

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRD DAY'S PROCEEDINGS

Forty-Seventh Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, April 14, 2021

The Senate was called to order at 4:35 o'clock P.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Fesi	Mizell
Abraham	Foil	Morris
Allain	Harris	Peacock
Barrow	Henry	Peterson
Bernard	Jackson	Pope
Boudreaux	Johns	Price
Bouie	Lambert	Reese
Carter	Luneau	Smith
Cathy	McMath	Ward
Cloud	Mills, F.	
Connick	Mills, R.	
Total - 31		

ABSENT

Fields	Milligan	White
Hensgens	Talbot	Womack
Hewitt	Tarver	
Total - 8		

The President of the Senate announced there were 31 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Shelton C. Dixon, 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 Price, the reading of the Journal was dispensed with and the Journal of April 13, 2021, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 14, 2021

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. 1—
BY SENATORS PEACOCK AND ROBERT MILLS AND
REPRESENTATIVE PRESSLY

A CONCURRENT RESOLUTION

To commend Dr. R. Pat Day, senior pastor, of First United Methodist Church in Shreveport, Louisiana, upon his retirement after twenty-seven years of faithful service and inspiring leadership.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mr. William Brent Lumpkin.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR JOHNS AND REPRESENTATIVE FARNUM

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Deacon James "Chris" Gregory, devoted husband, father, grandfather, godfather, and devout servant of God, who faithfully served his community for over thirty years.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. David Buttross Jr., a distinguished gentleman, devout Christian, educator, Army Veteran and well-known internist and cardiologist.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mr. Richard Don Clements Jr.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Clifford Lee "Cliff" Newman, veteran of the United States Air Force, attorney, former state senator, and devoted father, grandfather, and great-grandfather.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATORS MILLIGAN AND PEACOCK AND REPRESENTATIVES BAGLEY AND SEABAUGH

A CONCURRENT RESOLUTION

To commend the Calvary Baptist Academy Cavaliers on winning the 2020 Division IV state football championship.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR MILLIGAN

A CONCURRENT RESOLUTION

To commend Mr. Colton Sanders, owner of CNC Oilfield Services, for his leadership and the selfless service of Mr. Sanders and his employees in rendering aid and assistance during the devastating winter storm of February 2021.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATORS MILLIGAN AND PEACOCK AND REPRESENTATIVE SEABAUGH

A CONCURRENT RESOLUTION

To commend and congratulate the Captain Shreve High School girls basketball team on their recent recognition for winning the

Louisiana High School Athletic Association Class 5A, District I state championship.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 19—
BY SENATORS PEACOCK, MILLIGAN AND ROBERT MILLS
A CONCURRENT RESOLUTION

To commend and congratulate the Calvary Baptist Academy's Lady Cavalier powerlifting team on their 2021 Louisiana High School Athletic Association (LHSAA) Division V state powerlifting championship.

Reported without amendments.

Respectfully submitted,
MICHELLE D. FONTENOT
Clerk of the House of Representatives

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 15—
BY SENATOR PRICE
A RESOLUTION

To commend the Louisiana State Employees' Retirement System (LASERS) on the occasion of its seventy-fifth anniversary.

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

**Senate Resolutions on
Second Reading, Subject to Call
Called from the Calendar**

Senator Henry asked that Senate Resolution No. 13 be called from the Calendar.

SENATE RESOLUTION NO. 13—
BY SENATOR HENRY
A RESOLUTION

To designate Monday, April 19, 2021, as Child Advocacy Center (CAC) Day in Louisiana.

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

Called from the Calendar

Senator Jackson asked that Senate Resolution No. 14 be called from the Calendar.

SENATE RESOLUTION NO. 14—
BY SENATOR FIELDS
A RESOLUTION

To designate Wednesday, April 14, 2021, as "University of Louisiana System Day at the Capitol" and to commend the University of Louisiana System for its commitment to create the most educated generation in Louisiana's history.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR CATHEY
A CONCURRENT RESOLUTION

To urge and request the LSU Board of Supervisors to solely name the basketball court at the Pete Maravich Assembly Center after legendary men's head basketball coach, Dale Brown.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 14, 2021

