The agreement"

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

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

HOUSE BILL NO. 9—

BY REPRESENTATIVE MARINO

AN ACT

To amend and reenact Code of Criminal Procedure Articles 972(4) and 983(H) and to enact Code of Criminal Procedure Article 983(I), relative to expungement of records; to provide relative to the definition of records; to amend the definition to include warrants or attachments for failing to comply with a notice or summons to appear in court; to provide relative to costs of expungement of a record; to provide for circumstances when two or more offenses arise out of the same arrest; and to provide for related matters.

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

HOUSE BILL NO. 11—

BY REPRESENTATIVE BACALA

AN ACT

To amend and reenact Children's Code Articles 814(B)(1) and 815(A) and to enact Children's Code Article 814(B)(3), relative to taking a child into custody; to authorize the release of a seventeen-year-old taken into custody for the commission of a misdemeanor-grade delinquent act upon the issuance of a summons or upon his written promise to appear; and to provide for related matters.

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

HOUSE BILL NO. 25—

BY REPRESENTATIVE MCMAHEN

AN ACT

To amend and reenact R.S. 14:34.4(B)(2), 52.2(E), and 92.2(A)(4) and R.S. 15:1212(B)(4), to enact R.S. 14:2(C), and to repeal R.S. 14:34.1(B)(3), 34.7(B)(3), 34.9(B)(4), 35.3(B)(6), 39.2(C), 43.2(B), 64.4(A)(2), 93.2.3(A)(2), 100(B)(2), 102.12(4),

102.22(B)(2), 108.1(E)(2)(b), 231(D)(4), 403(A)(1)(b)(ii), 403.7(B)(4), and 502(B)(3), relative to the definition of "serious bodily injury"; to provide a universal definition of "serious bodily injury" for purposes of Title 14 of the Louisiana Revised Statutes of 1950; and to provide for related matters.

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

HOUSE BILL NO. 102—

BY REPRESENTATIVE JONES

AN ACT

To amend and reenact R.S. 8:655(A)(introductory paragraph) and to enact R.S. 8:655(F) and R.S. 37:876(H), relative to the disposition of human remains; to provide for the disposition of the remains of a homicide victim; to prohibit a person responsible for the death of the victim from controlling the disposition of the victim's remains; and to provide for related matters.

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

HOUSE BILL NO. 111—

BY REPRESENTATIVES STEFANSKI AND JIM MORRIS

AN ACT

To amend and reenact R.S. 14:34.6(B)(1), relative to the crime of disarming of a peace officer; to amend the definition of "law enforcement equipment" for purposes of the crime; and to provide for related matters.

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

HOUSE BILL NO. 425—

BY REPRESENTATIVES JACKSON, ABRAHAM, ABRAMSON, ADAMS, AMEDEE, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BISHOP, BOURRIAQUE, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, DAVIS, DWIGHT, EDMONDS, EMERSON, FALCONER, GAROFALO, GISCLAIR, LANCE HARRIS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUVAL, JORDAN, LACOMBE, NANCY LANDRY, LEBAS, MAGEE, MCFARLAND, MCMAHEN, MIGUEZ, GREGORY MILLER, MOORE, JAY MORRIS, MOSS, PUGH, RICHARD, SCHEXNAYDER, SEABAUGH, STAGNI, STEFANSKI, THOMAS, TURNER, WHITE, WRIGHT, AND ZERINGUE

A JOINT RESOLUTION

Proposing to add Article I, Section 20.1 of the Constitution of Louisiana, to provide that nothing in the constitution shall be construed to secure or protect a right to abortion or require the funding of abortion; to provide for submission of the proposed amendment to the electors; 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 Engrossed House Bill No. 425 by Representative Jackson

AMENDMENT NO. 1

On page 2, line 10, after "States Constitution." insert: "The people of Louisiana retain the right through their elected state representatives and state senators to enact, amend, or repeal statutes regarding abortion, including, but not limited to circumstances of pregnancy resulting from rape or incest, or termination of pregnancy to save the life of the mother."

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

Reconsideration

The vote by which Senate Bill No. 118 failed to pass on Tuesday, May 7, 2019, was reconsidered.

SENATE BILL NO. 118—
BY SENATOR MILKOVICH

AN ACT

To enact Code of Civil Procedure Art. 1636.1, relative to contradictory hearings in civil proceedings; to provide for the right to present oral arguments; to provide with respect to reasonable control of oral argument by the court, waiver or denial of oral argument, and grounds for setting aside a judgment obtained in violation of requirements; and to provide for related matters.

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

Senate Concurrent Resolutions on Third Reading and Final Passage

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education pursuant to Article VIII, Section 13(B) of the Constitution of Louisiana to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems, and adopted by the board on March 13, 2019.

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

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATOR APPEL AND REPRESENTATIVE BRASS

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to create the "Work-Based Learning Task Force" to engage industry, government, high schools, and postsecondary education institutions to undertake a national and statewide review of successful, high-value, work-based learning programs and projects; to establish a vision, goals, and targets for statewide impact; to develop a comprehensive, coordinated statewide framework and implementation plan for Louisiana; to identify policies and strategies designed to lead to the expansion, improvement, and better coordination of existing work-based learning initiatives in the state; and to make policy recommendations to the legislature for a large scale, coordinated work-based learning model in Louisiana.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed Senate Concurrent Resolution No. 42 by Senator Appel

AMENDMENT NO. 1
On page 3, line 24, change "executive director" to "secretary"

AMENDMENT NO. 2
On page 4, between lines 9 and 10, insert the following:
"(17) Three directors or chairs of local workforce development boards to be appointed by the secretary of the Louisiana Workforce Commission.

(18) Three members representing registered apprenticeship programs to be appointed by the secretary of the Louisiana Workforce Commission.

(19) The chair of the Industry Based Certification Council, or his designee.

(20) The chair of the Workforce Investment Council, or his designee.

(21) One member representing a workforce development organization established under the provisions of the Workforce Innovation and Opportunity Act to be appointed by the secretary of the Louisiana Workforce Commission.

(22) One member representing a local American Job Center office who has expertise in the Wagner-Peyser program to be appointed by the secretary of the Louisiana Workforce Commission.

(23) The chair of the state apprenticeship council, or his designee."

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 38

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Children and Family Services to establish the "Task Force on Protecting Children from Exposure to Pornography" to study all issues related to the exposure of children to pornography and the impact it has on their lives.

Floor Amendments

Senator Long proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Long to Original Senate Concurrent Resolution No. 56 by Senator Long

AMENDMENT NO. 1
On page 2, line 30 change "thirteen" to "fourteen"

May 8, 2019

AMENDMENT NO. 2

On page 3, after line 20 insert:

"(14) The board chair of the Louisiana Partnership for Children and Families, or his designee."

On motion of Senator Long, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Morrell. Lists names of senators and their counts for YEAS.

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 57—

BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to work with the governor and the legislature to develop a ten-year plan to increase teacher salaries to the level where Louisiana's average teacher salary is the highest in the nation.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Morrell. Lists names of senators and their counts for YEAS.

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 77—

BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Board of Nursing, the Southern University School of Nursing, and Southern University at New Orleans to collaborate on the process and procedures required for the establishment of a nursing education program on the campus of Southern University at New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Morrell. Lists names of senators and their counts for YEAS.