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. 9 HCR No. 24

Respectfully submitted,
MICHELLE D. FONTENOT
Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVES SCHEXNAYDER, ADAMS, AMEDEE, BACALA, BAGLEY, BEAULLIEU, BISHOP, BOURRIAQUE, BRASS, BROWN, BRYANT, BUTLER, CARPENTER, CARRIER, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, COX, CREWS, DAVIS, DEVILLIER, DESHOTEL, DUBUISSON, DUPLESSIS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMENT, FONTENOT, FREEMAN, FREIBERG, FRIEMAN, GADBERRY, GAINES, GAROFALO, GEYMAN, GLOVER, GOUDEAU, GREEN, HARRIS, HILFERTY, HODGES, HOLLIS, HORTON, HUGHES, HUVAL, ILLG, IVEY, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, JONES, JORDAN, KERNER, LACOMBE, LANDRY, LARVADAIN, LYONS, MACK, MAGEE, MARCELLE, MARINO, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MINCEY, MOORE, MUSCARELLO, NELSON, NEWELL, ORGERON, CHARLES OWEN, ROBERT OWEN, PHELPS, PIERRE, PRESSLY, RISER, ROMERO, SCHAMERHORN, SEABAUGH, SELDERS, ST. BLANC, STAGNI, STEFANSKI, TARVER, THOMAS, THOMPSON, TURNER, VILLO, WHEAT, WHITE, WILLARD, WRIGHT, AND ZERINGUE
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of former state representative Stephen F. "Steve" Carter of Baton Rouge.

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

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVE IVEY
A CONCURRENT RESOLUTION

To commend Daryl Purpera on the occasion of his retirement from service as the Louisiana legislative auditor.

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

Senator Mizell in the Chair

**House Concurrent Resolutions on
Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVE THOMPSON AND SENATOR CATHEY
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana on the death of Robert Patrick.

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

ROLL CALL

The roll was called with the following result:
YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hewitt	Peacock
Barrow	Jackson	Peterson
Bouie	Johns	Price
Carter	Lambert	Reese
Cathey	Luneau	Smith
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	
Foil	Mills, R.	
Total - 31		

NAYS

Total - 0

ABSENT

Bernard	Hensgens	Tarver
Boudreaux	Pope	Womack
Fields	Talbot	
Total - 8		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Karen Carter Peterson, Chairwoman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 14, 2021

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 53—
BY SENATOR HARRIS

AN ACT

To amend and reenact R.S. 13:996.67(C)(4), relative to the Civil District Court for the parish of Orleans judicial building fund; to provide for the addition of the assessor's office to the list of parochial offices that will be housed in the new Civil District Court for the parish of Orleans; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 79—
BY SENATOR WARD

AN ACT

To enact R.S. 40:1504, relative to fire protection districts; to authorize the governing authority of Pointe Coupee Parish to provide, by ordinance, for the governance of districts created by the parish; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 174—
BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 33:4574.5(A)(1) and (4), and to enact R.S. 33:4574.5(A)(6) and (7), relative to the Alexandria/Pineville Area Convention and Visitors Bureau; to provide relative to the board of directors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 184—
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 46:1098.5(C), 1098.6(B)(1)(a), 1098.7(23) and to enact R.S. 46:1098.3(H), relative to the St. Tammany Parish Hospital Service District No. 2; to provide for the appointment of members to the nominating committee for the board of commissioners; to provide relative to terms of the board of commissioners; to provide relative to meetings; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 193—
BY SENATOR MORRIS

AN ACT

To amend and reenact R.S. 33:2492(1)(b), 2496(1)(a), and 2556(1)(a), relative to entrance firefighter and police officer classes; to provide for testing notice requirements; to provide for provisional appointments; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 197—
BY SENATOR CATHEY

AN ACT

To enact R.S. 47:1925.13, relative to assessors; to provide relative to an automobile expense allowance; to provide relative to requirements and funding of such allowance; to require an affidavit verifying nonuse; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KAREN CARTER PETERSON
Chairwoman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

April 14, 2021

To the President and Members of the Senate:

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

SENATE BILL NO. 38—
BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 37:3703(B)(4), relative to the membership of the Louisiana Behavior Analyst Board; to provide for the length of an appointment term; to provide for applicability; and to provide for related matters.

Reported favorably.