NAYS

Total - 0

ABSENT

Morrish
Total - 1

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

SENATE CONCURRENT RESOLUTION NO. 81—

BY SENATOR ALLAIN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to create the "Postsecondary Education Agriculture Technology Study Commission".

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Morrell. Lists names of senators and their counts for YEAS.

| | | |
|------------|-----------|-----------|
| Bishop | Johns | Smith, G. |
| Boudreaux | LaFleur | Smith, J. |
| Carter | Lambert | Tarver |
| Chabert | Long | Thompson |
| Claitor | Luneau | Walsworth |
| Colomb | Martiny | Ward |
| Cortez | Milkovich | White |
| Donahue | Mills | |
| Erdey | Mizell | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|----------|
| Morrish | Peterson |
| Total - 2 | |

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

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

Called from the Calendar

Senator Morrell asked that Senate Concurrent Resolution No. 2 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 2—
 BY SENATORS MORRELL, BISHOP, CARTER AND PETERSON AND REPRESENTATIVES BOUIE AND LEGER
 A CONCURRENT RESOLUTION

To provide for ratification by the Legislature of Louisiana of the amendment to the Constitution of the United States relative to equal rights for men and women and to memorialize Congress to remove or extend in perpetuity the 1982 ratification deadline in the resolving clause, if Congress deems this necessary in order for the Equal Rights Amendment to be added to the Constitution of the United States.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|---------|----------|
| Bishop | Colomb | Peterson |
| Boudreaux | Luneau | Price |
| Carter | Morrell | Tarver |
| Total - 9 | | |

NAYS

| | | |
|---------------|-----------|-----------|
| Mr. President | Gatti | Mizell |
| Allain | Hensgens | Peacock |
| Appel | Hewitt | Riser |
| Chabert | Johns | Smith, G. |
| Claitor | Lambert | Smith, J. |
| Cortez | Long | Thompson |
| Donahue | Martiny | Walsworth |
| Erdey | Milkovich | White |
| Fannin | Mills | |
| Total - 26 | | |

ABSENT

| | |
|-----------|---------|
| Barrow | Morrish |
| LaFleur | Ward |
| Total - 4 | |

The Chair declared the resolution failed to pass.

Notice of Reconsideration

Senator Morrell moved to reconsider on the next Legislative Day the vote by which the resolution failed to pass.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 18—
 BY SENATOR HENSGENS
 AN ACT

To enact R.S. 33:1651(C), relative to the governing authority of Acadia Parish; to provide relative to the term of office of the parish secretary-treasurer; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Mizell |
| Allain | Gatti | Peacock |
| Appel | Hensgens | Peterson |
| Bishop | Hewitt | Price |
| Boudreaux | Johns | Riser |
| Carter | LaFleur | Smith, G. |
| Chabert | Lambert | Tarver |
| Claitor | Long | Thompson |
| Colomb | Luneau | Walsworth |
| Cortez | Martiny | White |
| Donahue | Milkovich | |
| Erdey | Mills | |
| Total - 34 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-----------|------|
| Barrow | Morrish | Ward |
| Morrell | Smith, J. | |
| Total - 5 | | |

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

SENATE BILL NO. 35—
 BY SENATOR HEWITT
 AN ACT

To amend and reenact R.S. 33:4575 and 4575.3(7), (10), and (20)(a), and R.S. 47:302.26(C)(3); and to repeal R.S. 33:4575.6, relative to the Northshore Harbor Center District in St. Tammany Parish; to provide for a change in name of the district; to provide for powers and duties of the district; to provide relative to certain taxes; to provide for the allocation of certain funds from the St. Tammany Parish Fund; 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 | Fannin | Mizell |
| Allain | Gatti | Peacock |
| Appel | Hensgens | Peterson |
| Bishop | Hewitt | Price |

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| | | |
|-----------|-----------|-----------|
| Boudreaux | Johns | Riser |
| Carter | LaFleur | Smith, G. |
| Chabert | Lambert | Smith, J. |
| Claitor | Long | Tarver |
| Colomb | Luneau | Thompson |
| Cortez | Martiny | Walsworth |
| Donahue | Milkovich | White |
| Erdey | Mills | |

Total - 35

NAYS

Total - 0

ABSENT

| | |
|---------|---------|
| Barrow | Morrish |
| Morrell | Ward |

Total - 4

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. 81—
BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 33:2181(A)(1), relative to the investigation of fire employees; to provide relative to the definition of fire employee; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Mizell |
| Allain | Gatti | Peacock |
| Appel | Hensgens | Peterson |
| Bishop | Hewitt | Price |
| Boudreaux | Johns | Riser |
| Carter | LaFleur | Smith, G. |
| Chabert | Lambert | Smith, J. |
| Claitor | Long | Tarver |
| Colomb | Luneau | Thompson |
| Cortez | Martiny | Walsworth |
| Donahue | Milkovich | White |
| Erdey | Mills | |

Total - 35

NAYS

Total - 0

ABSENT

| | |
|---------|---------|
| Barrow | Morrish |
| Morrell | Ward |

Total - 4

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

SENATE BILL NO. 88—
BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 23:1203.1(K), relative to the workers' compensation medical treatment schedule; to provide for appeals; to provide for deadlines; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Mills |
| Allain | Gatti | Morrell |
| Appel | Hensgens | Peacock |
| Bishop | Hewitt | Price |
| Boudreaux | Johns | Smith, G. |
| Carter | LaFleur | Smith, J. |
| Chabert | Lambert | Tarver |
| Claitor | Long | Thompson |
| Colomb | Luneau | White |
| Cortez | Martiny | |
| Donahue | Milkovich | |

Total - 31

NAYS

| | |
|--------|-----------|
| Erdey | Riser |
| Mizell | Walsworth |

Total - 4

ABSENT

| | |
|---------|----------|
| Barrow | Peterson |
| Morrish | Ward |

Total - 4

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

SENATE BILL NO. 92—
BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 46:1053(B)(4), relative to Iberia Parish Hospital Service District No. 1; to provide for board membership; to provide for term limits; to provide for transition; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Erdey | Mills |
| Allain | Fannin | Mizell |
| Appel | Gatti | Morrell |
| Barrow | Hensgens | Peacock |
| Bishop | Hewitt | Price |
| Boudreaux | Johns | Riser |
| Carter | LaFleur | Smith, G. |
| Chabert | Lambert | Smith, J. |
| Claitor | Long | Tarver |
| Colomb | Luneau | Thompson |
| Cortez | Martiny | Walsworth |
| Donahue | Milkovich | White |

Total - 36

NAYS

Total - 0

ABSENT

| | | |
|---------|----------|------|
| Morrish | Peterson | Ward |
|---------|----------|------|

Total - 3

The Chair declared the bill was passed and ordered it 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. 96—
BY SENATOR BISHOP

AN ACT

To amend and reenact R.S. 33:2740.70(D)(1), relative to the Gentilly Development District in Orleans Parish; to provide for membership to the board of commissioners; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Morrell |
| Allain | Gatti | Peacock |
| Appel | Hensgens | Peterson |
| Barrow | Hewitt | Price |
| Bishop | Johns | Riser |
| Boudreaux | LaFleur | Smith, G. |
| Carter | Lambert | Smith, J. |
| Chabert | Long | Tarver |
| Claitor | Luneau | Thompson |
| Colomb | Martiny | Walsworth |
| Cortez | Milkovich | White |
| Donahue | Mills | |
| Erdey | Mizell | |
| Total - 37 | | |

NAYS

Total - 0

ABSENT

| | |
|-----------|------|
| Morrish | Ward |
| Total - 2 | |

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

SENATE BILL NO. 142—
BY SENATOR HENSGENS

AN ACT

To enact R.S. 33:1992(E) and 2212(F)(3) and R.S. 47:338.24.6, relative to the city of Abbeville; to provide for salary increases for officers of the Abbeville Police and Fire Departments; to authorize the governing authority for the city of Abbeville to levy and collect an additional sales and use tax; to require voter approval; to provide for the use of the tax revenue; to provide for a termination date; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 142 by Senator Hensgens

AMENDMENT NO. 1

On page 1, line 13, following "E." delete "(1)"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|----------|-----------|
| Mr. President | Erdey | Mizell |
| Allain | Fannin | Morrell |
| Appel | Gatti | Peacock |
| Barrow | Hensgens | Peterson |
| Bishop | Hewitt | Price |
| Boudreaux | Johns | Riser |
| Carter | LaFleur | Smith, G. |
| Chabert | Lambert | Smith, J. |
| Claitor | Long | Tarver |
| Colomb | Luneau | Thompson |
| Cortez | Martiny | Walsworth |
| Donahue | Mills | White |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|------|
| Milkovich | Morrish | Ward |
| Total - 3 | | |

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

SENATE BILL NO. 161—
BY SENATOR LAFLEUR

AN ACT

To enact R.S. 34:291(B)(3) and to repeal R.S. 34:291.1 and 295, relative to the Lafayette Economic Development Authority; to provide for oversight responsibility; to remove certain responsibilities for examinations and investigations; and to provide for related matters.

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

SENATE BILL NO. 165—
BY SENATOR COLOMB

AN ACT

To amend and reenact Subparagraph (g)(4) of Paragraph 22 of Article XIV, Section 15.1 of the 1921 Louisiana Constitution, as amended, continued as a statute pursuant to Article X, Section 18 of the 1974 Louisiana Constitution, and R.S. 33:2492(7)(d) and 2552(7)(d), relative to fire and police civil service boards; to provide relative to the administration of tests by the state examiner; to provide for an exception; 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. 165 by Senator Colomb

AMENDMENT NO. 1

On page 2, lines 4 and 5, after "(4)" delete "Except for the city of Shreveport Fire Department, operation" and insert "(a) Operation"

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AMENDMENT NO. 2

On page 2, between lines 6 and 7, insert "(b) Notwithstanding Item (a) of this Sub-subparagraph (4), for a municipality having a population between 198,000 and 200,000 according to the most recent decennial census, operations, management, and supervision of radio, fire alarm, police alarm, and other signal systems."

AMENDMENT NO. 3

On page 2, lines 15 and 16, after "(d)" delete "Except for the city of Shreveport Fire Department, operation" and insert "(i) Operation"

AMENDMENT NO. 4

On page 2, between lines 17 and 18, insert "(ii) Notwithstanding Item (i) of this Subparagraph, for a municipality having a population between 198,000 and 200,000 according to the most recent decennial census, operations, management, and supervision of radio, fire alarm, police alarm, and other signal systems."

AMENDMENT NO. 5

On page 2, lines 24 and 25, after "(d)" delete "Except for the city of Shreveport Fire Department, operation" and insert "(i) Operation"

AMENDMENT NO. 6

On page 2, between lines 26 and 27, insert "(ii) Notwithstanding Item (i) of this Subparagraph, for a municipality having a population between 198,000 and 200,000 according to the most recent decennial census, operations, management, and supervision of radio, fire alarm, police alarm, and other signal systems."

On motion of Senator Peacock, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their votes.

NAYS

ABSENT

Table with 2 columns: Name, ABSENT. Lists names of senators who were absent.

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

SENATE BILL NO. 168— BY SENATOR LAFLEUR

AN ACT

To enact R.S. 33:381(C)(35), relative to the town of Basile; to provide that the chief of police shall be appointed; to provide for the time of the initial appointment; to provide for the method of appointment and for the salary, term, duties, and supervision of the police chief; and to provide for related matters.

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

SENATE BILL NO. 223— BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 47:287.732(B)(1), 293(10), and 1675(G), and to enact R.S. 47:287.732(B)(6), 287.732.2, 293(9)(a)(xviii), 297.14, and 1675(F)(4), relative to income taxation of Subchapter S corporations and other flow through entities; to reduce the tax rates applicable to the income of Subchapter S corporations that elect to be taxed at the corporation level; to authorize certain flow through entities not taxed as corporations to elect to file as corporations for state income tax purposes; to provide for a modification to exclude certain Subchapter S corporation and flow through income from income subject to state individual income tax; to provide for tax credits earned by Subchapter S corporations and other flow through entities; and to provide for related matters.

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

SENATE BILL NO. 225— BY SENATOR FANNIN

AN ACT

To enact R.S. 47:302(BB)(110), 305.24, 321(P)(111), 321.1(I)(111), and 331(V)(111), relative to state sales and use tax exemptions; to provide a sales tax exemption for student farmers for feed, seed, and fertilizer; to provide for effectiveness; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, NAYS. Lists names of senators and their votes.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, ABSENT. Lists names of senators who were absent.

The Chair declared the bill was passed and ordered it sent to the House. Senator Fannin 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 Morrell asked that Senate Bill No. 4 be called from the Calendar.

SENATE BILL NO. 4—
BY SENATORS MORRELL, BARROW AND TARVER AND
REPRESENTATIVE LEGER
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 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|---------|-----------|
| Mr. President | Colomb | Peterson |
| Allain | Erdey | Price |
| Barrow | Gatti | Riser |
| Bishop | Luneau | Smith, G. |
| Boudreaux | Mills | Smith, J. |
| Carter | Mizell | Tarver |
| Chabert | Morrell | Thompson |
| Total - 21 | | |

NAYS

| | | |
|------------|----------|-----------|
| Appel | Hensgens | Martiny |
| Claitor | Hewitt | Milkovich |
| Donahue | Lambert | Peacock |
| Fannin | Long | Walsworth |
| Total - 12 | | |

ABSENT

| | | |
|-----------|---------|-------|
| Cortez | LaFleur | Ward |
| Johns | Morrish | White |
| Total - 6 | | |

The Chair declared the bill failed to pass for lack of receiving the required two-thirds vote.

Notice of Reconsideration

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

Called from the Calendar

Senator Mills asked that Senate Bill No. 41 be called from the Calendar.