April 14, 2021

SENATE BILL NO. 72—
BY SENATORS CARTER AND TARVER
AN ACT

To amend and reenact R.S. 36:251(C)(1) and to enact R.S. 36:258(E) and R.S. 46:2527, relative to the office on women’s health; to establish and provide for the office on women’s health within the Louisiana Department of Health; to provide for an assistant secretary and staff of the office on women’s health; to provide for the purposes, duties, and functions of the office on women’s health; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 107—
BY SENATOR BOUDREAU
AN ACT

To amend and reenact R.S. 40:961(27)(b)(iii) and to enact R.S. 40:962(I), relative to the controlled dangerous substances schedules; to provide for definitions; to provide for the removal of a substance from the controlled dangerous substances schedules; to provide for rulemaking authority; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 116—
BY SENATORS TARVER AND CARTER
AN ACT

To amend and reenact R.S. 46:231.12(A), (E), and (F) and to repeal R.S. 46:231.12(G), relative to aid for needy families; to provide relative to employment, education, and related services for FITAP participants; to provide relative to workers’ compensation and liability coverage for certain participants; to provide for terms and procedures; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 129—
BY SENATOR FRED MILLS
AN ACT

To amend and reenact R.S. 40:5.9(C)(4) and (5), to enact R.S. 40:5.9(C)(6), 5.9.1, and 5.9.2, and to repeal R.S. 36:259(B)(9) and R.S. 40:4.13, relative to public drinking water; to create and provide for the Community Drinking Water Infrastructure Sustainability Act; to provide for public purpose; to provide for a statewide system of community water system accountability; to provide for rulemaking; to provide for development of a letter grade schedule reflective of community water system quality and performance; to provide for publication of quality and performance scores and letter grades; to provide for requirement of an improvement plan; to provide for penalties; to provide for the use of federal funds; to repeal certain provisions relative to rulemaking; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 168—
BY SENATOR FRED MILLS
AN ACT

To enact R.S. 40:964(Schedule I)(A)(72) through (79), (Schedule II)(B)(30), and (Schedule IV)(B)(57) and to repeal R.S. 40:964(Schedule V)(F), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedules I, II, and IV; to repeal certain substances in Schedule V; to provide for technical changes by the Louisiana Law Institute; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRED H. MILLS JR.
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Sharon Hewitt, Chairwoman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 14, 2021

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. 64—
BY SENATOR BERNARD
AN ACT

To amend and reenact R.S. 18:1462(A)(2), (3), (4), and (5), relative to acts prohibited during early voting or on election day; to provide relative to lawful activities; to provide for campaign material and political advertising restrictions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 149—
BY SENATOR HARRIS
AN ACT

To provide for a special statewide election on the second Saturday in October of 2021, for the purpose of submitting constitutional amendments to the electors of the state; to provide for the conduct of such election; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 170—
BY SENATOR JOHNS
AN ACT

To amend and reenact R.S. 46:2161(C), 2161.1(A) and (C), 2165(A) and (B)(2) and (6), 2166(D), 2167(D), and Children's Code Art. 725.2(A)(1) and (B), to enact R.S. 36:4(J) and R.S. 46:2166(A)(18) and Part III of Chapter 28-B of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2169-2169.1, and to repeal R.S. 46:62, relative to human trafficking; to create the governor's office of human trafficking prevention; to provide for powers and duties; to provide for an executive director and other staff; to provide for budget oversight; and to provide for related matters.

Reported favorably.

Respectfully submitted,
SHARON W. HEWITT
Chairwoman

REPORT OF COMMITTEE ON

COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS

Senator Ronnie Johns, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

April 14, 2021

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:

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To express support for the strengthening of the partnership with Taiwan and for the expansion of Taiwan's role on the global stage.

Reported favorably.

SENATE BILL NO. 98—

BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 32:1252(27), relative to marine products; to provide for certain definitions; to provide for a licensing exception for certain marine products; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 100—

BY SENATOR REESE

AN ACT

To amend and reenact R.S. 6:767(F) and 768(D) and (E) and Code of Civil Procedure Art. 3434(A) and (B), and to enact R.S. 6:325(E), 767(G), and 768(F), relative to banks, mutual associations and savings banks; to provide relative to an affidavit for small successions; to provide for access and transfer of the contents of a safety deposit box by a bank, mutual association, or a savings bank to a succession representative heir or legatee; to provide for access and transfer of money and property by a bank, mutual association, or a savings bank to a succession representative heir or legatee; to provide liability protection for certain entities; to provide certain terms, conditions, and procedures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 210—

BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 32:1253(A)(3)(a) and R.S. 51:1941(6), and to enact Part IV-A of Chapter 6 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1270.31 through 1270.39, relative to recreational vehicle warranties; to provide for the function of certain appointed members of the Louisiana Motor Vehicle Commission; to provide relative to recreational vehicle warranties; to provide for definitions; to provide for the powers and duties of the Louisiana Motor Vehicle Commission; to provide relative to the manufacturer's duty to repair for nonconformity; to provide relative to consumer remedies; to provide for exclusiveness of consumer remedies, warranties, and peremptive periods relative to recreational vehicles; to revise the definition of "motor vehicle" relative to motor vehicle warranties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 223—

BY SENATOR JOHNS AND REPRESENTATIVE DAVIS

AN ACT

To amend and reenact the introductory paragraph of R.S. 10:9-109(c)(6), and to enact R.S. 45:1237 through 1240 and Subparts, B and C of Part VIII of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1331 through 1343, relative to financing utility storm repairs and strengthening and stabilizing utilities; to provide additional powers to the Louisiana Utilities Restoration Corporation; to provide with respect to financing orders and issuers of storm recovery bonds; to provide for legislative intent and definitions; to authorize the creation of special public trusts by the Louisiana Utilities Restoration Corporation; to provide for an alternate use of proceeds of system restoration bonds and contents of financing orders; to provide for the beneficiaries and powers of special public trusts; to provide the mode of creation of special public trusts; to place special public trusts under the regulatory

jurisdiction of the Public Service Commission or the council of the city of New Orleans; to establish a mechanism by which the special public trusts may make investments and distribute dividends and redemption payments; to provide for trustees and their duties and powers; to provide a corporation pledge of nonimpairment of special public trusts; to prohibit the special public trusts from filing bankruptcy; to provide with respect to transfers of beneficial interests; to authorize the Louisiana Utilities Restoration Corporation to participate under the Louisiana Electric Utility Storm Recovery Securitization Act; and to provide for related matters.

Reported with amendments.

Respectfully submitted, RONNIE JOHNS Chairman

Mr. President in the Chair

Senate Concurrent Resolutions on Second Reading Just Reported by Committees

Senator Peacock asked for and obtained a suspension of the rules to take up Senate Concurrent Resolutions just reported by Committees.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To express support for the strengthening of the partnership with Taiwan and for the expansion of Taiwan's role on the global stage.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and their votes (Yeas) for the concurrent resolution.

Total - 25

NAYS

Table listing names of senators and their votes (Nays) for the concurrent resolution.

Total - 7

ABSENT

Table listing names of senators and their status (Absent) for the concurrent resolution.

Total - 7

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

April 14, 2021

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 9— BY SENATOR PRICE

AN ACT

To amend and reenact Children's Code Articles 603(2)(e), 680, 1022, and 1226, R.S. 13:1139 and 1587.1(C), R.S. 15:1082, 1098.1(A), and 1099.1, R.S. 24:175(B) and 176(B), R.S. 44:3(A)(6), and R.S. 46:1251(B), 1901(B), 2411, and 2417(C), and to repeal Children's Code Article 606(A)(6), (7), and (8), relative to the continuous revision of the Children's Code; to provide for definitions; to provide for the grounds for a child in need of care; to provide for the rights of the parties in a disposition hearing; to provide for service of nonresident parents; to provide for references to the Children's Code; to provide for Comments; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 9 by Senator Price

AMENDMENT NO. 1

On page 1, line 2, change "Articles" to "Arts."

AMENDMENT NO. 2

On page 1, line 5, change "Article" to "Art."

AMENDMENT NO. 3

On page 1, line 11, change "Articles" to "Arts."

AMENDMENT NO. 4

On page 7, line 27, change "Article" to "Art."

AMENDMENT NO. 5

On page 8, line 1, change "Article" to "Art."

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

SENATE BILL NO. 13— BY SENATOR PRICE

AN ACT

To enact R.S. 11:1305.1, relative to the State Police Retirement System; to provide relative to the transfer of service credit from another Louisiana public retirement system, fund, or plan; to provide with respect to an upgrade of the accrual rate applicable to service credit transferred; to provide for determination and funding of the cost of the upgrade; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 13 by Senator Price

AMENDMENT NO. 1

On page 1, at the beginning of line 11, insert "A."