SENATE BILL NO. 41—
BY SENATOR MILLS
AN ACT

To amend and reenact R.S. 22:1863(2) and to enact R.S. 22:1863(9) and 1867, Part VII of Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1252 through 1254, and Chapter 36 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2861 through 2871, relative to regulation of pharmacy benefit managers; to provide legislative intent and public health policy;

to provide for protection of the public; to provide for general applicability; to provide for licensure by the Louisiana Department of Insurance; to provide for permitting by the Louisiana Board of Pharmacy; to provide for minimum licensure and permit criteria; to provide for rulemaking; to provide for penalties; to provide for unfair trade practices; to provide for enforcement; to provide for authority of the attorney general; to provide for written notice; to provide for a hearing; to provide for an appeal; to provide for a cause of action under the Unfair Trade Practices and Consumer Protection Law; to provide for severability; 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. 41 by Senator Mills

AMENDMENT NO. 1
On page 6, line 8, following "**ownership**" change "**will**" to "**shall**"

AMENDMENT NO. 2
On page 16, line 6, following "**Pharmacy**" insert "1"

AMENDMENT NO. 3
On page 16, line 13, change "**deemed**" to "**considered**"

AMENDMENT NO. 4
On page 16, line 18, change "**deemed**" to "**considered**"

AMENDMENT NO. 5
On page 17, line 4, following "**Code**" insert "1"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mills to Engrossed Senate Bill No. 41 by Senator Mills

AMENDMENT NO. 1
On page 2, delete lines 5 through 20 and insert the following:
"(2) "Maximum Allowable Cost List" means a listing of the National Drug Code used by a pharmacy benefit manager setting the maximum allowable cost on which reimbursement to a pharmacy or pharmacist may be based. "**Maximum Allowable Cost List**" shall include any term that a pharmacy benefit manager or a healthcare insurer may use to establish reimbursement rates for generic and multi-source brand drugs to a pharmacist or pharmacy for pharmacist services. The term "**Maximum Allowable Cost List**" shall not include any rate mutually agreed to and set forth in writing in the contract between the pharmacy benefit manager and the pharmacy. However, this definition shall not be interpreted to preclude a pharmacy benefit manager from establishing effective rate pricing for a pharmacist or pharmacy that is not a local pharmacy or local pharmacist as defined in R.S. 46:460.36(A)(3)."

AMENDMENT NO. 2
On page 2, line 24, delete "**in excess of**" and insert "**different than**"

AMENDMENT NO. 3
On page 2, line 28, after "**spread pricing**" insert "1; notice exception"

AMENDMENT NO. 4

On page 2, line 29, at the beginning of the line, insert "A."

AMENDMENT NO. 5

On page 3, line 1, after "state" insert "unless the pharmacy benefit manager provides written notice as provided in Subsection B of this Section"

AMENDMENT NO. 6

On page 3, between lines 1 and 2 insert the following:

"B. The notice issued by a pharmacy benefit manager, or a health insurance issuer where the health insurance issuer has agreed to issue the notice, that utilizes spread pricing shall be:

(1) Required for each health insurance issuer or plan provider in which the pharmacy benefit manager engaged or participated in spread pricing.

(2) Delivered to the policyholder.

(3) Provided at least biannually.

(4) The aggregate amount of spread pricing charged by the pharmacy benefit manager during the period.

(5) Written in plain, simple, and understandable English.

C. Any violation of this Section that is committed or performed with such frequency as to indicate a general business practice shall be subject to the provisions of the Unfair Trade Practices and Consumer Protection Law, R.S. 51:1401 et seq."

AMENDMENT NO. 7

On page 3, line 12, after "manager" delete "shall also be" and insert "may be but is not"

AMENDMENT NO. 8

On page 3, line 14, after "more" delete "of the"

AMENDMENT NO. 9

On page 5, between lines 22 and 23, insert the following:

"C. Failure of a pharmacy benefit manager to satisfy the duties established in this Section shall not create a separate or independent cause of action nor shall it be construed to prohibit any cause of action established by or recognized in federal or state law."

AMENDMENT NO. 10

On page 7, line 3, after "permitting" delete the remainder of the line

AMENDMENT NO. 11

On page 7, line 4, delete "shall" and insert "may"

AMENDMENT NO. 12

On page 8, delete line 29 and on page 9, delete lines 1 through 20

AMENDMENT NO. 13

On page 10, between lines 17 and 18, insert the following:

"(17) The president of the Louisiana Association of Business and Industry.

(18) The chief executive officer of the Louisiana Business Group on Health.

(19) The president of America's Health Insurance Plans.

(20) The president of the Louisiana AFL-CIO.

(21) The president of the Louisiana Association of Health Underwriters."

AMENDMENT NO. 14

On page 10, line 29, after "commissioner" insert "and the board of pharmacy"

AMENDMENT NO. 15

On page 11, line 16, after "The" delete "authority of the" and after "shall" delete the remainder of the line and insert "advise on matters that include but are not limited"

AMENDMENT NO. 16

On page 11, line 17, delete "matters involving"

AMENDMENT NO. 17

On page 11, line 19, after "applicable rules" insert "and regulations of state agencies"

AMENDMENT NO. 18

On page 12, delete lines 4 through 9 and insert the following:

"(4) Conduct or participate in "spread pricing" as defined in R.S. 22:1863(9) without providing the notice required by R.S. 22:1867."

AMENDMENT NO. 19

On page 12, line 10, after "(5)" insert "(a)" and after "steering" delete the remainder of the line and delete lines 11 through 17 and insert "to a pharmacy in which the pharmacy benefit manager maintains an ownership interest or control, without making a written disclosure and receiving acknowledgment from the patient. The disclosure required by this Paragraph shall provide notice that the pharmacy benefit manager has an ownership interest in the pharmacy, and that the patient has the right under the law to use any alternate pharmacy that they choose. The pharmacy benefit manager is prohibited from retaliation or further attempts to influence the patient, or treat the patient or the patient's claim any differently if the patient chooses to use the alternate pharmacy."

(b) The provisions of this Paragraph shall not apply to employers, unions, associations, or other persons who employ, own, operate, control, or contract directly with a pharmacy or pharmacist for the purpose of managing or controlling prescription costs paid for the benefit of an employee or member or those covered by the employee or member's plan, or when the persons contract with a pharmacy benefit manager to steer employees or members to pharmacists or pharmacies which the person owns, operates, or controls."

AMENDMENT NO. 20

On page 12, line 22, after "manager," delete the remainder of the line

AMENDMENT NO. 21

On page 12, line 23, at the beginning of the line, insert

"(a) For purposes of this Section "inducement" means"

AMENDMENT NO. 22

On page 12, between lines 24 and 25, insert the following:

"(b) The provisions of this Paragraph shall not apply to employers, unions, associations, or other persons who employ, own, operate, control, or contract directly with a pharmacy or pharmacist for the purpose of managing or controlling prescription costs paid for the benefit of an employee or member or those covered by the employee or member's plan, or when the persons contract with a pharmacy benefit manager to steer employees or members to pharmacists or pharmacies which the person owns, operates, or controls."

AMENDMENT NO. 23

On page 12, line 27, after "manager" delete the remainder of the line and delete lines 28 and 29, and on page 13, delete lines 1 through 3 and insert "as authorized by R.S. 22:1856.1."

AMENDMENT NO. 24

On page 13, delete lines 4 through 7 and insert the following:

"(8) Fail to reimburse a local pharmacist or local pharmacy, as defined in R.S. 46:460.36(A)(3), an amount that is not greater than or equal to the amount it reimburses chain pharmacies, mail-order pharmacies, specialty pharmacies or affiliates of the pharmacy benefit manager for the same drug or device or for the same pharmacy service in this state."

AMENDMENT NO. 25

On page 13, delete lines 8 through 24

AMENDMENT NO. 26

On page 13, delete lines 28 and 29, and on page 14, delete line 1

AMENDMENT NO. 27

On page 14, line 2, delete "(b)" and insert "(a)"

AMENDMENT NO. 28

On page 14, line 8, delete "(c)" and insert "(b)"

AMENDMENT NO. 29

On page 14, line 15, after "pharmacies" delete ". All remittance advice must be" and after "R.S. 22:1856" insert a "." and delete the remainder of the line and delete lines 16 and 17

AMENDMENT NO. 30

On page 14, delete lines 21 and 22 and insert
"(a) A pharmacy benefit"

AMENDMENT NO. 31

On page 14, line 28, after "service" insert "or charge or pay anyone a fee or surcharge for paying any sales tax or remitting any sales tax proceeds to a pharmacist or pharmacy if that fee or surcharge would be imposed directly or indirectly on the pharmacist or pharmacy"

AMENDMENT NO. 32

On page 15, between lines 9 and 10, insert the following:

"(e) State or local sales taxes and other applicable state imposed taxes or fees shall be considered as part of the allowable cost and shall be included in the claim submitted by a pharmacist or pharmacy."

AMENDMENT NO. 33

On page 15, line 11, after "days" insert "for a prescription of at least a thirty-day supply"

AMENDMENT NO. 34

On page 15, line 12, after "beneficiary" delete the remainder of the line and delete lines 13 and 14 and insert "to follow a plan's step therapy protocol if the prescribed drug is on the health plan's prescription drug formulary, the beneficiary has tried the step therapy required prescription drug while under his current or previous health plan, and the provider has submitted a justification and supporting clinical documentation that such prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse effect or event."

AMENDMENT NO. 35

On page 15, delete lines 15 through 17 and insert the following:

"(16) Delay a decision on a request for authorization to dispense a prescription drug for more than seventy-two hours, or twenty-four hours in exigent circumstances in which the patient, in the opinion of the prescribing provider, pharmacy, or pharmacist submitting the authorization request, is suffering from a health condition that may seriously jeopardize the patient's life, health, or ability to regain maximum function. A request for authorization shall include relevant data or appropriate documentation to render a decision on a request for authorization."

AMENDMENT NO. 36

On page 15, line 24, after "act" insert ", except as otherwise provided for in this Section."

AMENDMENT NO. 37

On page 16, line 4, after "without" delete the remainder of the line and delete lines 5 through 7 and insert "being registered with and in good standing with the Louisiana secretary of state to do business in Louisiana or without being licensed by and in good

standing with the commissioner of insurance, as provided by this Chapter."

AMENDMENT NO. 38

On page 16, delete lines 8 through 12 and insert the following:

"B. The commission of any of the acts or any combination of acts prohibited by this Section shall be considered an unfair method of competition and unfair practice or act in accordance with the Unfair Trade Practices and Consumer Protection Law, R.S. 51:1401 et seq., if the violations are committed or performed with such frequency as to indicate a general business practice. Notwithstanding any provision of law to the contrary, the private right of action created by R.S. 51:1409 shall not apply to this Section."

AMENDMENT NO. 39

On page 16, line 14, after "committed." delete the remainder of the line and delete line 15

AMENDMENT NO. 40

On page 16, line 16, after "without" delete the remainder of the line and delete lines 17 and 18 and insert "being registered with and in good standing with the secretary of state to do business in Louisiana or without being licensed by and in good standing with the commissioner of insurance, as provided by this Chapter shall be considered a separate"

AMENDMENT NO. 41

On page 16, between lines 19 and 20 insert the following:

"C.(1) Nothing in this Section shall be construed to interfere or violate a consumer's right to know where the consumer may have access to the lowest cost drugs, whether a consumer is utilizing insurance or other third-party reimbursement or not. (2) Nothing in this Section shall be construed to interfere with the requirement that consumers receive notice of changes to pharmacy networks, such as the inclusion of new pharmacies, or removal of existing pharmacies from networks."

AMENDMENT NO. 42

On page 17, line 12, after "complaints" insert "received against pharmacy benefit managers"

AMENDMENT NO. 43

On page 17, line 14, after "complaints" insert "received against pharmacy benefit managers"

AMENDMENT NO. 44

On page 17, delete lines 19 and 20

AMENDMENT NO. 45

On page 17, line 21, delete "(3)" and insert "(2)"

AMENDMENT NO. 46

On page 17, delete lines 22 and 23

AMENDMENT NO. 47

On page 18, delete line 29 and on page 19, delete line 1

AMENDMENT NO. 48

On page 19, line 2, delete "(b)" and insert "(a)"

AMENDMENT NO. 49

On page 19, line 4, delete "(c)" and insert "(b)"

AMENDMENT NO. 50

On page 19, delete lines 19 through 23 and insert the following:

"Section 5. The provisions of R.S. 40:2869, as enacted by this Act, shall become effective on August 1, 2019.

Section 6. Except as provided in Section 5 of this Act, the provisions of this Act shall become effective on July 1, 2020."

On motion of Senator Mills, the amendments were adopted.

Floor Amendments

Senator Claitor submitted the following amendments on behalf of Senator Mills.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 41 by Senator Mills

AMENDMENT NO. 1
On page 1, line 5, change "2871" to "2870"

AMENDMENT NO. 2
On page 1, line 11, after "trade practices:" delete the remainder of the line and on line 12 delete "authority of the attorney general;"

AMENDMENT NO. 3
On page 4, line 1, change "2871" to "2870"

AMENDMENT NO. 4
On page 16, delete lines 20 through 29 and delete pages 17 and 18 and on page 19 delete lines 1 through 14

Senator Claitor moved the adoption of the amendments.
Senator Mills objected.

ROLL CALL

The roll was called with the following result:

YEAS

Appel Donahue Smith, G.
Claitor Johns Tarver
Colomb Martiny White
Total - 9

NAYS

Mr. President Fannin Mizell
Allain Gatti Peacock
Barrow Hensgens Peterson
Bishop Hewitt Price
Boudreaux Lambert Riser
Carter Luneau Smith, J.
Chabert Milkovich Thompson
Cortez Mills Walsworth
Total - 24

ABSENT

Erdey Long Morrish
LaFleur Morrell Ward
Total - 6

The Chair declared the amendments were rejected.

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 Gatti Morrell
Allain Hensgens Peacock
Appel Hewitt Peterson
Barrow Johns Price
Bishop LaFleur Riser
Boudreaux Lambert Smith, G.
Carter Long Smith, J.
Chabert Luneau Thompson

Colomb Martiny Walsworth
Cortez Milkovich White
Donahue Mills
Fannin Mizell

Total - 34

NAYS

Claitor Tarver
Total - 2

ABSENT

Erdey Morrish Ward
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.

Called from the Calendar

Senator Morrell asked that Senate Bill No. 146 be called from the Calendar.