AMENDMENT NO. 2

On page 1, line 16, after "application to all or a" insert "permissible"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following: "B. "Permissible portion" pursuant to Subsection A of this Section shall be:

- (1) An increment of one full year or more. (2) One-time upgrade of the fractional portion of a year."

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

SENATE BILL NO. 18— BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 11:1311, relative to the State Police Retirement System; to provide for reemployment of retirees; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 18 by Senator Johns

AMENDMENT NO. 1

On page 2, between lines 11 and 12, insert the following: "Section 2. The cost of this Act shall be funded with additional employer contributions in compliance with Article X, Section 29(F) of the Louisiana Constitution."

AMENDMENT NO. 2

On page 2, line 12, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 2, line 14, change "Section 3." to "Section 4."

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

SENATE BILL NO. 24—

BY SENATORS PRICE, HENSGENS, ROBERT MILLS, MIZELL AND PEACOCK

AN ACT

To enact R.S. 11:542.1.2, 883.3.1, 1145.4, and 1331.3, relative to the Louisiana State Employees' Retirement System, Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and the State Police Retirement System; to provide relative to a permanent benefit increase, a cost-of-living adjustment or other supplemental payment for certain retirees; to provide with respect to a minimum benefit increase to certain retirees, their survivors, and their beneficiaries; to provide relative to the experience account; to provide with respect to calculation and for funding; to provide for qualifications; to provide an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 32— BY SENATOR CATHEY

AN ACT

To repeal R.S. 3:856, relative to the sampling and analysis of agriculture products; to repeal the exclusion of certain agricultural products authorized to be sampled and analyzed by the commissioner of agriculture; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 58—
BY SENATOR WOMACK

AN ACT

To amend and reenact R.S. 3:2856, relative to the identification of impounded animals; to require permanent identification of certain impounded animals; to provide for recordkeeping requirements; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 62—
BY SENATOR MILLIGAN

AN ACT

To enact Code of Civil Procedure Art. 4566(K), relative to the management of affairs of the interdict; to provide for the establishment and maintenance of deposit accounts; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 62 by Senator Milligan

AMENDMENT NO. 1

On page 1, line 2 change "affairs of the" to "affairs of an"

AMENDMENT NO. 2

On page 1, line 11, after "**authority to**" insert "**access deposit accounts held in the name of the interdict and authority to**"

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

SENATE BILL NO. 113—
BY SENATORS TARVER AND CARTER

AN ACT

To amend and reenact Code of Civil Procedure Art. 192.2(B), relative to interpreters in certain civil proceedings; to provide relative to costs; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 113 by Senator Tarver

AMENDMENT NO. 1

On page 1, delete lines 10 through 13, and insert the following:
"B. ~~The Notwithstanding any other provision of law to the contrary, the court shall order payment to the interpreter for his services at a fixed reasonable amount, and that amount shall be paid out of the appropriate court fund, except as provided in Paragraph C of this Article. The amount paid out of the fund may be taxed by the court as costs of court to be reimbursed to the fund.~~"

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

SENATE BILL NO. 120—
BY SENATOR BOUDREAU

AN ACT

To amend and reenact R.S. 13:1883(D), relative to certain marshals of city courts; to provide for the salary of the marshal of the city court of Lafayette; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 120 by Senator Boudreaux

AMENDMENT NO. 1

On page 1, line 9, change "Sub-sections" to "**Subsections**"

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

SENATE BILL NO. 157—
BY SENATOR ALLAIN AND REPRESENTATIVE BISHOP

AN ACT

To amend and reenact R.S. 47:242(1)(g) and (2) and 293(10) and to enact R.S. 47:111(A)(12), 112.2, and 248, relative to exemptions from employee withholding and individual income tax for wages received by certain nonresidents; to authorize an exemption from withholding for certain employers; to provide for an exemption from individual income tax for certain nonresident employees in the state for fewer than thirty days; to provide for exceptions, limitations, and requirements; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 159—
BY SENATOR ALLAIN AND REPRESENTATIVE BISHOP

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(A) of the Constitution of Louisiana, relative to income tax; to provide a maximum rate of individual income tax; to provide with respect to the deductibility of federal income tax for purposes of computing state income tax; to eliminate the mandatory deduction for federal income taxes; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 160—
BY SENATOR ALLAIN AND REPRESENTATIVE BISHOP