SENATE BILL NO. 146—
BY SENATORS MORRELL, BISHOP AND CARTER AND REPRESENTATIVES JIMMY HARRIS, JAMES AND LEGER
AN ACT

To amend and reenact R.S. 15:257, relative to compulsory process; to prohibit the arrest and incarceration of victims of domestic violence and sexual assault who refuse to testify against their abusers; and to provide for related matters.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 146 by Senator Morrell

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 15:257" insert "and to enact R.S. 15:257.1 and 625"

AMENDMENT NO. 2
On page 1, line 2, after "process;" delete the remainder of the line and delete line 3, and insert: "to provide limitations of arrest and incarceration of victims of domestic violence and sexually oriented criminal offenses who refuse to testify"

AMENDMENT NO. 3
On page 1, line 6, after "reenacted" insert "and R.S. 15:257.1 and 625 are hereby enacted"

AMENDMENT NO. 4
On page 1, line 8, change "Subsection B of this Section" to "R.S. 15:257.1"

AMENDMENT NO. 5
On page 2, delete lines 1 through 7, and insert:
"\$257.1. Exception for material witness warrants for victims of sex offenses and intimate partner violence; legislative intent

A. The legislature hereby finds and declares that domestic violence and sexual assault are major public health problems and violations of human rights. The legislature further finds that in order to be in compliance with the Violence Against Women Act, this statute is meant to discourage the use of material witness warrants and enforce the premise that the use of material witness warrants for victims of intimate partner violence or sex crimes is an extraordinary measure that should only be used when absolutely necessary and that any incarceration shall only occur

after all other remedies have been exhausted in order to prevent further victimization and trauma to the victims.

B. A judge shall not order a material witness warrant to secure the presence of a victim listed in the indictment or bill of information in a misdemeanor prosecution in cases where the instituted charges are one of a sex offense under R.S. 15:541 or a listed victim in the indictment or bill of information of a misdemeanor offense committed under R.S. 14:34.9 (Battery of a Dating Partner) or R.S. 14:35.3 (Domestic Abuse Battery) that is a pending matter before a court.

C. (1) A judge shall not order a material witness warrant to secure the presence of a victim listed in the indictment or bill of information in a felony prosecution in cases where the instituted charges are either:

(a) A sex offense under R.S. 15:541.

(b) A case where the instituted charges are of an offense committed under: R.S. 14:34.9 (Battery of a Dating Partner), R.S. 14:35.3 (Domestic Abuse Battery), R.S. 14:37.7 (Domestic Abuse Aggravated Assault), R.S. 14:34.9.1 (Aggravated Assault upon a Dating Partner).

(c) A case where the victim listed in the indictment or bill of information of the current felony charge pending before the court is the current or former spouse or the current or former dating partner, regardless of whether or not the individuals reside in the same household that is a pending matter before a court.

(2) Notwithstanding Paragraph (1) of this Subsection, a judge may order a material witness warrant to secure the presence of a victim listed in the indictment or bill of information in a felony prosecution if the applicant presents an affidavit to the judge attesting to all of the following:

(a) The efforts made by the applicant to secure the witness's appearance in court.

(b) That the testimony of the witness is essential to the prosecution or defense of a criminal proceeding.

(c) The filing of the affidavit made pursuant to this Section is filed in compliance with R.S. 46:1844(W).

D. Appearance of the secured victim after execution of the material witness warrant.

(1) When a witness who is a victim of any of the above enumerated offenses is secured pursuant to a material witness warrant issued by a judge, notification shall immediately be made to the judge who signed the warrant and the duty judge or magistrate, as well as the applicant who requested the order. Upon notification that the witness has been secured:

(a) Inside of the jurisdiction where the material warrant was issued, the victim shall be brought before a judge on the next scheduled business day.

(b) Outside of the jurisdiction in which the warrant was issued the victim shall be brought before the judge as soon as practically possible.

(2) Once the victim is brought before a judge, the judge shall explore all available alternatives to incarceration to ensure the victim's appearance in court.

(3) The witness shall be notified of the right to retain counsel or, if indigent, shall be appointed counsel for a bond hearing.

E. Right to bail; presumption in favor of release.

(1) There shall be a presumption that a victim, as defined in Subsection C of this Section, be released on his own recognizance.

(2) The court shall consider all least restrictive means to ensure the witness's appearance in court pursuant to a subpoena, including but not limited to imposing conditions of release such as:

(a) Bond supervision or GPS monitoring to be paid by the applicant of the warrant.

(b) Treatment facilities, shelters, or lodging paid for by the applicant of the warrant.

(3) The court shall notify the witness of services offered by community partners or victim witness assistance coordinators.

F. Incarceration.

(1) The court shall exhaust all alternatives prior to ordering the incarceration of a victim as defined in Subsection C of this Section.

(2) If a judge determines by there are no alternatives that will secure the victim's testimony, then the judge may order that

the witness be placed in protective custody. If practically possible, a victim shall not be incarcerated in the same institution as the defendant.

G. Nothing in this Section shall be construed to limit the authority of the district attorney or defendant from securing a witness outside the jurisdiction of the court. Nothing in this Section shall be construed to create a release mechanism for a witness if the witness is incarcerated for any reason unrelated to a material witness warrant sought under this Section.

* * *

§625. Material witness warrant data; reporting

A. By February fifteenth of each year, each criminal justice agency shall report all of the following information for the prior calendar year to the Louisiana Department of Justice:

(1) The number of material witness warrants applied for.

(2) The number of material witness warrants signed by a judge.

(3) The number of material witness warrants executed.

(4) The number of victims as defined in R.S. 15:257.1(C) incarcerated pursuant to a material witness warrant.

B. (1) By March first of each year, the Louisiana Department of Justice shall transmit the information required in Subsections A of this Section to the chairman of the Senate Committee on Judiciary C and the chairman of the House Committee on Judiciary and shall publish the information on the Department of Justice's website.

(2) The Department of Justice's report shall also include the name and contact information of each criminal justice agency that failed to submit the report required by Subsection A of this Section.

C. "Criminal justice agency" has the same meaning as defined in R.S. 15:624(D)(1).

AMENDMENT NO. 6

On page 2, line 8, change "Section 2." to "Section 3."

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Fannin | Mizell |
| Allain | Gatti | Morrell |
| Appel | Hensgens | Peacock |
| Barrow | Hewitt | Peterson |
| Bishop | Johns | Price |
| Boudreaux | LaFleur | Riser |
| Carter | Lambert | Smith, G. |
| Chabert | Long | Smith, J. |
| Claitor | Luneau | Tarver |
| Colomb | Martiny | Thompson |
| Cortez | Milkovich | Walsworth |
| Donahue | Mills | White |
| Total - 36 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|---------|------|
| Erdey | Morrish | Ward |
| Total - 3 | | |

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

Called from the Calendar

Senator Gatti asked that Senate Bill No. 107 be called from the Calendar.

SENATE BILL NO. 107— BY SENATORS GATTI, BISHOP, CARTER AND JOHNS AN ACT

To amend and reenact R.S. 40:1374 and to enact R.S. 13:5555, R.S. 23:1036.1, and R.S. 33:2581.2, relative to financial security for certain public employees; to provide for workers' compensation; to provide for certain sheriffs and deputy sheriffs; to provide for certain fire employees; to provide for certain volunteer firefighters; to provide for certain emergency medical services personnel; to provide for certain employees of police departments; to provide for certain employees of state police; to provide for post traumatic stress disorder as a compensable injury when the injury is suffered by certain employees; to provide for definitions; to provide for legal presumptions; to provide for rebuttal evidence; and to provide for related matters.

Floor Amendments

Senator Gatti proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gatti to Engrossed Senate Bill No. 107 by Senator Gatti

AMENDMENT NO. 1

In the set of Senate Floor Amendments designated SFASB107 SULLIVAN 1278 proposed by Senator Gatti and adopted by the Senate on May 2, 2019, on page 1, line 23, after "E." insert

"(1) Nothing in this Section shall modify the qualifications necessary to establish eligibility to receive benefits or the calculation of benefits to be paid under any Louisiana public pension or retirement system, plan, or fund.

(2)"

AMENDMENT NO. 2

On page 7, line 18, after "employment" and before "." insert "for purposes of workers' compensation benefits"

AMENDMENT NO. 3

On page 7, line 21, following "state" and before "law" insert "workers' compensation"

AMENDMENT NO. 4

On page 8, after line 10, insert:

"F. (1) Nothing in this Section shall modify the qualifications necessary to establish eligibility to receive benefits or the calculation of benefits to be paid under any Louisiana public pension or retirement system, plan, or fund.

(2) In case of a conflict between any provision of Title 11, including any provision in Subpart E of Part II of Chapter 4 of Title 11, and any provision of this Section, the provision of Title 11 shall control."

On motion of Senator Gatti, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Mizell. Includes Mr. President, Allain, Appel, Barrow, Gatti, Hensgens, Hewitt, Morrell, Peacock, Peterson.

Table with 3 columns: Name, Johns, Price. Includes Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, White.

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Morrish, Ward. Includes Erdey, Total - 3.

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

Called from the Calendar

Senator Morrell asked that Senate Bill No. 5 be called from the Calendar.

SENATE BILL NO. 5— BY SENATORS MORRELL, BARROW, LAFLEUR AND TARVER AND REPRESENTATIVE LEGER AN ACT

To enact R.S. 47:302(BB)(110), 305.72, 321(P)(111), 321.1(I)(111), 331(V)(111), and 337.10(P), relative to state 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.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Reengrossed Senate Bill No. 5 by Senator Morrell

AMENDMENT NO. 1

On page 2, line 18, following "shall" change "only apply" to "apply only"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Reengrossed Senate Bill No. 5 by Senator Morrell

AMENDMENT NO. 1

On page 4, after "January 1, 2021" delete the remainder of the line and insert ""

AMENDMENT NO. 2

On page 4, delete lines 4 through 7

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Hensgens, Peterson. Lists names like Mr. President, Allain, Barrow, Bishop, Boudreaux, Carter, Chabert, Colomb, Cortez, Gatti and their corresponding names in the other columns.

NAYS

Table with 3 columns: Name, Donahue, Peacock. Lists names Appel, Claitor and their corresponding names in the other columns.

ABSENT

Table with 3 columns: Name, LaFleur, Ward. Lists names Erdey, Fannin and their corresponding names in the other columns.

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 129—

BY SENATOR MORRELL

A RESOLUTION

To commend the Johnson & Johnson Global Pro Bono Program, part of their Talent for Good Program, operating in New Orleans, Louisiana, and its focus on healthcare while in the city this spring.

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

May 8, 2019

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:

Table with 3 columns: HB No. 157, HB No. 252, HB No. 278; HB No. 322, HB No. 576, HB No. 120; HB No. 194, HB No. 378.

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 120—

BY REPRESENTATIVE BOURRIQUE AN ACT

To transfer any monies remaining in the Shrimp Trade Petition Account into the Shrimp Marketing and Promotion Fund; and to provide for related matters.

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

HOUSE BILL NO. 157—

BY REPRESENTATIVE STAGNI AN ACT

To amend and reenact R.S. 32:402.1(E)(1), (2), (5), and (6) and to enact R.S. 32:402.1(E)(7), relative to Class "E" temporary instructional permits; to change when Class "E" temporary instructional permits are required; to provide for the design on Class "E" temporary instructional permits; to provide for the surrender of a Class "E" temporary instructional permit; and to provide for related matters.

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

HOUSE BILL NO. 194—

BY REPRESENTATIVE BRASS AN ACT

To amend and reenact R.S. 39:1556(39), relative to definitions within the Louisiana Procurement Code; to provide for a technical correction to a certain definition; and to provide for related matters.

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

HOUSE BILL NO. 252—

BY REPRESENTATIVE GAINES AN ACT

To amend and reenact Civil Code Article 1968 and to repeal Title XIV of Book III of the Civil Code, comprised of Civil Code Articles 2982 through 2984, relative to aleatory contracts; to provide with respect to unlawful cause; to provide with respect to gaming, gambling, and wagering; and to provide for related matters.

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

HOUSE BILL NO. 278—

BY REPRESENTATIVE MACK AN ACT

To amend and reenact R.S. 32:378.2(M) and to enact R.S. 32:378.2(N), relative to restricted driver's licenses; to authorize a credit towards suspension time or any reinstatement requirement for an individual whose driving privilege is restricted and whose vehicle is equipped with an ignition interlock device under certain circumstances; to provide for prohibitions; to provide for 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. 322—

BY REPRESENTATIVES TURNER AND CARMODY AN ACT

To amend and reenact R.S. 40:1563(D), relative to the state fire marshal; to provide with respect to the duties of fire prevention bureaus; to provide for the inspection of structures, watercraft, and movables; to provide with respect to life safety standards; to provide for investigation of fires; and to provide for related matters.

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

May 8, 2019

HOUSE BILL NO. 378—

BY REPRESENTATIVE JAMES

AN ACT

To enact Subpart E of Part I of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1 through 17.4, relative to digitized identification and credentials; to authorize entities to submit credentials for use in an electronic wallet; to authorize the promulgation of rules and regulations; to provide for a fee; to provide definitions; to provide for privacy; and to provide for related matters.

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

HOUSE BILL NO. 576—

BY REPRESENTATIVE ZERINGUE

AN ACT

To enact R.S. 17:3129.9, relative to the financial authority of the Board of Regents; to authorize the board of Regents to carryover certain monies at the end of a fiscal year; 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.

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 8, 2019

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To encourage closer economic relationships between the United States and the Republic of China (Taiwan) and support its meaningful participation in various international organizations.

SENATE CONCURRENT RESOLUTION NO. 85—

BY SENATOR PEACOCK AND REPRESENTATIVE HORTON

A CONCURRENT RESOLUTION

To commend Wanda Bennett for her years of exemplary public service and to congratulate her upon the occasion of her retirement from the Bossier Parish Police Jury.

Respectfully submitted, KAREN CARTER PETERSON Chairman

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

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

April 22, 2019

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 4—

BY SENATOR BARROW AND REPRESENTATIVE JAMES

A CONCURRENT RESOLUTION

To recognize June 12, 2019, as Women Veterans Day in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR BARROW AND REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To declare April 17, 2019, as 100 Black Women of Metropolitan Baton Rouge Day in Louisiana.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR CLAITOR AND REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Joseph Patton "Beaver" Brantley IV, a man of many accomplishments and a well-respected attorney in Baton Rouge, Louisiana.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death, on January 24, 2019, of dedicated and beloved priest and tireless advocate for the disabled, Father Patrick Joseph Mascarella, at the age of seventy-seven.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To recognize Wednesday, April 24, 2019, as the thirty-fifth annual Red and White Day at the Louisiana Legislature.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To commend T.S. Cooley Elementary Magnet School in Calcasieu Parish upon being recognized as an "Exemplary High Performance School" and as a 2018 National Blue Ribbon School.