AN ACT

To amend and reenact R.S. 47:103(A)(2)(a) and 201 and to enact R.S. 47:201.2, relative to partnership information returns and partnership audit reporting requirements; to provide for the reporting of federal partnership audit adjustments to the Department of Revenue; to provide definitions; to provide for the reporting of state tax liabilities as a result of partnership audit adjustments; to provide for methodology and procedures for calculating partnership audit adjustments; to provide for the prescriptive period; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 160 by Senator Allain

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:201.2" insert ", 287.614(C)(3), and 287.657"

AMENDMENT NO. 2

On page 1, line 7, after "audit adjustments;" insert "to provide for estimated payments during the course of a federal audit;"

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AMENDMENT NO. 3

On page 1, line 11, delete "is" and insert ", 287.614(C)(3), and 287.657 are"

AMENDMENT NO. 4

On page 2, line 4, delete "fourth" and insert "fifth"

AMENDMENT NO. 5

On page 12, delete lines 27 through 29, and on page 13, delete lines 1 through 9 and insert:

"F. Estimated tax payments during the course of a federal audit. A taxpayer may make estimated payments to the department, following the process prescribed by the department, of the state tax expected to result from a pending IRS audit prior to the due date of the federal adjustments report. The estimated tax payments shall be credited against any tax liability ultimately found to be due to the state attributable to the federal adjustments report and shall limit the accrual of interest pursuant to R.S. 47:1601 on that amount. If the estimated tax payments exceed the final state tax liability attributable to the federal adjustments report the taxpayer is entitled to a refund, subject to the credit and offset provisions of R.S. 47:1622, provided the taxpayer files a federal adjustments report or claim for refund of an overpayment of tax pursuant to R.S. 47:1621 no later than one year following the final determination date. Interest pursuant to R.S. 47:1624 shall be computed and allowed only on estimated tax payments beginning ninety days after the taxpayer files a federal adjustments report or claim for refund of an overpayment of tax pursuant to R.S. 47:1621."

AMENDMENT NO. 6

On page 14, between lines 21 and 22, insert:

"J. The department may provide by rule for similar procedures for audits and investigations conducted pursuant to the secretary's authority under Chapter 18 of this Subtitle.

* * *

§287.614. Time and place for filing returns; information concerning federal return; extension of time to file

* * *

C.

* * *

(3) Unless otherwise agreed in writing by the taxpayer and the secretary, adjustments by the department or by the taxpayer after the expiration of the applicable prescriptive period are limited to adjustments to the taxpayer's tax liability arising from adjustments to the taxpayer's federal taxable income.

* * *

§287.657. Estimated tax payments during the course of a federal audit

A corporation may make estimated payments to the department, following the process prescribed by the department, of the state tax expected to result from a pending Internal Revenue Service audit prior to the due date of the federal adjustments report. The estimated tax payments shall be credited against any corporation income tax liability ultimately found to be due to the state attributable to the federal adjustments report and shall limit the accrual of interest pursuant to R.S. 47:1601 on that amount. If the estimated tax payments exceed the final state tax liability attributable to the federal adjustment report the taxpayer is entitled to a refund, subject to the credit and offset provisions of R.S. 47:1622, provided the taxpayer files a federal adjustments report or claim for refund of an overpayment of tax pursuant to R.S. 47:1621 no later than one year following the final determination date. Interest pursuant to R.S. 47:1624 shall be computed and allowed only on estimated tax payments beginning ninety days after the taxpayer files a federal adjustments report or claim for refund of an overpayment of tax pursuant to R.S. 47:1621."

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

SENATE BILL NO. 161—

BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 47:601.1(A)(1), relative to the suspension the corporation franchise tax on the first three hundred thousand dollars of taxable capital for small business corporations; to provide the applicable tax periods of the suspension; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 171—

BY SENATOR ALLAIN

AN ACT

To enact R.S. 30:88.2 and R.S. 47:633(7)(c)(iv)(cc), relative to an exemption from severance tax on oil production from certain orphaned wells; to provide for payments into site specific trust accounts in an amount equal to the severance tax that would otherwise be due; to provide for reimbursement of certain oilfield site restoration costs; to provide for certain requirements and limitations; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 171 by Senator Allain

AMENDMENT NO. 1

On page 1, line 13, change "twenty-four" to "twelve"

AMENDMENT NO. 2

On page 3, line 23, change "Natural Resources" to "Revenue"

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

SENATE BILL NO. 237—

BY SENATOR FOIL

AN ACT

To enact R.S. 47:6042, relative to tax credits; to establish the Infrastructure and Jobs Creation Tax Credit Program to fund grants for public-private partnership investment in Louisiana infrastructure projects; to provide for the amount of the credit; to authorize the Department of Revenue to sell credits; to provide for the administration of the credit; to create the Infrastructure and Jobs Creation Fund; to authorize the Department of Economic Development to award Infrastructure and Jobs Creation Grants; to establish eligibility requirements; to authorize the promulgation of rules and regulations; to provide for the implementation of grants; to provide for certain limitations and requirements; to provide for definitions; and to provide for related matters.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR FOIL

A CONCURRENT RESOLUTION

To commend and congratulate Commander Matthew Noland of the United States Navy on the occasion of taking command of the guided missile destroyer USS KIDD.

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

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATOR FOIL

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality, in consultation with other entities, to study the feasibility of providing funding for remediation of storm water quality impairments, including but not limited to sediment and aquatic trash, through the implementation of devices to capture such impairments and the maintenance of devices to remove such impairments from storm water systems.

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

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

ENROLLMENTS

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

April 14, 2021

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. 3—

BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Neel Emerson Garland.

SENATE RESOLUTION NO. 4—

BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Thomas Bert Bateman.

SENATE RESOLUTION NO. 5—

BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. Joseph Aaron Roy.

SENATE RESOLUTION NO. 6—

BY SENATORS MORRIS AND CATHEY

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Daran Hines Reeves.

SENATE RESOLUTION NO. 7—

BY SENATOR BOUDREAU

A RESOLUTION

To commend Sergeant Major Anazia M. Andrus-Sam on thirty-one years of outstanding and selfless service to her country in the United States Army and the United States Army Reserve.

SENATE RESOLUTION NO. 8—

BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Archbishop Wilton Gregory on being selected by Pope Francis to become a cardinal, the first black prelate in the United States.

SENATE RESOLUTION NO. 9—

BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Fredrick "Fred" Prejean Sr. on being named by the Community Foundation of Acadiana as the 2020 recipient of the Lafayette Civic Cup.

SENATE RESOLUTION NO. 10—

BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Phyllis Coleman Mouton, recipient of the United Way of Acadiana's Trailblazer Award.

SENATE RESOLUTION NO. 11—

BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Rhyn L. Duplechain upon the occasion of his retirement as assessor of St. Landry Parish after nearly thirty-four years of dedicated service in the assessor's office.

SENATE RESOLUTION NO. 12—

BY SENATOR BOUDREAU

A RESOLUTION

To commend Boys and Girls Clubs in Louisiana for their outstanding commitment to children, teens, and families and to recognize the week beginning April 12, 2021, as Boys and Girls Clubs in Louisiana Week.

Respectfully submitted,
SHARON W. HEWITT
Chairman

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Foil	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Barrow	Hewitt	Peterson
Bernard	Jackson	Pope
Boudreaux	Johns	Price
Bouie	Lambert	Reese
Carter	Luneau	Smith
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	
Fesi	Mills, R.	
Total - 34		

ABSENT

Fields	Talbot	Womack
Hensgens	Tarver	
Total - 5		

Leaves of Absence

The following leaves of absence were asked for and granted:

Fields	1 Day	Hensgens	1 Day
Talbot	1 Day	Tarver	1 Day
Womack	1 Day		

April 14, 2021

Announcements

The following committee meetings for April 15, 2021, were announced:

Finance	9:00 A.M.	Room A
Revenue and Fiscal Affairs	9:00 A.M.	Hainkel Room

The following committee meetings for April 19, 2021, were announced:

Environmental Quality	12:30 P.M.	Room A
Finance	9:30 A.M.	Room A
Judiciary A	12:30 P.M.	Hainkel Room
Judiciary B	1:00 P.M.	Room E
Judiciary C	12:30 P.M.	Room F
Retirement	10:00 A.M.	Room E
Revenue and Fiscal Affairs	10:00 A.M.	Hainkel Room

Adjournment

On motion of Senator Peacock, at 5:15 o'clock P.M. the Senate adjourned until Monday, April 19, 2021, at 4:30 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

DIANE O' QUIN
Journal Clerk