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR JOHNS AND REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To recognize April 17, 2019, as CASA Day at the Legislature and to commend the Louisiana Court Appointed Special Advocate (CASA) programs and volunteers for their outstanding work on behalf of the abused and neglected children of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Tom Kelly on his accomplishments in the newspaper industry.

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATOR JOHNS AND REPRESENTATIVE DWIGHT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Betty Jane Bates.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend and congratulate Kathryn M. Ferguson of Shreveport upon receipt of the 2019 Louisiana Middle School Teacher of the Year award from the Louisiana State Department of Education and to recognize her many contributions to education and the teaching profession.

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Ricky Kilpatrick for thirty-three years of exemplary public service and to congratulate him upon his retirement from the LSU AgCenter on October 31, 2018.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR PEACOCK AND REPRESENTATIVE NORTON
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Frank J. "Champ" Cicero Sr., teacher, athletic coach, and mentor; a man who was fulfilled by his service to his God, to his family, to his students, and to his community.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To commend Bob Griffin of Shreveport, Louisiana, for nearly six decades of excellence in broadcast journalism and to congratulate him upon receipt of the 2018 Gold Circle Emmy Award.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATORS PEACOCK AND WALSWORTH
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Duane K. Ebarb of Shreveport, a kind and caring individual who worked tirelessly as a champion for the rights of the disabled as a consultant, public servant, educator, administrator, and friend.

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To recognize Thursday, April 25, 2019, as Junior League Day at the state capitol and to commend the Junior League for its contributions to the state of Louisiana.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message to the Secretary of State

SIGNED
SENATE CONCURRENT RESOLUTIONS

May 8, 2019

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATORS CARTER, BARROW, BOUDREAUX, CHABERT,
CLAITOR, HENSGENS AND MILLS
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to pass the Disability Integration Act of 2019.

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATORS PRICE AND LAMBERT AND REPRESENTATIVES
BACALA, BERTHELOT, BRASS AND SCHEXNAYDER
A CONCURRENT RESOLUTION

To commend and congratulate Expert Maintenance & Construction Services, LLC, and its president, James J. Moore, on being named the 2019 Minority Small Business Champion of the Year by the U.S. Small Business Administration Louisiana District.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR PEACOCK AND REPRESENTATIVE CARMODY
A CONCURRENT RESOLUTION

To commend the Women's Department Club of Shreveport upon its one hundredth anniversary and to note the occasion of "A Century of Women" celebration on Saturday, May 18, 2019.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

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

ENROLLMENTS

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

May 8, 2019

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 104—
BY SENATOR HEWITT

A RESOLUTION
To commend Kid Energy USA on their efforts to educate children on safety and awareness in the petroleum industry.

SENATE RESOLUTION NO. 106—
BY SENATOR CARTER

A RESOLUTION
To commend and congratulate Judge Edwin A. Lombard upon being inducted into the Louisiana Political Hall of Fame.

SENATE RESOLUTION NO. 107—
BY SENATOR CORTEZ

A RESOLUTION
To commend the Ascension Episcopal High School girls' tennis team on winning the 2019 Allstate Sugar Bowl/LHSAA Girls Tennis State Championship-Division IV.

SENATE RESOLUTION NO. 108—
BY SENATOR HEWITT

A RESOLUTION
To designate May 8, 2019, as NASA Day at the state capitol, acknowledge the accomplishments of NASA and the remarkable technical and scientific contributions made to the state and nation, and recognize the work of the distinguished engineers, technicians, management, and support personnel working at the Michoud Assembly Facility.

SENATE RESOLUTION NO. 109—
BY SENATOR BISHOP

A RESOLUTION
To commend Alpha Phi Alpha Fraternity, Incorporated upon the celebration of its one hundred twelfth anniversary as an organization and recognize Wednesday, May 8, 2019, as Alpha Phi Alpha Day at the Louisiana State Capitol.

SENATE RESOLUTION NO. 45—
BY SENATOR COLOMB

A RESOLUTION
To adopt Rule No. 5.7 of the Rules of Order of the Senate, to authorize certain designation or referral of certain former members of the Senate.

SENATE RESOLUTION NO. 110—
BY SENATORS CARTER AND BISHOP

A RESOLUTION
To commend Bivian "Sonny" Lee III for his work on behalf of the community and the Son of a Saint organization for enhancing the lives of one hundred fatherless boys in New Orleans.

SENATE RESOLUTION NO. 111—
BY SENATORS HEWITT, DONAHUE AND MIZELL

A RESOLUTION
To commend Leadership Northshore and welcome the 2019 class to the state capitol.

SENATE RESOLUTION NO. 112—

BY SENATOR PEACOCK

A RESOLUTION

To designate Monday, May 6, 2019, as Louisiana CPA Day at the state capitol.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 8, 2019

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE BERTHELOT AND SENATOR COLOMB

A CONCURRENT RESOLUTION

To designate Wednesday, May 8, 2019, as LMA Municipal Day at the state capitol.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE DAVIS

A CONCURRENT RESOLUTION

To designate September 1 through 7, 2019, as Resiliency Week in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVES SMITH AND JACKSON

A CONCURRENT RESOLUTION

To designate Wednesday, May 8, 2019, as AKA Day at the state capitol and to commend the members of Alpha Kappa Alpha Sorority, Incorporated.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVES EDMONDS AND HOFFMANN AND SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To recognize Thursday, May 9, 2019, as Bowties for Babies Day at the state capitol.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE JACKSON AND SENATOR WALSWORTH

A CONCURRENT RESOLUTION

To commend Representative Frank A. Hoffmann for his years of pro-life leadership in the Legislature of Louisiana and throughout this state.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE LEGER

A CONCURRENT RESOLUTION

To commend a group of Louisiana State University engineering students who custom-designed and constructed a beach-accessible wheelchair for a young woman from Plaquemine as part of their senior capstone project.

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE POPE

A CONCURRENT RESOLUTION

To designate Tuesday, May 14, 2019, as School Board Member and School Superintendent Recognition Day at the state capitol.

HOUSE CONCURRENT RESOLUTION NO. 64—

BY REPRESENTATIVE BARRAS

A CONCURRENT RESOLUTION

To commend Alfred W. "Butch" Speer on the momentous occasion of his retirement after thirty-five years of service as Clerk of the Louisiana House of Representatives.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Lists present members including Mr. President, Fannin, Morrell, Allain, Gatti, Morrish, Appel, Hensgens, Peacock, Barrow, Hewitt, Peterson, Bishop, Johns, Price, Boudreaux, LaFleur, Riser, Carter, Lambert, Smith, G., Chabert, Long, Smith, J., Claitor, Luneau, Tarver, Colomb, Martiny, Thompson, Cortez, Milkovich, Walsworth, Donahue, Mills, Ward, Erdey, Mizell, White.

Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for May 9, 2019, were announced:

Table with 3 columns: Committee Name, Time, Room. Lists meetings for Education, Finance, Local and Mun. Affairs, Natural Resources, and Transportation.

Adjournment

On motion of Senator Thompson, at 6:30 o'clock P.M. the Senate adjourned until Thursday, May 9, 2019, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk